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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 Monday, 17th November 2014

commencing at 10.00 am

(Day 67)

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

1 Monday, 17th November 2014

2 (10.00 am)

3 WITNESS HIA41 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. I am sorry
5 there has been something of a delay before we are able
6 to start, but before we commence the proceedings of the
7 Inquiry this morning may I again remind everybody that
8 four mobile phones must be turned off or at the very
9 least placed on silent/vibrate, and that no photography
10 of any sort is permitted anywhere, whether it's within
11 the Inquiry chamber or within the wider Inquiry
12 premises.

13 Yes, Ms Smith.

14 MS SMITH: Chairman, I understand there are a number of
15 people who wish to announce their appearances this
16 morning.

17 CHAIRMAN: Yes.

18 MR HARVEY: Chairman, Members of the Panel, I appear on
19 behalf of BR2, BR3 and BR25 in respect of this witness.
20 I am attended this morning by Mr Seamus Collins of PJ
21 McGrory Solicitors.

22 CHAIRMAN: Thank you, Mr Harvey.

23 MR McCRANER: Chairman, Members of the Panel, my name is
24 Charles McCraner, QC. I am here with Mr Chris Holmes,
25 barrister at law, and we are instructed by Charles

1 Stewart of Stewarts Solicitors, and I am representing
2 DL509 relevant to this witness and two other witnesses
3 to be called.

4 CHAIRMAN: Thank you, Mr McCraner.

5 MR FAHY: Mr Chairman, Members of the Panel, Desmond Fahy of
6 counsel. I am attended today by Mr Adrian O'Kane from
7 Patrick Fahy & Company Solicitors in Omagh. We appear
8 in respect of BR77, who is relevant to the witness we
9 are about to hear from.

10 CHAIRMAN: Thank you.

11 MR McCOURT: Mr Chairman, Members of the Panel, I appear
12 from Jim Rafferty & Company Solicitors. We appear for
13 witness number DL149 relevant to the two witnesses this
14 morning.

15 CHAIRMAN: Thank you, Mr McCourt.

16 MR TUMELTY: Chairman, Members of the Panel,
17 Stephen Tumelty, solicitor, representing DL1. I am
18 accompanied by Mr Molloy.

19 CHAIRMAN: Thank you, Mr Tumelty.

20 MS SMITH: Chairman, Panel Members, ladies and gentlemen,
21 this morning's witness is HIA41. He is HIA41. HIA41
22 wishes to affirm, Chairman, and he also wishes to
23 maintain his anonymity which has been afforded by the
24 Inquiry.

25 CHAIRMAN: Thank you.

1 WITNESS HIA41 (affirmed)

2 CHAIRMAN: Thank you very much, HIA41. Please sit down.

3 Questions from COUNSEL TO THE INQUIRY

4 MS SMITH: Now, HIA41, before I come to speak to you about
5 what you want to say to the Inquiry there's a number of
6 documents that I just wish to alert the Panel to the
7 page reference numbers.

8 Those are your statement, which is at RUB484 to 511.

9 The Order's response is at RUB3108 to 3114 with
10 exhibits at 3115 to 3182.

11 The Health & Social Care Board's response is at
12 RUB8697 to 8720.

13 There's a bundle of social work material which can
14 be found at RUB30514 to 30703.

15 There's a statement from a former social worker,
16 DL 503 , at RUB5545 to 5547.

17 There's civil claim papers, which can be found at
18 RUB51069 to 51588.

19 HIA41 spoke to police on a number of occasions.
20 There are a total of eight witness statements, which can
21 be found at RUB60110 to 60111. There's another one at
22 RUB60198, a third at RUB60482 to 60486 and then --
23 sorry. Apologies. In fact, the next three statements
24 are sequential in the bundle. So they can be found at
25 60482 to 60490.

1 Then there is another statement at 63005, a further
2 statement at 67496 to 97, a final statement at 67038 to
3 67050, and then there's a note, a short statement that
4 HIA41 wrote directing -- in 2012 directing that he
5 wished no further involvement with police in respect of
6 the allegations that he had made. That's at RUB67174.

7 Various people were interviewed on foot of those
8 police statements. In respect -- and again I will be
9 using names that ought not to be used outside the
10 chamber without written permission from the people
11 involved, but I'm going to use the names to make it
12 clear who I'm talking about.

13 The first of those is BR2. His interviews are found
14 at RUB62258 to 62268 and again at 65654 to 65661. He
15 has given a statement to the Inquiry, which is found at
16 5255 to 5371 and the relevant paragraphs of that
17 statement are paragraphs 21 to 25.

18 BR77 was interviewed and the interviews to police
19 are found at RUB67721 to 67725 and RUB67972 to 67997.

20 He too has made an Inquiry statement and that can be
21 found at RUB5401 to 5418 and paragraph 4 is the relevant
22 section of that statement.

23 DL 509 was interviewed by police at
24 RUB6306 -- sorry -- 63036 to 63051. He has given
25 a statement to the Inquiry at 5548 to 5551. The

1 relevant paragraph is paragraph 5.

2 DL81 was interviewed by police at RUB63236 to 63261,
3 then at 67807 to 67813 and again at 67805. He too has
4 given a statement to the Inquiry, which -- he relies on
5 his police interviews and accounts given therein. That
6 statement is found at RUB5562 to 5563.

7 DL149 was interviewed by police at RUB63153, at
8 67498 to 67549 and at 67570 to 67582. We have this
9 morning received an unsigned witness statement in
10 respect of HIA41's allegations and that is now in the
11 bundle at 5893 to 5894.

12 Finally, the interview of BR 25 is at
13 RUB68011 to 68020 and his Inquiry statement can be found
14 at 5458 to 5464.

15 Now, HIA41, if I can finally turn to you, and can I
16 say, HIA41, that when you were interviewed by the
17 Inquiry legal team, you were unhappy with the statement
18 that they had prepared for you. So the statement that
19 the Inquiry has is largely your own work. Isn't that
20 correct?

21 **A. Yes.**

22 Q. They can be found -- that's been pulled up on the screen
23 here. As you can see, instead of giving your name, it
24 says "The Witness Statement of HIA41", which, as you
25 know, is the designation that the Inquiry has given to

1 protect your anonymity. If we could just move to the
2 last page of that, please, at 511, I know, HIA41, that
3 you have -- sorry. If we can just scroll on down over
4 to 512. I know that you have the unredacted version
5 with you, and can I just ask you to confirm that you
6 have signed the witness statement where we see that big
7 black box saying "HIA41"?

8 **A. Yes, yes.**

9 Q. And that was signed on 12th March 2014?

10 **A. Yes.**

11 Q. And this is the witness statement that you want the
12 Inquiry to take into account as your evidence?

13 **A. Yes.**

14 Q. Together with anything else you say today?

15 **A. Yes.**

16 Q. Now we have discussed this earlier today, HIA41, and
17 paragraphs 1 to 15 of this statement set out details
18 about your life and how you came to be placed in care.
19 You know from me that the Inquiry Panel has read your
20 statement in full, but that how you came to be in care,
21 while it is completely and absolutely relevant to you
22 and to your life and to what happened to you, is not of
23 as much importance to the Inquiry as what happened to
24 you once you went into the institutions.

25 **A. Yes.**

1 Q. So in paragraphs 1 and 2 and paragraphs 16 to 31 of your
2 statement you describe how you spent some time in the
3 , and documents would suggest you were
4 there for two months before you moved to Nazareth Lodge.

5 **A. Three months.**

6 Q. Three months before you moved to Nazareth Lodge in ,
7 and you spent time there until . Now we are not
8 going to go into today what happened to you in that
9 institution, but I just want you to confirm that you are
10 happy to come back on another occasion to talk to us
11 about what happened there?

12 **A. Yes. I was previously in and out of Nazareth Lodge**
13 **before .**

14 Q. But the longest spell you spent there was from to
15 . Isn't that right?

16 **A. Yes.**

17 Q. So we know you moved from Nazareth Lodge to Rubane in
18 and you were there until the end of .

19 **A. Yes.**

20 Q. In paragraphs 41 and 42 of your statement you give some
21 general complaints about your time there. You say that
22 the food wasn't good, that the clothes were
23 old-fashioned and that the clothes were the same for all
24 the boys.

25 **A. Yes.**

1 Q. Now we talked about this again earlier and I showed you
2 a number of photographs, which I am just going to call
3 up so that the Panel Members can see what we are talking
4 about. The first of these, please, is 90003. These
5 were photographs that were provided to the Inquiry by
6 the De La Salle Order, and I don't know who has written
7 the names on the photographs, but no doubt we will
8 ascertain that in due course.

9 This first photograph does not, in fact, show you,
10 HIA41. It is black and white. The bottom photograph,
11 you may be in that, and that shows sports day .

12 If we could just then move on to another photograph,
13 which is 90012, and this shows canoeing on
14 Castlewellan lake. You will see that the bottom
15 photograph there there's a name which is your name and
16 again your full name is given, but it will not be
17 allowed to be used outside this chamber, and before
18 these -- I can just tell you we don't put the
19 photographs on to the website, simply because people can
20 be identified from them. So it will not go on to the
21 website, but can I just ask you to confirm you are in
22 that bottom photograph?

23 **A. Yes. That's me and DL 55 .**

24 Q. Which one is you?

25 **A. .**

1 Q. If we just scroll down to the next photograph, these
2 seem to be in the gym or sports hall. Would that be
3 right?

4 **A. Maybe outside the TT room.**

5 Q. But certainly the top one seems to be inside the gym, is
6 it?

7 **A. Oh, yes, yes.**

8 Q. And then there's names of a Brother given there. Again
9 you are in the bottom photograph. Now I am just pausing
10 there to say that these photographs certainly suggest
11 that the boys were wearing different types of clothing,
12 that they weren't the same for everyone. Would you
13 accept that?

14 **A. Well, no. I mean, boys went out at the weekends and**
15 **they went out monthly, you know, and they were out all**
16 **summer, so -- but it was BR3, --**
17 **basically the clothes were the same and they were in**
18 **bulk. They were kept above the TT room. So the clothes**
19 **were the same, you know. Everybody same had the shirt,**
20 **jumper, trousers. I do under... -- take the point that**
21 **there are different clothes there, but when I went there**
22 **I had different clothes when I was . So I understand**
23 **the point that ...**

24 Q. Certainly your recollection is that while the jumpers
25 might have been different, it was effectively a uniform

1 a photograph where your name -- is that you -- can you
2 identify yourself in that photograph, HIA41?

3 **A. No.**

4 Q. If we can just scroll on, please, this seems to be
5 a visit to the and again other boys
6 are there. Now this next photograph, are you in this
7 photograph? This is North Antrim summer camp and you
8 see it says here:

9 "Boys at De La Salle Home during August went each
10 year to Kilmore House, Ballinlig, in Waterfoot."

11 Can I just ask you, first of all, do you remember
12 going to Waterfoot on holidays?

13 **A. Yes, away up a mountain road from Waterfoot, yes.**

14 Q. You are in this photograph, are you, HIA41?

15 **A. I don't really know which one. Which one are you
16 telling me?**

17 Q. I don't know. There's two names there. There's your
18 name and then another boy. I'm wondering if they were
19 the front two --

20 **A. It's possible the one on the left could be me, yes --**

21 Q. Okay. If we just scroll --

22 **A. -- and HIA104.**

23 Q. If we can just scroll on down, some more photographs.
24 These are two Brothers, BR2, BR6, and then staff
25 organising activities and again you are supposed to be

1 in that group of boys there. Again --

2 CHAIRMAN: Just before we leave that --

3 MS SMITH: Sorry.

4 CHAIRMAN: -- is that photograph with the shrubbery and so
5 on, is that in Rubane or is it somewhere else?

6 **A. It's Waterfoot.**

7 CHAIRMAN: That's Waterfoot, is it? Thank you.

8 MS SMITH: I think this group of photographs all relate to
9 trips to Waterfoot, if I'm right, HIA41, but scroll down
10 to the next two. Again this seems to be "Boys walk to
11 Causeway". That's obviously the Giant's Causeway. It's
12 maybe not as clear. That would have been walking down
13 towards it. We can just see in the next photograph
14 Dunseverick Castle in the background with two Brothers
15 there. Do you recognise any of the other boys in the
16 photograph, HIA41?

17 **A. I think BR10 and BR2.**

18 Q. But do you recognise the children?

19 **A. No.**

20 Q. Okay. Just next photograph. Scroll on down. This
21 is -- it looks like it is Bushmills Safari Park, and
22 that looks like the path -- the coast path along above
23 the Causeway and that suggests that you're in that
24 photograph. Do you remember going to the Giant's
25 Causeway on one of the trips to Waterfoot?

1 **A. Any time we were taken out of the home it was done by**
2 **BR10. If it hadn't been for him, we would never have**
3 **got out the gates of it.**

4 Q. Just if I can then go to three photographs just for
5 completeness. 900109 -- and these are the photographs
6 that you looked at earlier today. 900109. In fact, it
7 probably is 90109. Sorry. My fault. 90109. Again
8 summer time activities. Again:

9 "Each summer the boys that had no home to go to went
10 to Kilmore House in Waterfoot, North Antrim during
11 August."

12 There is a question mark here over a date, .
13 This photograph shows BR10, BR25 and says you're in that
14 group somewhere. Do you remember that, HIA41, at all?

15 **A. No, unless -- I can't see myself there.**

16 Q. Then just two more finally, photographs 90121, and this
17 is class and BR2:

18 "BR2 joined the outdoor education event while on
19 a break from studies."

20 It seems to suggest that the gentleman from the dark
21 clothing to the extreme left of the photograph is BR2
22 and not quite clear who the next person is.

23 **A. Is DL 509 .**

24 Q. DL 509 . Then number of boys and I think you are
25 supposed to be somewhere in that group. Do you

1 recognise yourself in that photograph, HIA41?

2 **A. Just standing to the right of the person kneeling down.**

3 Q. Okay, and are you in a blue jacket or the fawn coat?

4 **A. No, the fawn.**

5 Q. So that would be you there?

6 **A. No, the next one over, yes.**

7 Q. That one there sort of in the middle of the photograph?

8 **A. Yes.**

9 Q. Okay, and then just finally the next photograph, please,
10 which would appear to be the same trip. Just scroll on
11 down, and again that would seem to be you just almost in
12 the middle of that?

13 **A. Yes.**

14 Q. Yes. Okay. Thank you, HIA41. Well, if -- just going
15 back to your witness statement, at paragraph 32 of that
16 you start to recount your time in Rubane and you make
17 a number of specific complaints. Because of the way
18 this statement is written, I am going to summarise those
19 complaints now and I will also afford you the
20 opportunity to add anything if you think I haven't
21 properly summarised what you say in your statement.

22 The first thing you say is that you were regularly
23 left on your own at night in the chalets when you were
24 living there.

25 **A. Chalet .**

1 Q. You were in chalet . The Order you know would say that
2 was not the case. There was always an assistant
3 houseparent on duty and in your case that would have
4 been --

5 **A. There was no employed houseparents in chalet when I**
6 **went there. There was a DL378, who was the wife**
7 **, who came in, cooked the dinner an odd**
8 **time and the boys did all of the other work, and**
9 **whenever she didn't, the boys cooked it themselves, but**
10 **she only stayed an hour and a half, maybe 5.00 to 6.30**
11 **or 7 o'clock.**

12 Q. What about DL81? Was he assigned to chalet ?

13 **A. He was not there at the time, but he did come to chalet**
14 **, man --**

15 Q. Not originally?

16 **A. -- from .**

17 Q. Well, I'll come back to him in a moment. The other
18 person who would have -- ought to have been in charge of
19 chalet was BR17.

20 **A. BR17, yes.**

21 Q. Now we know from what the Inquiry have heard there were
22 two Brother [name redacted] who spent time in Rubane.
23 The person who would have been there during your time
24 would have been B17.

25 **A. He was the .**

1 Q. In one of -- you go on to just talk about him in your
2 witness statement.

3 **A. Yes.**

4 Q. This is at page RUB496. You say that he was drunk a lot
5 of the time, that he was a violent man who beat all the
6 boys in the chalet. You describe an occasion where he
7 -- you were sitting on the steps of the table tennis
8 room. The bell had just gone off in the morning time
9 when he appeared. He started punching you. He punched
10 you in the table tennis room. It was the smoking and
11 line up room, TT room.

12 "The boy sitting next to me",
13 and you give his name and you say where he was
14 from, and you said that that boy said that you hadn't
15 hit anyone, that it was him.

16 **A. He told BR17 that.**

17 Q. Essentially what you are saying is that you were beaten
18 by BR17?

19 **A. He just --**

20 Q. -- because he blamed you for hitting someone, and I am
21 going to give the names, because it is easier. He
22 blamed you for hitting DL48, when, in fact, it was
23 another boy who had hit DL48.

24 **A. It was DL 65 hit him.**

25 Q. He gave you one last slap in front of BR1, who came into

1 the room, and then you say --

2 **A. He didn't just. He kicked and punched me round a room**
3 **of this -- half this size, round the four walls of it.**
4 **He punched and kicked and slapped me. BR1 came out of**
5 **the house, because the school bell had gone and he had**
6 **heard the screaming. So he didn't just give me**
7 **a beating. He battered me like right round the four**
8 **walls of the TT room, which was where all the 70 boys**
9 **were lined up, and that is -- others have described 13**
10 **boys in each -- in four units. There were at least 70**
11 **in five units. There were five independent homes in De**
12 **La Salle Home. It wasn't one home.**

13 Q. And when you say there were five independent boys (sic),
14 you are talking about the four chalets --

15 **A. Yes.**

16 Q. -- and then the main house?

17 **A. Yes.**

18 Q. And you actually go on to say that you then did go, in
19 fact, and punch DL48.

20 **A. When the school bell went, I went down. We all had to**
21 **change our shoes in the school room. So I went down in**
22 **a rage, and the beating and torture I got I actually hit**
23 **DL48.**

24 Q. Now the -- you also -- I should say that the Order don't
25 accept that this Brother, BR17, was either a drunk or

1 a violent man. Is there anything you want to say about
2 that?

3 **A. BR17 left the boys unattended in chalet on a regular**
4 **basis to go drinking over in the house. So some of the**
5 **older boys had come up with schemes of robbing his room,**
6 **attempting to rob the shop, because he had the keys of**
7 **the shop, and opened the pantry. There was no**
8 **food in the chalet, but it was able to be done by**
9 **putting a knife on the door, moving the latch and**
10 **pulling it tight, moving it, pulling it tight. So the**
11 **boys would have got in there at night. There would have**
12 **been one boy would have watched out for BR17 coming**
13 **back. He was a violent, vicious animal of a man and he**
14 **hit with full force. There was none of this slapping.**
15 **There were no canes or no straps when I went there.**
16 **There was no corporal punishment or loss of rewards or**
17 **any menial things. You got kicked and punched the same**
18 **as Mike Tyson had the ability to do.**

19 **Q. Just one of the things that you wanted to make when you**
20 **were telling me about this earlier about how the boys**
21 **would plot to rob BR17's room or get into the pantry and**
22 **that -- you are saying that indicates the fact there was**
23 **no supervision in the chalet at night.**

24 **A. 100%. 100% correct.**

25 **Q. If I can move on, another person against whom you make**

1 allegations is DL81, who we were talking about. He was
2 a housemaster and you say he moved to work in chalet
3 having been in a different chalet.

4 **A. Yes.**

5 Q. Now you say he used to punch boys in chalet . You
6 relate a particular incident where he punched you in the
7 face, knocking you to the floor, for wanting to dry
8 dishes instead of washing them.

9 **A. Yes.**

10 Q. Now he was interviewed by police and completely denied
11 the allegations. He told them that you resented him
12 because he had taken over from a DL115 in chalet and
13 you were one of her pets and he said that he never hit
14 boys. The punishment was the deduction of points from
15 the reward system for pocket money. He says that he was
16 not in charge of supervising the dishes, that that was
17 down in chalet to DL378, who is described as
18 a houseparent. He says he was in a different chalet.
19 He says the allegation is untrue and that he was known
20 by staff as a softy and that you even said to him once
21 that, "Even BR1 says you're soft", that you used those
22 words to him.

23 **A. I wish I was as soft as him.**

24 Q. Well, he told police that you and he --

25 **A. You first of all said DL115.**

1 Q. Yes.

2 A. I never met DL115. She was a chalet woman. So
3 you've -- that lie is his first lie. He made it out
4 brutal, punching by using his fists. A
5 man from whom one witness here left
6 Kircubbin and went to live with his family, which was
7 HIA104. So I have -- I don't know DL115. I was never
8 in chalet . It was an independent home and none of the
9 Brothers had any access to any of the chalets or houses.
10 They were completely autonomous and run on their own.
11 DL81 did come to work in chalet and he kicked the crap
12 out of the boys in there. I think he had
13 there called DL 404, and on one other occasion DL90 would
14 have been three times the size of me and he sort of
15 challenged him in chalet , which was witnessed by
16 everybody in chalet , and he beat the crap out of DL90.

17 So there was a time when BR17 was there on his own
18 and the children were all left unattended.

19 Q. Can I just -- to be clear, HIA41, for the record you
20 have sat and you have heard a lot of the accounts that
21 people have given about their time in Rubane over the
22 past number of weeks. Isn't that right? You have been
23 present in the chamber --

24 A. Yes.

25 Q. -- when they have been speaking to us. So when you say

1 about someone else giving evidence to the Inquiry,
2 that's because you heard what he said --

3 **A. Yes.**

4 Q. -- when you were here.

5 Just coming back to DL81 and what he has said, he
6 said that he told -- what he told police was that you
7 and he had arguments but that he never hit you. He says
8 that you were awkward to handle and he says the kind of
9 things that you did to him was you would put out your
10 foot to trip him up. You let a swing door close on him
11 as he was in the kitchen with tea trying to come through
12 and he said that you and others put sugar in his petrol
13 tank. Is there anything you want to say about any of
14 that?

15 **A. He must have been reading the Beano when he made that**
16 **statement to the police. There isn't an ounce of truth**
17 **in it. I have just described a man who would have**
18 **knocked the living daylights out of you. So how would**
19 **I trip him up? I have to say I was only . I was**
20 **reared in a convent where the boys never were fighting.**
21 **There was never any violence in Nazareth Lodge and**
22 **I certainly was never involved in any fighting or**
23 **aggression. I just didn't have that ability. So it's**
24 **just a bunch of lies.**

25 Q. Now just for completeness this was reported to the

1 police in October 1996. There was no prosecution
2 directed against DL81. In a conversation that you had
3 with police in -- and I am not going to call this
4 document up, but it can be found at RUB63204. When the
5 police are interviewing DL81, they say they have spoken
6 to you, and you confirm as a result of this incident
7 over drying the dishes you had no injuries save for
8 a sore head, and you told police that there was one
9 person you say definitely saw what happened and that was
10 a DL47, and there was one other --

11 **A. He was washing the dishes.**

12 Q. -- there was one other boy who you thought could have
13 seen what happened and you named him as a DL 178 .
14 The police did speak to these boys, but they made no
15 mention of this incident --

16 **A. Uh-huh.**

17 Q. -- involving DL81. In fairness we have -- the Inquiry
18 has received a statement from another witness, HIA 260
19 . Do you know HIA 260?

20 **A. Yes.**

21 Q. Was he in chalet when you were there?

22 **A. He was. He was a few years older than me.**

23 Q. He did say that he witnessed this in paragraph 6 of his
24 Inquiry statement, which is at RUB691, but you never
25 actually named him as someone who might have witnessed

1 this to the police. Isn't that right?

2 **A. But, I mean, there was like fourteen boys there.**

3 **I mean, boys were clearing the tables. Boys were**
4 **washing. Boys were washing pots. You know what I mean?**
5 **So I can't -- I'm not going to make up something that**
6 **you know, A, B and C done this and that and the other,**
7 **you know, but that's what happened, you know.**

8 **Q. And just finally in his Inquiry statement DL81 totally**
9 **denies the allegations that you make about him in that**
10 **statement.**

11 **A. Well, what is his allegation regarding DL115? I don't**
12 **know DL115. I have never met her. I knew she worked in**
13 **chalet 3. So -- so how is he saying that I was her pet?**
14 **I had no connection with the woman.**

15 **Q. In fairness he relies on -- in his statement to the**
16 **Inquiry he has simply said he relies on what he told the**
17 **police and it was the police he told about DL115. He**
18 **said -- what he was trying to say was that any**
19 **difficulty that you have against him is because he took**
20 **over from DL115, but you are saying that is incorrect,**
21 **because she wasn't in chalet .**

22 **A. I have as much connection with you as I had with DL115.**
23 **DL115 was a chalet woman, a full-time, live-in worker.**
24 **I had no connection and I never was in chalet . So**
25 **it's nonsensical in what he's saying.**

1 Q. Well, I'm going to move on to allegations then you make
2 about somebody else, HIA41.

3 **A. Yes.**

4 Q. I should say, HIA41, at any stage if you feel you need
5 a break -- I know we have received certain information
6 that suggests you might need breaks in the course of
7 this.

8 **A. No, I'm fine.**

9 Q. Just let me know at any stage --

10 **A. I will.**

11 Q. -- if you do need a break. You say when BR2 arrived
12 into Rubane you recount an allegation where he came into
13 the chalet about boys smoking and was looking for
14 cigarettes and you say he examined the naked boys'
15 genitals. Now we have discussed this, and you gave two
16 different accounts of this to the police and to the
17 Inquiry. In one statement you didn't allege that there
18 was any sexual assault and you said the three boys were
19 stripped and in the other account you gave you say that
20 all boys, including you, were stripped --

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

22 Q. -- and that there was a sexual assault, if I can --
23 because he examined --

24 **A. Well, I'm not calling it a sexual assault. What took
25 place follows on that the chalet was empty. So where**

1 was BR17 if the boys weren't left unattended? BR2 came
2 over from the house and came into the bedroom and he got
3 me out of bed. I was only . I slept there. DL90
4 slept there. DL 53 and slept there. Got
5 us out of bed, stripped us. So it was under the guise
6 of looking for cigarettes. Well, he knew I didn't
7 smoke, and the boys were given permission when they were
8 14 to smoke, but I didn't smoke. So the chalet was
9 empty and BR2 came in. Why did BR17 not deal with it if
10 he was there? Because he was drunk all the time over in
11 the house. That is how that took place. Explains why
12 BR2 came into the chalet, knowing that BR17 was down in
13 the underground quarters where they were all drinking.

14 Q. Well, you also say that he beat you for virtually no
15 reason.

16 A. Yes.

17 Q. I asked you what you meant by that and you gave me some
18 more details about what you meant. It involved going
19 out of bounds, as it were.

20 A. Yes. I mean, the lady at the end there continued to ask
21 the question of this white line. When UTV are putting
22 the camera through the fence and showing Kircubbin, that
23 white line run along the building from the TT room over
24 to the wall and then at this side there was the school
25 railing. Those were the two imaginary lines. You were

1 **shown that if you crossed those lines, that you would be**
2 **dealt with, and in chase with another boy, carrying on,**
3 **we went over the line. So that's why BR2 gave me**
4 **a doing over it.**

5 Q. Well, those allegations, both the incident in chalet
6 and hitting you, were denied by BR2 when he was
7 interviewed by police both in 1995 and 2001, and in his
8 statement to the Inquiry he points out that, as he said,
9 you made a total of seven statements to police. We
10 know, in fact, it was eight statements. In the fourth
11 of those, which was January 1995, he says you name him
12 for the first time. You make no mention of him in his
13 fifth statement in April '95, and then you introduce, as
14 he puts it, a sexual element to the accounts about the
15 boys being stripped in the chalet in the sixth statement
16 and repeat that in the seventh statement.

17 Now we will come back to discuss about the police
18 statements with you later, HIA41 --

19 **A. Yes.**

20 Q. -- and what you want the Inquiry to know about those
21 statements, but he points out that the boys -- the
22 police interviewed the boys you say were present and
23 none of them related that incident, and with regard to
24 the allegation that he beat you, he says you only
25 mention that in the final police statement and in the

1 statement to the Inquiry, despite the fact that you made
2 allegations about others beating you before.

3 He does talk about one incident that he remembers.
4 He remembers an incident when he heard noise coming from
5 chalet about 11.30 one night. He went to investigate
6 and he saw you running along the corridor in your
7 underpants when you ought to have been in bed with your
8 pyjamas on. He says you were the only boy he caught and
9 as punishment he made you stand outside the door for
10 ten minutes before ending you to bed. Is there anything
11 you want to say about that, HIA41?

12 **A. Well, he had no jurisdiction over chalet . How he**
13 **could hear -- that's a bit like saying he heard a noise**
14 **over in the picture house from this building. It's**
15 **absurd. He knew that BR17 was in there drinking. So**
16 **this is what he came in and done. The boys did not wear**
17 **underpants in bed. They only wore their pyjamas and,**
18 **you know, you would need to be criminally insane to be**
19 **running about those corridors with the likes of BR17.**
20 **If he had appeared, he would have left you with a busted**
21 **head.**

22 **Q.** You talked to me about -- sorry. I'll come back to
23 that. Just moving on then from what BR2 has said about
24 what you say about him, another person against whom you
25 make allegations was BR25. You say that he took boys,

1 including you, out of bed, stripped you and put you in
2 the shower and that happened about 3 o'clock in the
3 morning.

4 **A. Yes.**

5 Q. You say that BR25 was also violent. He regularly beat
6 you with his fists and feet.

7 **A. Yes.**

8 Q. Now he was interviewed by police in 2011 and he
9 indicated that he was angry that he had discovered
10 through others that something had been put on a website
11 about him in 2011, and he Googled your name and this
12 website had come up. Now we talked about this, and you
13 say this website, you have nothing to do with that and
14 you don't really know what he is talking about.

15 **A. It was you called the website .com.**

16 Q. It was .com, www --

17 **A. I know nothing about that.**

18 Q. He said to the police also he had no memory of you and
19 he vehemently denied the allegations that you made in
20 your police statements.

21 **A. Yes.**

22 Q. In his statements he said he provided summer relief and
23 went to Glenariff with the boys. We have looked at the
24 photographs and you accept that he went to Glenariff.

25 Is that right?

1 and ultimately your nose and mouth were bleeding as
2 a result of this assault.

3 Now he was interviewed by police in 1996 and he said
4 he had no recollection of ever physically assaulting you
5 at all and that it didn't happen. He said that he
6 didn't administer physical punishment, that that was
7 left up to the principal.

8 **A. BR3 never was violent with any of the boys. I would put**
9 **him down as being one of the better Brothers. He was**
10 **jokey with the boys, BR3, which -- some things -- he**
11 **called himself BR3, but he was more overtly friendly and**
12 **jokingly with the boys. He certainly didn't dish out**
13 **punishment. As others had said here, they went to him**
14 **with complaints of DL149 last week, which is stated in**
15 **here. So that's an absolute lie and it's a slur on BR3**
16 **himself.**

17 **Q.** Well, I think the point that DL149 was making in the
18 police interview was that it wasn't up to him to punish
19 boys. If something went wrong in the school, it was the
20 who would have carried out any punishments.

21 **A. DL149 -- I sat at that end. DL149 sat there. HIA104**
22 **sat there. Some days you went into his class and he**
23 **looked down under the desk. He was in a bad mood. He**
24 **never taught the class. He had a brown box of books and**
25 **he threw them round. I said, "Sir, I've read the book".**

1 He threw it back at me and said, "Read it again".
2 I said, "But, sir, I've already read it". When I threw
3 it back over to him, he came round the desk. He punched
4 the head off me. He pulled me by the hair and he kicked
5 and punched me round the classroom, which all of the
6 classroom witnessed, including HIA104, because I can
7 specifically remember the banter between him -- his
8 mother was from down roundabout. So I
9 specifically remember HIA104 sitting there. It was
10 witnessed by the class. Some of the boys in the class
11 stood up and said, "Sir, sir", but none of them could
12 have intervened.

13 He carried out numerous violent assaults on the boys
14 in that home. He was a wicked white sepulchre full of
15 demonic evil and at no time did he show any care or
16 respect to the boys in that home. He was a complete
17 animal.

18 Q. Well, in -- just in fairness to him in -- he says in --
19 when interviewed by the police in 2010, he said the
20 allegation was completely untrue and a fabrication.
21 Again he then goes on to say he is at a loss to say why
22 you would make these allegations against him to police.

23 A. I'm sure he is.

24 Q. We have just this morning received his Inquiry
25 statement, although it is unsigned, and again in that he

1 ranting and raving five minutes after, but he doesn't

2 So you
3 date that man back until I was a child of , what he
4 done to me. You can clearly see this irate,
5 schizophrenic person. .

6 Q. Well --

7 A. So that's another piece of conclusive evidence.

8 Q. If we can move on then from him to BR77. Now you say
9 that he physically abused you on a camping, trip and
10 we've seen photographs of camping trips there. You say
11 that he put boulders in your rucksack.

12 Now police interviewed him again and he says that
13 never happened. You talk about the trip being for
14 fourteen days, and he said that the trip only lasted
15 four days at most, except for once where you went to
16 and that lasted five days. In his Inquiry
17 statement he said he threatened to put the boulder in
18 the rucksack in order to keep boys in line and ensure
19 they didn't fall behind and the threat of that was
20 enough to make sure that you all did keep up with each
21 other?

22 A. No. The boys out of Nazareth Lodge had no physical
23 training. They were just left out the back to play.
24 Boys from Nazareth Lodge who had been there would have
25 been playing football every day and hurley and had done

1 these mountain trips. I wasn't fit to do them. You
2 carried everything that you used for fourteen days, not
3 four days, and so even when the rucksack was filled, you
4 could barely walk with it, but he made us walk mountains
5 morning, noon and night until 7.00 in the evening. Got
6 us up at 7.00 in the morning. He gave us powered food
7 to eat. He didn't allow anyone to help each tent. If
8 you couldn't light that burner or spilt the paraffin,
9 you didn't eat, and I cried all day on that
10 trip. I was always way behind. One of the problems was
11 you had to wear thick jumpers so that the straps didn't
12 cut into you in the blistering sun. He came down the
13 mountain, punched me, pulled my hair and nipped me, and
14 it was only -- it was only sheer fear and adrenalin that
15 I eventually -- but I was always last up the mountain.
16 All the boys were witness to that there and that was the
17 camping trip. It was the Tong death march run by the
18 Tonton Macoute that we got was anything but a camping
19 trip.

20 Q. Well, he obviously disputes that, HIA41.

21 **A. Yes.**

22 Q. And in his statement to the Inquiry he talks about
23 notebook entries he has and he relates those. I am not
24 going to call them up or opening them -- open them, but
25 he talks about the photographic slides confirming the

1 itinerary of the trip, and he says that each group had
2 to cook their meals on a primus stove as a group
3 activity. Self-contained group in that they had their
4 own food. He talks about the food being powered,
5 because that made it lighter for you all to carry it.
6 He said he never filled the rucksacks with stones.

7 **A. He did and all the boys know that.**

8 Q. Well, he said that:

9 "The trips to the Mourne's and to Donegal were risk
10 activities due to cold and wet weather factors and
11 travelling in remote places where the ground was uneven,
12 slippery and steep, and a high degree of discipline was
13 required from the participants and the need to stay
14 together at all times was greatly emphasised, including
15 the threat of anyone out of line by racing ahead being
16 threatened with having to carry a stone in his rucksack
17 and the threat in itself was sufficient."

18 He says that:

19 "The photographs show enthusiastic participants
20 evidently enjoying their experiences."

21 **A. Uh-huh.**

22 Q. And he organised trips over _____ years he was there
23 and never once did anybody express an inability to
24 participate for any reason. He says, in fact, the boys
25 who went to the school _____ demanded

1 He also stuck his nails in your neck.

2 He took one boy, DL 53 , into that dark room
3 and left him in a pool of blood when he came out of it.
4 He had time to do these things because you got to let
5 the class out at 3 o'clock. The school finished at
6 3.15. So that would give an hour's time between 3 and
7 4 o'clock. He was a wicked, totally demonic Luciferian
8 man, brutal, evil, and I don't even think I've read in
9 history of such an evil -- he was described here by
10 another witness last week as a sadomasochist. So it
11 fits in with what I've said.

12 Q. One other thing that you didn't tell us in your Inquiry
13 statement, but you told the police, that he punched you
14 while you were waiting for BR18.

15 A. Yes.

16 Q. And again when he was interviewed by police, he said
17 that incident never happened.

18 A. The school -- there was another victim here described --
19 the Brothers' response was that you could see into the
20 school. You couldn't see into the school, because the
21 school was 10 feet lower than the tarmacked area. If
22 you would look at the side of the school, you would have
23 only seen into the glass hallway, but I was standing
24 with DL182, which was common at 7 o'clock for BR18 to
25 walk out of the house. There was no point in us sitting

1 in the TT room. Stood outside it. When BR18 came out
2 of the house, we followed him to the farm and done
3 whatever work we were going do.

4 BR77 walked out of the school, up the steps on to
5 the tarmac and just walked across and I never thought
6 anything about it, but I knew as he got to me, I could
7 see in his face, and I demonstrated exactly what he
8 done. He just hit me a big punch in the face and walked
9 off. The other boy that was there was called DL182.

10 Q. Again it is --

11 A. It was just control, mind control, total domination.

12 His classroom was independent of the school and most of
13 the boys were wetting themselves on the days they had to
14 go to him. Sometimes they intervened with DL149 and PE
15 and there was a lot of rivalry between DL149 and him in
16 which a race was organised in which DL149 beat him by
17 several metres, you know. So, you know, that's my
18 truth.

19 Q. Just moving on from BR77, who, as I have said, denies
20 the allegations, you also in paragraph 33 of your
21 statement, RUB500, complain of physical abuse by a DL1,
22 who was a teacher at the school.

23 A. Yes.

24 Q. And you also say that you were struck in school by
25 a DL6. He hit you with a chisel causing a laceration to

1 your finger. You relate an incident -- I am not going
2 to go into the details of it; it is in your statement,
3 and you can take it that the Inquiry Panel have read
4 your statement in full, HIA41 -- where he attacked you
5 with a hammer. You reported that to BR3 and as a result
6 BR3 moved you to an art class, to the art teacher's
7 class away from the

8 **A. DL 242 you called the**

9 Q. You describe -- when we were talking earlier you said --
10 I put it to you that the Order would say the boys would
11 wind this particular up a lot of the
12 time, and is there anything you want to say about that?

13 **A. Certainly I couldn't see anybody winding this man up,**
14 **because he -- you know, he deprived the boys from doing**
15 **, because he got them to do**
16 **and he made them do it for probably a month before he**
17 **would allow them to make a wooden box or whatever they**
18 **were designing to make. If there was a fingerprint,**
19 **a pencil mark or anything, he just came over and he just**
20 **tore it up and threw that right away and made you do it**
21 **again.**

22 As for winding him up, he came down and stood beside
23 you and then he would have hit you. Each boy had a big
24 wooden table of their own. Behind all of the boys there
25 were big heavy metal tables, and when he came to attack

1 the boys with hammers, saws, chisels or any other
2 implement, the boys used to get between the two
3 tables and get round behind the machinery, but you knew
4 that you were going to get it when you got to the door,
5 and eventually he moved all of those tables together.
6 But I would certainly have no doubt that he battered and
7 tortured at least 15 boys a day. He was a complete
8 lunatic.

9 Q. You do talk about one incident involving BR6 --

10 A. Yes.

11 Q. -- and you say this occurred when you retrieved a filter
12 ring from the swimming pool. The boys had been in the
13 swimming pool. You had received this and he told you to
14 move on. Is that right? You went back into the pool.

15 A. The swimming pool was very rarely used. It was
16 freezing. It was only a big concrete hole in the
17 ground. It was from here to that wall. There was
18 a filter pump and on the top of it had had an iron ring.
19 The boys used to take it and throw it in and then dive
20 it and get it. I was last with it. So I threw it in,
21 but BR6 told us to get out, but I got back in to get it
22 to put it back on top of the filter. When I got out,
23 BR6 kicked the crap out of me for it. So nobody would
24 have crossed BR6. Although he was jokingly and all of
25 that sort of thing, I kept my distance from him, but he

1 never assaulted me in any way over that. I think he
2 kind of regretted it and was always trying to be
3 friendly with me after it. He did teach me , but
4 I have no other complaint to make regards him.

5 Q. Just that one incident. Then you say that you worked on
6 the farm from the age of about and at that point you
7 were moved to live ?

8 A. Yes.

9 Q. And BR18 was ?

10 A. BR18 was the sole housemaster.

11 Q. You say in your statement that he was violent towards
12 many of the boys.

13 A. Yes.

14 Q. And can you just confirm he was never actually violent
15 towards you. Is that right?

16 A. No. He sort of looked upon anybody that had a job --
17 you know, DL96 served the Brothers dinner. You know,
18 other boys looked after the shop. Some done the
19 greenhouse. So he sort of -- but he just didn't like
20 kids, and in the school canteen the odd day that he took
21 it it was the quietest canteen in Europe.

22 I remember BR10 coming over one day to tell him that
23 DL 42 had a blistered mouth and couldn't eat the
24 dinner. So he had had to get maybe cold milk and a
25 biscuit, because DL 42 wouldn't go in, you know,

1 with him. He was built like Mike Tyson and he hit like
2 Mike Tyson and, you know, was extremely violent. I got
3 on well, very well with him simply because he relied on
4 me and another boy to run the farm for them.

5 Q. I am going to turn now to talk about allegations you
6 make about BR1.

7 **A. Yes.**

8 Q. I am going to summarise those also, HIA41. You say you
9 were sexually abused by him.

10 **A. Yes.**

11 Q. You also complain he wrote untrue things about you to
12 social services to cover his abuse.

13 **A. Yes.**

14 Q. You say that he abused -- sexually abused boys in the
15 passage leading to the school canteen --

16 **A. Yes.**

17 Q. -- and in showers on a Thursday night when he
18 supervised. You talk at paragraph -- page 503 about
19 younger boys telling you that they were abused by older
20 boys, and you were told this by two boys, and that one
21 boy named -- you were told this by two boys, that one
22 boy named was abusing them.

23 **A. DL 70 .**

24 Q. DL 70 . I beg your pardon. I am getting the initials
25 confused, as I did earlier. This boy DL 70 you say was

1 abusing them. You say you were questioned about this by
2 DL149. He asked you about that and you told him what
3 you knew, and you say you know it was reported to BR1 by
4 DL149. Can I just pause there and ask a bit more about
5 the circumstances of that, HIA41? The boys who you say
6 were complaining, you described them in a certain way.
7 Isn't that correct?

8 **A. Well, in our bedroom there was DL 55 and DL31, DL 153 and**
9 **DL 69 , DL 155 and DL96. There was seven**
10 **of us in our bedroom. It just happened one night that**
11 **DL 69 came out with this. So we told him to tell**
12 **BR1. That particular fella, he was going about, you**
13 **know, talking. He was big. He would have said, "QC**
14 **Smith bad" and he was putting his fingers like that. He**
15 **wasn't just the full shilling. The other boy that was**
16 **running about thought he was Elvis. So that's -- he**
17 **told all of us, not just me, but after class one day as**
18 **DL 70 was one of the big hard men in the home and**
19 **a top Gaelic player,**
20 **-- DL149 had asked me about it, as it seemed**
21 **a bit of a shock, and so I told him about it and what**
22 **I -- simply because he knew I was a house boy and they**
23 **were house boys. So that's why he asked me about it,**
24 **but he did know about it.**

25 **Q. And you say that you know it was reported to BR1?**

1 **A. Yes.**

2 Q. How do you know that?

3 **A. Because they hit the boys that told us that and everyone**
4 **in the home knew that then.**

5 Q. Now just before moving away from that allegation or what
6 you have said about that, when we were talking about
7 this earlier, you said there were a number of boys who
8 you were with in Rubane who had difficulties, had --

9 **A. Yes. I mean --**

10 Q. You described it not the full shilling.

11 **A. Yes. I mean, there was the guy that was mentioned here**
12 **last week who was taking fits and bouncing on the**
13 **ground. He was in chalet . There was a young fella,**
14 **, who was just crying all day. You know,**
15 **there was the two boys I have described to you, and even**
16 **those HIA 218, HIA 219 weren't, you know, just all there. So**
17 **there were a lot of boys across the board like that in**
18 **there.**

19 Q. Now moving back to BR1, you say that as well as being
20 abused by him you saw him abuse others and you say he
21 sexually abused you in the shower room and in the urinal
22 room.

23 **A. Yes.**

24 Q. At 504 you talk about having to go to the hospital, and
25 you say that he sexually abused you after carrying out

1 his own medical examination when you got back from the
2 hospital in his office.

3 **A. Yes.**

4 Q. Now you describe him as being quiet, very quiet, mild
5 mannered and kind. He was never aggressive, but you say
6 he was forceful.

7 **A. Yes.**

8 Q. And just -- one of the things, just to be clear, the
9 records would show that you were seen by a Dr Glenny on
10 , who was suggesting that you have
11 further investigations for what he found on that medical
12 examination. It would appear you went to hospital in
13 . We have been advised that BR1 was certainly
14 there at that time and he was there until .

15 **A. BR1 took me to the hospital.**

16 Q. And you actually say that he was -- sorry. Just for the
17 benefit of the Panel Dr Glenny's note can be found at
18 RUB30574. You say that he was definitely there when you
19 left Rubane --

20 **A. 100%.**

21 Q. -- at the end of . How can you be sure of that?

22 **A. Because he was there at the white railing waiting on the
23 social worker and he gave me £5 when I left. So
24 1,000,000,000% that he was there.**

25 **I went to the hospital over having**

1 **was actually what it was about. The surgeon**
2 **had to put BR1 out of the room before my examination.**

3 Q. You also go on to say you saw BR1 sexually abuse a boy
4 in the back of the school area.

5 **A. Yes, yes.**

6 Q. You say he abused boys in the glass corridor connecting
7 the school canteen to the house.

8 **A. Yes.**

9 Q. You say you saw him abuse a boy who you named there and
10 you talk about that in paragraph 37 of your statement.

11 **A. All the boys would have been up in the yard and the**
12 **school. I would have been over the fields checking was**
13 **there any new calves born before school and that's where**
14 **I would have come up. So if he was going to do**
15 **something other than fondling, which everybody knew he**
16 **did in front of all the boys, he took them round the**
17 **back of the school and that's where I saw that. So**
18 **I would come across the all-weather pitch to go back up**
19 **to the TT room to get a smoke.**

20 Q. Now you also complain that he fondled boys in the school
21 yard. In paragraph 40 you say that -- sorry. In
22 paragraph 40 you go on to say that he brought you to
23 a visitor who had come to see you in the home and this
24 visitor was Father Brendan Smyth.

25 **A. Uh-huh.**

1 Q. Now you had previously been abused by Father Smyth when
2 you were in Nazareth Lodge.

3 **A. Yes.**

4 Q. You say he came and abused you several times during the
5 last years you were in Rubane. Now just for
6 completeness and the benefit of the Inquiry, when he was
7 interviewed -- Father Brendan Smyth was interviewed
8 about that, he said to police he couldn't remember but
9 he may have abused you. That can be seen at RUB70227,
10 but he subsequently pleaded guilty to the charges
11 relating to you and to what happened to you both in
12 Nazareth Lodge and in Rubane as well as to charges about
13 other people and he pleaded guilty on
14 22nd September 1995. That can be -- there's
15 an indication of that at RUB70269, which is
16 documentation from PPS.

17 If I can just maybe summarise, what happened is
18 there were a number of people who made complaints about
19 that priest. He was convicted and sentenced in relation
20 to those, and then you and others complained about him.
21 He was then prosecuted and sentenced in relation to
22 you -- sorry -- not -- in relation to you and to those
23 other people. Then there was a third set of complaints
24 came in about him. At that stage PPS did not feel he
25 was going to get any higher sentence and it wasn't in

1 the interest to prosecute him any further. So that
2 seems to be what that document of -- at 70269 is saying.

3 You also saw another boy whom you named in your
4 statement going in to see Father Brendan Smyth while you
5 were in Rubane.

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

7 Q. Now just -- BR1 was interviewed in June 1995, and
8 I neglected to say where his interview was in the
9 bundle, but it begins at 60590, and the relevant part is
10 from 60607 to 60610. He denies the allegations and says
11 that he didn't put his hand down the front of anyone's
12 trousers in that interview with police, but obviously he
13 is no longer alive, and there is obviously no Inquiry
14 witness statement in respect of him before the Inquiry,
15 but I think it is fair to point out to you that the
16 Order have accepted that this particular Brother did
17 abuse boys in Rubane, HIA41.

18 **A. Absolutely.**

19 Q. Now paragraphs 43 and 44 of your statement you talk
20 about the social workers who were involved in your care,
21 and at paragraphs 44 to 57 you talk about life after you
22 left Rubane and you describe the difficult life that you
23 had with your mother.

24 In paragraph 55 you complain about the lack of
25 information that was provided by Social Services to you

1 and you again complain about the social workers, who
2 I think it is fair to say, if I can put it this way, you
3 feel really didn't look after you particularly well.
4 Would that be a fair comment?

5 **A. No. That's correct.**

6 Q. You said that one social worker, who is named here --
7 and I am just going to use his name, but again it can't
8 be used outside, DL 503 -- you complain about the
9 lack of information he provided to you and you say he
10 denied there were any records in respect of you.

11 He has provided a statement to the Inquiry, and he
12 said when he became involved with you, it was somewhat
13 later in time, that Social Services had been involved
14 with you, and that the aim at that time when he became
15 involved was to resettle you with your mother, that he
16 saw you at least monthly. He doesn't accept that he
17 told you that there were no records, but he says that
18 the position with regard to the provision of records
19 would have been different when you first spoke to him
20 about it than it is nowadays. He said that he enjoyed
21 working with you and he believes he was of help to you
22 in the months particularly after you left Rubane, and
23 just to go on to -- the Social Service records that we
24 have received show that they were involved with your
25 family from . I am just going to call up a few of

1 these documents now.

2 So if we could look at RUB30525, this was a report
3 -- it is quite difficult. It is obviously a copy of
4 a report that was prepared for the Fit Person Order
5 being obtained in respect of you and your siblings and
6 it describes the family life there. If we can just
7 scroll on down through it, please. I know that you have
8 since received these documents yourself, HIA41. Isn't
9 that right?

10 **A. Yes, after torturing Social Services there for eight**
11 **months.**

12 Q. But you eventually got hold of the documentation
13 relating to you and to your siblings. I am not going to
14 open this, but it is quite clear that there were
15 difficulties in the home that led to a Fit Person Order
16 being sought through the courts, and that's when you
17 would have ended up permanently in care, if I can put it
18 that way.

19 They also show that there were three monthly reviews
20 carried out. If we briefly look at 30542, again this is
21 talking about you being transferred in from
22 Nazareth Lodge, where you had been under a Fit Person
23 Order since You became unsettled in Nazareth
24 Lodge. You were truanting from school and ran away and
25 the Sisters found it difficult to cope with your

1 A. And it was actually Social Services that brought her
2 there and I've explained what happened when she did
3 come.

4 Q. Do you want to say something to the Inquiry about that,
5 because I know you have said to me?

6 A. Well, I mean, she basically only wanted one child was
7 DL 87 . She didn't want --

8 . The Brothers
9 sent me out on a Saturday that I was supposed to visit
10 her flat, but I was stood in

11 . One of the men she was with was
12 called . Then I got the bus back to Rubane.
13 I had to walk three miles in the dark, you know, to get
14 the bus and back.

15 So there were different social workers all the time
16 here, not just one social worker coming and interacting.
17 They were different. I never knew that any Social
18 Services until three years ago knew any of the De La
19 Salle Brothers or the Sisters of Nazareth, and they were
20 scheming between themselves, working hand in glove.
21 I didn't become difficult. I have two exemplary records
22 from two of the Sisters from , and the reason was
23 that SR 30 left the group and two brutal nuns
24 came on to the group. I'm sure you'll hear their brutal
25 -- brutality.

1 Q. You are going to talk about that when you come back to
2 talk about Nazareth Lodge.

3 A. So it wasn't that I was disruptive in any way. That's
4 what happened, that SR 30 was like a mother to
5 us there. She simply moved downstairs, and then out of
6 all that turmoil and the visits from Father Brendan
7 Smyth led to that.

8 Q. Well, certainly coming back to Social Services'
9 involvement, HIA41, these records are showing that the
10 social worker, whoever that was, whether that was
11 different social workers were coming and checking up --

12 A. It certainly was.

13 Q. -- on you in Rubane. Do you remember seeing the social
14 workers during your time there?

15 A. I remember , DL 502 , DL 503 , but I do
16 have records where it says , but, you know,
17 I certainly would give you all of those records that you
18 could go through and see what the actual truth is,
19 because 90% of it is just lies.

20 Q. I know you don't accept a lot of the material that's in
21 the Social Services' records. Isn't that right?

22 A. No. Well, I mean, they were sitting having cupcakes and
23 coffee and then keeping the resident unaware, you know,
24 and in earlier days residents did report abuse and were
25 left in pools of blood over that to the Social Services.

1 Q. Well, just coming back to what the records are showing,
2 at 3055 this document would suggest that consideration
3 was being given for preparing you for the discharge
4 about 18 months before you actually did leave.

5 Go on just to RUB30563, please. Again this is
6 an internal case review, which is suggesting that there
7 was fortnightly contact with your mother in preparation
8 for your gradual return to her, but what you are saying
9 about that is you were put on a bus, sent out and there
10 was no real supervision?

11 A. I never really had any contact with her. I would have
12 went to the woman you describe on the . The
13 Social Services, DL 502 , writes of this "Must be
14 investigated", because I obviously said something
15 innocent that I didn't. I never was -- I never had
16 a relationship with my biological mother and still don't
17 to this day, and DL 502 , the social worker, was to
18 investigate that, and all of these addresses are all
19 made-up addresses, nothing to do with me. I never slept
20 in them at any time. DL 503 took me,

21 I had, left me in the street and he drove
22 off in his car and that was the first time I had ever
23 stayed there in her bed-sit. The violence and the
24 drinking was no different from the where
25 residents fled out of the Avenue where she

1 lived. When they vacated the property below, she moved
2 into it and I stayed upstairs in the flat, which -- DL 503
3 will confirm all of that, but still with all the
4 rioting and violence I just gave the landlady the keys
5 and went and slept in the car and then eventually got
6 a place up

7 Q. That was all after you left Rubane. Isn't that right?

8 A. DL 503 made appointments for me to visit him at
9 Lower Crescent. 90% of the time he wasn't there. You
10 know, he was just a complete headless chicken. He also
11 writes I was thin and starving and needed money and
12 clothes. So all that is detailed. I have all of those
13 records.

14 Q. Just I am going to -- a couple of more things. In June
15 2000 you received a settlement of a claim that you
16 brought against Father Brendan Smyth, the Norbertine
17 Order and the Sisters of Nazareth and the Catholic
18 Church.

19 A. Yes.

20 Q. And that was -- that was the sum of that was
21 split.

22 A. I got from the Norbertine Order and from
23 the Sisters of Nazareth.

24 Q. Now I mentioned earlier, HIA41, you made a number of
25 statements to the police. I am not going to pull them

1 all up. I am going to very quickly summarise what's in
2 each of them.

3 The first of these was on . Now
4 I just want to be clear. On you were
5 still in Rubane. Isn't that right?

6 **A. Yes.**

7 Q. Would you have been living ?

8 **A. Living .**

9 Q. Yet you said in conversation with me you were actually
10 interviewed by a police officer in chalet .

11 **A. Yes. BR1 sent me over to chalet and told me not to
12 tell them anything.**

13 Q. But, in fact, you did tell them -- you complained that
14 BR1 was abusing DL 37 -- sorry --

15 .

16 **A. .**

17 Q. That he was watching you in the showers and grabbing you
18 round the waist, although you didn't say anything else
19 about him doing anything to you.

20 **A. Yes.**

21 Q. You told them that BR77 assaulted you in the TT room.
22 You said you saw BR77 punch DL48 in the eye and you saw
23 him take DL 53 into the room and DL 53
24 coming out injured and you saw the same thing with DL 52

25 . Again I am using all these names --

1 **A. Yes.**

2 Q. -- but they are not to be repeated outside. You told
3 BR3 about BR77 beating you up.

4 You also describe here experimentation among the
5 boys. That was in .

6 On you were spoken to by police
7 again, and you clarified that you saw DL48 with a cut
8 eye, but did not witness the assault, and then you said
9 that DL 52 had told you what had happened to him,
10 but again you didn't see it.

11 You then make a statement in January 1995 on 2... --
12 sorry -- 16th January 1995. Before just mentioning what
13 you say in that statement one of the things you did do
14 was retract those first two statements.

15 **A. Yes.**

16 Q. And if I can summarise what you told me about that, and
17 if I have got that wrong, please correct me, but what
18 you said is that the police officer who interviewed you
19 --

20 **A. Yes.**

21 Q. -- in chalet in while you were still in Rubane
22 you say he put you under pressure to say things.

23 **A. Yes.**

24 Q. And subsequently you formed a friendship or a trusting
25 --

1 **A. Yes.**

2 Q. -- relationship with another police officer, an officer
3 McCrumlish.

4 **A. Yes, Detective McCrumlish.**

5 Q. Whenever he spoke to you in January 1995 --

6 **A. Yes.**

7 Q. -- he told you that the police officer who had put you
8 under pressure was dead. Isn't that right?

9 **A. And also called him a b*****.**

10 Q. So that was the reason why --

11 **A. Yes.**

12 Q. -- you retracted, because you felt that you could trust
13 this --

14 **A. Yes.**

15 Q. -- officer McCrumlish?

16 **A.** .

17 Q. So in January 1995 you said that you were abused by
18 Brother -- Father Smyth in Nazareth Lodge. You said
19 that BR1 had taken you to Brother Brendan Smyth, who had
20 come to visit in Rubane. You talked about being struck
21 by BR6 for jumping back into the pool again. You say
22 that was the only time you were hit by BR6. You talked
23 about BR17 punching you in the TT room. You said that
24 BR1 came in and did nothing. You said that BR77 struck
25 you while you were waiting with another boy for BR18,

1 and you said BR77 gave you a beating in the changing
2 room for wearing shoes in the gym. You described BR77
3 as the most feared Brother and said that you had only
4 covered a few of the beatings, which you said were
5 common place. You talked about DL149 punching and
6 kicking you for saying you had read the book, and you
7 said that BR1 was continually fondling the boys. He
8 watched the showers on Thursday night, poured shampoo
9 into the boys' hands while looking at their penises.
10 You described DL81 as brutal and said he assaulted you
11 for wanting to dry and not wash the dishes. That was
12 16th January 1995.

13 About a week later on 24th January you then make the
14 allegation about BR2 where you say he made three boys
15 strip naked for smoking in the chalet. You talk about
16 BR25 making you and two other boys strip and put you
17 into the freezing cold showers, and you talk about
18 countless assaults by DL6.

19 6th April 1995 you talk about an incident in
20 Nazareth Lodge, and then you go on to say -- talk about
21 BR77 grabbing DL 53 by the hair and dragging him
22 into the photography room and beating him. You talk
23 about BR10 punching DL90 for walking off the football
24 pitch and described it as a bloodbath.

25 You also talked about DL 509 , who you say

1 had a fight with DL125, who got his leg broken. When
2 DL125 came back from the hospital, he threw the crutch
3 at DL 509 . Now I can tell you that that was
4 denied by DL 509 when he was interviewed by the
5 police about this incident back in the 1990s, and in
6 October '96 you gave more details of the fight between
7 DL 509 and DL125. You say it happened in the TT
8 room. You heard the noise of the leg breaking. Did you
9 see it actually happen?

10 **A. Yes. I was two feet from them.**

11 Q. You also said that you had no complaint about DL 509
12 's behaviour towards you.

13 **A. No.**

14 Q. And in February -- sorry. I should say that DL 509
15 -- DL125 did make the allegation as well, but
16 what you told me is that you saw a fight between the two
17 of them?

18 **A. Yes.**

19 Q. While you saw -- heard the leg breaking and you knew his
20 leg was broken, it wasn't that he deliberately set out
21 to break the leg. Is that what you are saying or are
22 you just -- it was the result of the fight?

23 **A. DL 509 was a man. He marched**
24 **over the mountains. It was nothing till him, although**
25 **he walked , but DL125 was a**

1 in chalet , and DL 509 was sort of putting it
2 up till him, and DL125 was a bit boisterous. So the two
3 of them got into a bit of a tussle and a bit of a fight
4 started. It happened in the lower end of the TT room,
5 and when went down, I heard a crack and his leg
6 was broke. When he got out of hospital, he was standing
7 beside BR10 and he had two crutches, and again, as I
8 have described, you have to go down ten feet to the
9 school. DL 509 was standing at the bottom of
10 those steps and -- DL125 dropped the
11 crutch, took one crutch, put it above his head and flung
12 it as --- where is to hit him, but instead it
13 hit , who was in chalet the smallest of the
14 . There was three in the home. It was
15 the smallest one and he was squealing in agony, you
16 know. That's what happened.

17 Q. Well, then on 26th February 2010 you again speak to the
18 police and you repeat the allegation about -- against
19 DL149, and you give more details, and you say in the
20 mid-'90s you only told the police about 5 to 10% of the
21 abuse that you had suffered in the course of your time
22 in care.

23 Now there's a full statement that you make on 10th
24 September 2010 and that was the statement that you used
25 for the basis of the statement that you prepared for the

1 Inquiry. Isn't that right, HIA41?

2 **A. Yes.**

3 Q. And again you complained about your time in the Convent
4 of Mercy, about Nazareth Lodge, about Brendan Smyth in
5 Nazareth Lodge, and I am not going to go through all of
6 the complaints that are in that, because they are in
7 your Inquiry statement, and they are, as you've said,
8 the basis -- that statement was the basis for that.

9 Then on 6th September 2011 you were again spoken to
10 by police and they gave you this statement of 10th
11 September and said "You can amend this" and you simply
12 deleted one sentence about boys masturbating. Isn't
13 that correct?

14 **A. Yes.**

15 Q. Then on 4th September 2012 -- and if we maybe just look
16 at this statement. It is 67174, please. This is
17 something that you -- it is just a short note that you
18 have written. If we can just maybe magnify it. Thank
19 you. It is dated 4th September 2012. It is to DCG
20 McIlwaine:

21 "Sorry about the phone. I got rid of it due to
22 hassle.

23 I wish to withdraw my last police statement and have
24 no further contact with the continuing RUC/PSNI
25 institutional child sex abuse and torture inquiries

1 since that have gone nowhere for the third
2 class Catholic victims of the State committed by Roman
3 Catholic Church in Northern Ireland.

4 Peter Robinson intends protecting the State and
5 Martin McGuinness the Roman Catholic Church. That's
6 what we gathered in the last two years in Stormont and
7 the rest is obvious. HIA41."

8 **A. Yes.**

9 Q. Now you are clearly angry and annoyed when you write
10 this, HIA41.

11 **A. Yes. I had been up in Stormont, had known Ian Paisley**
12 **for twenty years or more. I got to know Peter Robinson.**
13 **I didn't like the attitude of the Martina Anderson and**
14 **Jonathan Bell who were over this sort of Inquiry. You**
15 **know, there was negative talk from them. I wanted to**
16 **clear one sentence up for a journalist and I went to**
17 **Strandtown Police Station. The police officer that came**
18 **out, which I've named there --**

19 Q. I think this is the police officer who took your
20 statement --

21 **A. McClelland.**

22 Q. -- in 1996.

23 **A. McClelland. He came out to my house and he told me that**
24 **he would take the Catholic Church on and that they were**
25 **going get this job done once and for all. I laughed at**

1 him and told him that the Catholic Church were too smart
2 for the RUC and the PSNI. He then brought back a female
3 detective and she seconded what he had said. I still
4 wanted further evidence. He then told me how they DNAed
5 Kincora Boys' Home and how they investigated and
6 convicted some of the staff. He said he would carry out
7 a full investigation by [redacted] and my
8 [redacted] which I got from a member
9 of staff in Nazareth Lodge. So I believed him. I still
10 wanted more confirmation of this.

11 So he got Bob Emerson from the Newtownards Police
12 Station. I think it is near Dundonald where it is
13 closed down but they use it. He phoned me and he said,
14 "Going through your statements and word for word is
15 exact and credible evidence" and he says, "I will
16 guarantee you that I will take some of these people into
17 court. I can't promise you that they'll be convicted
18 but I'll see that it goes through our superintendent and
19 the hierarchy of the police that it will go into court",
20 and on that basis -- and I have to say, you know, they
21 were gentlemen. They phoned me regular. I had
22 a relationship maybe up to a year before I made the
23 statement, though he visited me and all of the rest.

24 In the end he came back and said that this wasn't
25 going to be the way he said it was. He said, "My hands

1 are handcuffed by the police, my superiors in the
2 police". He also said that, "You need to get to the
3 public and the media", that there are five divisional
4 policing commands in Northern Ireland and at the bottom
5 of them is child abuse, which is equated to a burglary
6 and a parking ticket, and we were the only police force
7 in Europe that don't take child abuse as a serious
8 crime.

9 When he said all of those things, I thanked him for
10 it and I then went to I think Orangefield Police Station
11 and I wrote this here and I threw the letter into them
12 and I said, "That's the end of it" and I will never be
13 speaking to them without a barrister or somebody,
14 because they directed, you know -- it is a very simple
15 thing to go to chalet 1 or chalet 2 of the house. You
16 interview all the witnesses, their abuse and you take
17 those statements. You only need two or three to get
18 a conviction in court. This was what the police were
19 not doing.

20 Some of the victims they wrote out to, who were
21 raped by BR1 for five years, clearly stated -- police
22 stated, "We do not have the resources to interview you
23 due to live cases in North and West Belfast and they
24 take precedence over historical institutional abuse".
25 That letter is in the room there if you want it also.

1 So it's just -- you know, and most people say that
2 this Inquiry is just going through the process, you
3 know. It doesn't have remit to do an awful lot, and so
4 that's why I just threw the head up in the end, you
5 know, but I came here because -- not because of myself
6 -- I'm strong enough mentally enough to take any of
7 these people on -- but because of the victims, the
8 friends that I had that are complete basket cases. You
9 have seen HIA 31 's behaviour here. The
10 treatment of the and an awful lot of other
11 boys, you know, and that's why I came here. I didn't
12 want to, but I felt that I wouldn't let them down in
13 doing so.

14 Q. Well, HIA41, thank you for that. Now I don't propose to
15 ask you any more about your time in Rubane.

16 **A. Thank God!**

17 Q. You are obviously very relieved, but is there anything
18 you feel that we haven't covered about what happened to
19 you there that you want to say? Now is your opportunity
20 to say it to us.

21 **A. It was as it was. It's stated, but, you know, I will**
22 **get all of those Social Services records and give them**
23 **to you to go through, which shows a completely different**
24 **story.**

25 Q. Well, finally then, one last point that I want to raise

1 with you is that the Panel has to make recommendations
2 to the Northern Ireland Executive about what should
3 happen and the Panel will be interested in knowing what
4 your views are, HIA41, and is there anything you would
5 like to say about what you feel their recommendations
6 should be?

7 **A. Well, I mean, we are told we are Irish Catholics but yet**
8 **the Irish government didn't include us in their Roman**
9 **Catholic Church child abuse settlements, you know. So**
10 **I think that is something that Stormont could recommend.**
11 **They certainly would have to -- I would like some**
12 **serious compensation for the 18-year jail sentence along**
13 **with the other victims for crimes we didn't commit and**
14 **we were horrifically abused during those sentences.**
15 **I don't want any more statues from the Roman Catholic**
16 **Church or plaques or memorials or anything else. We**
17 **want properly compensated for the horrific childhood and**
18 **destroyed lives, you know, of talented young children**
19 **who ended up with nothing because of their abuse.**

20 **Q. HIA41, thank you very much. I'm going to hand you over**
21 **to the Panel in case they have anything they want to ask**
22 **you about, but that's the last I am going to ask you.**

23 **A. Thank you very much.**

24 **Questions from THE PANEL**

25 **MS DOHERTY: Thanks very much, HIA41. That has been very,**

1 very helpful. Can I just -- I just have one question.
2 You see the issues about when you talk about DL149 and
3 what was happening, do you think BR3 was aware of that
4 --

5 **A. Yes.**

6 Q. -- in the school, and would you say the same about DL81,
7 that --

8 **A. Yes.**

9 Q. So your view would be that that type of behaviour was
10 generally known about within the home?

11 **A. They were all violent. Say BR10 was more friendly as**
12 **a Brother. He took the boys out to McKenna Hall, to the**
13 **Irish Scor Na nOg thing. He took them to trips. He**
14 **wouldn't have been violent. He didn't need to be**
15 **violent, but if there was a bigger lump of a lad who was**
16 **going to stand up to him, such as the one I described in**
17 **the pits, then they would have been no match for BR10,**
18 **but anything good that we got in De La Salle Boys' Home**
19 **came from BR10.**

20 Q. Okay.

21 **A. This man DL81 trips himself up by mentioning DL115.**
22 **I had nothing to do with ...**

23 Q. DL115.

24 **A. They were all autonomous buildings. There was no**
25 **Brother -- BR10 was never in chalet in his life, you**

1 know. You know, vice versa. That's the way it was.

2 Q. They kept to their own places. Just the last thing.

3 Did you ever see a Brother or lay person intervene if
4 a child was being hit? Did you ever see --

5 A. No, that just would not happen. That just did not fit
6 the remit, you know. I was glad of the farm to get away
7 from the footballing activities and the violence which
8 the have told you here last week, you know.

9 Q. Okay. Thanks very much, HIA41.

10 MR LANE: Thank you for your evidence. Just one question,
11 and that is were there any positives that you recall
12 from your time in Rubane or was it all pretty miserable
13 and violent?

14 A. Yes. I mean, you know, in reference to DL1 and the
15 school, he always punched every boy there to wind them,
16 and then if he wanted to hit you harder, he did, but he
17 always punched you in the chest. No, I can't really
18 say -- I got away from the regime by going to work on
19 the farm. So that was positive for me, you know. So
20 really that's all I could -- the school was run on the
21 basis of "One Flew over the Cuckoo's Nest". You know,
22 there was guys twice the size of you, you know, in
23 different classes. It was all run like that. It wasn't
24 a school at all. I left it with no education because of
25 the violence and the fear and that, you know.

1 Q. Thank you.

2 CHAIRMAN: Well, HIA41, thank you for coming to speak to us
3 today. As you've already indicated, we will have to ask
4 you to come back again to speak about your time in
5 Nazareth Lodge. There is simply too much that you and
6 others have to tell us about Rubane --

7 **A. Yes.**

8 Q. -- to deal with them both on the same day, but thank you
9 very much for coming to speak to us today.

10 **A. Thank you, Mr Hart.**

11 **(Witness withdrew)**

12 MS SMITH: Chairman, that concludes this morning's
13 witnesses. I know we need to get the chamber cleared,
14 because the next witness is to give evidence by LiveLink
15 --

16 CHAIRMAN: Yes.

17 MS SMITH: -- and we need to check out the equipment.

18 CHAIRMAN: Well, we'll resume as soon after 2 o'clock as
19 it's possible to do, ladies and gentlemen.

20 (1.00 pm)

21 (Lunch break)

22 (2.00 pm)

23 WITNESS HIA149 (called by LiveLink)

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

25 The next witness today is HIA149, who is HIA149. He is

1 appearing on the screen from [REDACTED]
2 HIA149 and I have had the opportunity to speak and we
3 have had some technical difficulties with volume, but
4 hopefully those have been ironed out now, and if he
5 encounters any difficulty hearing any of us, he will
6 make us aware by putting his hand up. Is that okay,
7 HIA149?

8 **A. It's gone a wee bit wonky again, the sound.**

9 Q. Okay. Well, hopefully if I --

10 **A. The sound, the sound. It's gone a wee bit fuzzy.**

11 Q. Hopefully it will come back as I am speaking to you and
12 it will settle down. As I have said to you, the first
13 thing that's going to happen is the Chairman of the
14 Inquiry is going to ask you to take the oath --

15 **A. Right.**

16 Q. -- and you'll see him shortly coming into the picture
17 and then he'll ask you to take the oath, and I know
18 you've got the bible with you now in order to do that.

19 **A. Aye. As I said, your Honour -- as I'm saying, your
20 Lordship, it's hard to hear what my client there is
21 saying, because the frequency disorder or whatever it is
22 that's making it do that. I'm trying to listen in on
23 what the man is going to ask me.**

24 CHAIRMAN: Right. Well, we'll just do our best, HIA149, and
25 if you can't hear what I'm saying or in a moment what

1 Mr Aiken is saying, just put your hand up and say so.

2 Is that all right?

3 **A. It's just the frequency. It goes normal like, your**
4 **Honour, and then it goes like I can't hear what's being**
5 **asked of me, that way. So it's making me paranoid.**

6 Q. Well, we'll just do the best we can for the moment,
7 HIA149. You have the bible there I believe.

8 **A. Do you want me to put my hand on the bible now --**

9 Q. Yes. Put your hand --

10 **A. -- and take the oath?**

11 **WITNESS HIA149 (sworn)**

12 CHAIRMAN: Thank you very much.

13 Questions from COUNSEL TO THE INQUIRY

14 MR AIKEN: HIA149, just bear with me for a moment, because,
15 as I explained to you, the Inquiry has lots of documents
16 relating to you and your time in care and I'm just going
17 to explain where those can be found to the Panel
18 Members, and so just bear with me for a moment while
19 I do that, and --

20 **A. Right. If you could speak up a little bit, a little**
21 **bit, because it's very, very low and some of the**
22 **questions that you might ask is -- I won't be able to**
23 **hear what you're saying. That's because of the**
24 **frequency, but if you could talk a wee bit up a bit.**

25 Q. Right. Can you hear me at the moment, HIA149?

1 **A. Oh, it's back to normal now. It's back to normal.**

2 Q. That's great.

3 **A. Whatever they've done, it's back to normal.**

4 Q. HIA149, what I'm going to do is bring -- you've made a
5 statement to the Inquiry. Do you remember doing that
6 with Miss Turley?

7 **A. Yes, I did, your Honour. Yes, I did.**

8 Q. And I'm going to bring that up on the screen. Can we
9 bring up, please, 890, and I'm not sure whether there's
10 a way, HIA149, that I can show you --

11 **A. The frequen... -- I'd just like to say the frequency on
12 your side talking to me on this side is not really too
13 good, because your voice seems very low at the question.
14 You know, it's not you. It's actually the machine.**

15 Q. Yes.

16 **A. Whatever is wrong with the machine.**

17 Q. Can you hear me at the moment, HIA149?

18 **A. Yes. It's like a fuzzy -- when you're talking, that's
19 like -- one minute it's up and then the next minute it's
20 away low, but there's a sort of like a fuzzy "zizzzz"
21 going through it.**

22 Q. Okay. Can you hear me at the moment?

23 **A. Like crackling. You know, like crackling.**

24 Q. Yes.

25 **A. I can hear you at the moment.**

1 Q. You can hear me at the moment, HIA149. On the screen we
2 have your witness statement that you made to the
3 Inquiry.

4 **A. Exactly.**

5 Q. You remember doing that with Miss Turley and then you
6 signed the witness statement?

7 **A. Yes, I did, [REDACTED]. Yes, I did.**

8 Q. And I asked you had you got a copy --

9 **A. As far as I --**

10 Q. -- and you explained to me you had left it with your
11 sister in her house, but you are happy that --

12 **A. Yes, and she sent -- she sent the document back and
13 I signed it with my signature.**

14 Q. Yes.

15 **A. I agreed to all that.**

16 Q. And you're happy that the document that was sent back to
17 the Inquiry by your sister is the statement that you've
18 given to the Inquiry?

19 **A. Yes, indeed.**

20 Q. And that you --

21 **A. Exactly.**

22 Q. -- you want to adopt that statement as your evidence?

23 **A. Yes, indeed I do, and that's on the holy bible.**

24 Q. And you signed -- as you say, you signed that statement?

25 **A. Yes, I did, on the holy bible.**

1 Q. Yes. Now just bear with me for a moment, HIA149, so
2 that I can just explain some matters to the Panel, who,
3 as you know, are listening to what you and I are saying
4 to each other.

5 **A. Right-o.**

6 Q. Chairman, Members of the Panel, you already have the
7 appearances from various legal representatives who are
8 present, and I want to then give you the De La Salle
9 replying statements at 3455 through 3457.

10 The Health & Social Care Board reply is at 8638
11 through to 8640.

12 Then, HIA149, you have made a number of statements
13 to the police, HIA149 --

14 **A. Yes.**

15 Q. -- and I'm just going to tell the Panel where they can
16 be found in our evidence bundle, because we have all of
17 those statements. So you'll hear me --

18 **A. I first -- I first went to the police on the Ormeau
19 Road, the Ormeau Road Police Station. I first got in
20 contact with them.**

21 Q. Yes, and that was --

22 **A. And the Rape Crisis Centre on the Ormeau Road, the
23 detectives out of the Rape Crisis Unit, they were the
24 first people I got in touch with, because I couldn't
25 withstand the nightmares any more, the panickings, the**

1 nightmares, the waking up, the feeling dirty, all the
2 horrible things that came with it. So my family --

3 Q. That's when you spoke to the -- just listen to me,
4 HIA149. You spoke to the police in 2012 and you gave
5 them a very long interview, and I'm going to come to
6 that in just a moment, but you first spoke to the police
7 on , when you were at St. Patrick's, and at
8 that time you were only , and --

9 A. Yes.

10 Q. -- I'm just going to bring that up so that the Panel can
11 see it. It is at 60115, and in that statement you
12 explain what a gentleman called DL 509 had done
13 to your brother DL 56 .

14 A. Yes, yes.

15 Q. And that statement arose because according to your
16 social worker at the time -- I don't know if you
17 remember her, but her name was DL 519 .

18 A. Me and -- me and -- DL 519 had black hair. I remember
19 DL 519 well.

20 Q. You remember DL 519 .

21 A. She was my social worker at the time. She had
22 , and I told DL 519 that I was afraid to go back to
23 DL 509 house, because I was being sexually
24 abused, me and my brother. He was taking us dirty
25 photographs of us. He was bringing us to a swimming

1 pool in Newtownards and sexually abusing us while drying
2 us with a towel in the changing rooms.

3 Q. Pause there for a moment, HIA149. I just want to give
4 the panel the references.

5 A. Okay.

6 Q. So if we can bring up, please, 60118, DL 519 ,
7 whenever you told her about DL 509 in , and
8 you made a statement to the police --

9 A. Yes.

10 Q. -- then she made a statement to the police where she
11 explains that she was visiting you in St. Patrick's and
12 while you and her were talking you heard a news
13 broadcast about the misconduct, the wrong activity at De
14 La Salle in Kircubbin --

15 A. Yes.

16 Q. -- and you then --

17 A. Yes.

18 Q. -- told her about what DL 509 had done in terms
19 of touching a number of boys.

20 A. Yes.

21 Q. She then made her statement to the police and she sat in
22 on your interview which you did with the police.

23 A. Preferably -- preferably myself included, preferably
24 myself included, because DL 509 used to take me and my
25 brother DL 56 out to his house for weekends to stay at

1 **his house, and that's where all the paedophilia was**
2 **happening in DL 509 's house.**

3 Q. I'm going to come to that, HIA149, because you explain
4 that in detail in your 2012 police interview, but I'm
5 just showing the Panel your police statement from
6 where you report to your social worker what

7 **DL 509** did to your brother, and then what your social
8 worker told the police about you reporting it to her,
9 and, of course, you reporting what he did to your
10 brother resulted in **DL 509** being arrested by the
11 police, charged and then convicted of sexually abusing
12 your brother, **DL 56**, , and
13 another boy, who was also a person whom he used to take
14 out of the home and who made allegations against him.

15 A. **It was -- it was exactly myself. He used to take me and**
16 **DL 56** out of the home. He'd bring to us his house and
17 he'd sexually interfere with us --

18 Q. And --

19 A. **-- touching my genitals and putting his penis against my**
20 **backside and pressing hard in so it bled. It actually**
21 **bled.**

22 Q. And you explain that, HIA149, in your -- you spoke to
23 the police in Belfast on 26th January 2012, just over
24 two years ago.

25 A. **The first time -- the first time I didn't say anything,**

1 Q. -- in -- when you --

2 **A. Right.**

3 Q. -- when you gave your statement in 2012, and I'm just
4 going to give the Panel the reference for that
5 statement, which runs from 64381 through to 64432, and
6 then you spoke to them a few months later, HIA149, in
7 April of 2012 when -- and that interview runs from 64433
8 through to 64567, and in those two police statements,
9 HIA149, you explain in great detail the abuse that you
10 say happened to you in Rubane, and you name

11 DL 509 --

12 **A. Kircubbin. It's called Kircubbin, Kircubbin in County**
13 **Down --**

14 Q. Yes.

15 **A. -- on the Newtownards peninsula.**

16 Q. Yes. You name DL 509 in that statement --

17 **A. Yes.**

18 Q. -- and BR6 and BR3 --

19 **A. BR6, BR3, yes.**

20 Q. -- and BR77 --

21 **A. BR77 especially, yes.**

22 Q. -- and BR1.

23 **A. BR1 was at the time. He used to interfere**
24 **with us in his office in the big house.**

25 Q. And in your statement you explain to the Inquiry --

1 because the Inquiry now has those police statements, and
2 the Panel has the opportunity to consider them -- and
3 you explain in great detail what happened to you.

4 **A. Yes, exactly, everything what happened to me. On the**
5 **holy bible which I have on my hand, by oath and honour,**
6 **Courts of Northern Ireland I'm stating and saying that**
7 **what I say is to be true on the holy bible. That is my**
8 **true statement of the things that happened to me all**
9 **through my life in them places, them horrible places.**

10 Q. And, HIA149, you've also explained to me that you have
11 had medical difficulties --

12 **A. Yes.**

13 Q. -- and I explained to you that the Panel were aware of
14 those difficulties, because the Inquiry has received two
15 medical reports on you from 2011 and 2013 when you saw
16 two psychiatrists as part of your claim.

17 **A. Yes.**

18 . I have nightmares.
19 I have to get medicated every day on -- [REDACTED]
20 [REDACTED], I have to go with --- my sisters
21 make me. My sisters have to bring me, because I get
22 very emotional about [REDACTED] and all the
23 dirty things that happened to me and him in the homes.
24 The nightmares come flashing back. So I have to get
25 treated for all this.

1 Q. And --

2 **A. I should be on Pregabalin at the minute. It's**
3 **a stabiliser for** , and you can hear my throat
4 **really getting sort of tight. That's because of the**
5 **pain and pressure that I'm under at the minute in the**

6

7 Q. Let me pause you there, HIA149.

8 **A. Have I said too much?**

9 Q. Let me pause you there just to say you're doing
10 perfectly fine --

11 **A. Sorry.**

12 Q. -- and we can hear you very clearly and the Panel has
13 those medical reports. So the Panel is aware of the
14 various difficulties that you have had that you're
15 describing.

16 **A. Exactly.**

17 Q. And --

18 **A. So I'd just like to state I'll probably be like this for**
19 **the rest of my life because of what them buggers done to**
20 **me and my family. Seriously I'll never forgive what**
21 **they've done. That's the God's honest truth on the holy**
22 **bible. I'll never forgive them people.**

23 Q. HIA149, what I also want to make you aware of is the
24 Panel have various social work records, because you
25 remember DL 519 , for instance, visiting with you,

1 and every time a social worker would visit, then they
2 keep a record of their attendance with you, and those
3 types of documents are available, and amongst other
4 things they show the social worker seeking permission,
5 as you describe, for DL 509 to take you and your
6 brother out and getting approval for that to happen,
7 because they would say --

8 **A. Exactly.**

9 Q. -- they didn't know that he was doing anything untoward.

10 **A. Well, me and my brother -- it got to the stage where my**
11 **brother DL 56 used to say to me, "Our HIA149, our**
12 **HIA149, I don't want to go with that man. I don't want**
13 **to go with that man". Right. It got to the stage of**
14 **that, but the De La Salle Brothers knew what was going**
15 **on. They were grabbing us, me and my wee brother, by**
16 **the ears and saying, "Get into that van. Get into that**
17 **van. You are going and that's it". That's the truth.**
18 **We had to go into that van with that evil person, me and**
19 **my brother DL 56, to his house.**

20 Q. HIA149, the -- you come from a large family and you
21 ended up in Rubane as part of you and a number of your
22 brothers and sisters being taken into care. Do you
23 remember that happening?

24 **A. Yes, yes, I do. We used to live -- I was only six**
25 **months. I can't actually remember it, because I was**

1 premature . I was told by the proper authorities and
2 the proper channels there was a social welfare order put
3 on my family, because my father was an abusive father
4 towards my mother. He was a chronic alcoholic.

5 Q. Yes. Let me --

6 A. We used to live at [REDACTED].

7 Q. Let me pause you there to say the Inquiry has what's
8 called a Fit Person Order, a Committal to Care Order,
9 and the Panel is aware of that document that you're
10 describing where you were formally taken into care
11 because of what your dad was doing to your mum.

12 A. The frequency -- the frequency is going up and down.
13 The frequency is happening again. Do you know? Do you
14 know?

15 Q. Right. Let's take a moment until you can hear me
16 clearly again. Can you hear me clearly at the moment?

17 A. There's like a fuzziness going through the television.
18 It's like it's coming from the speaker that you're
19 talking in or something. I don't know what it is.

20 Q. Hopefully it will go away again. Can you hear me again
21 now?

22 A. I can indeed.

23 Q. Right. So what I'm explaining to you is that the Panel
24 have all of the social work records that show the order
25 of you being taken into care and what was going on with

1 your mum and dad at the time --

2 **A. Right.**

3 Q. -- and the Panel has the opportunity to consider those
4 documents. Whenever you move to Rubane in you
5 went there because you are described -- ,

6 DL 41 , was already there --

7 **A. Yes.**

8 Q. -- and then you went to Rubane, because he was there.

9 **A. No. They said -- they made -- in Nazareth Lodge to**
10 **cover up for Father Brendan Smyth, what he done to me,**
11 **the awful -- the abuses that I suffered there -- right?**
12 **I wouldn't talk. I was frightened to talk, open up and**
13 **tell someone what this man was doing to me. So so far**
14 **as my sisters were concerned the nuns sent me down to**
15 **cover it up, to cover Smyth up.**

16 Q. Okay. HIA149, let me -- let me stop you for a moment.

17 **A. They said, "It's like if we get your man HIA149 out of**
18 **the way, then we'll be able to cover him up".**

19 Q. Let me stop you for a moment. You will recall
20 I explained to you earlier that we will deal with
21 Nazareth Lodge and Brendan Smyth after Christmas.

22 **A. Okay. Sorry. Sorry. I apologise.**

23 Q. No, no, you're fine. What you then go on to explain to
24 the Inquiry in your statement and in your police
25 interview is the sexual abuse that you describe at the

1 hands of the various Brothers whom I've named.

2 **A. Yes, exactly.**

3 Q. You're aware from me speaking to you earlier that those
4 Brothers who are still alive say they did not sexually
5 abuse you.

6 **A. They did. They did. They're telling lies and that's on
7 oath on this holy bible. They did. They done it for
8 years.**

9 Q. Okay.

10 **A. They abused me for solid years.**

11 Q. And, HIA149, all I'm doing is just -- as I said to you,
12 I have to explain what someone else says. The Panel --

13 **A. One of their -- one of their favourite methods -- one of
14 their favourite methods was punishment across buttocks
15 with a cane and they got pleasure out of this, and on
16 a number of occasions they would like to feel your
17 testicles, touch your testicles while they were doing
18 this.**

19 Q. And you have explained --

20 **A. In --**

21 Q. -- in your police statement the Brothers that you say
22 did that type of using the cane and fondling you at the
23 same time --

24 **A. Yes.**

25 Q. -- and that was BR6 and BR1 in particular.

1 A. BR6, BR1, BR3, especially in the head classroom office
2 in the school of Kircubbin. He was in
3 the school. He locked me in his room so I couldn't get
4 out. He made me take off -- my trousers down, remove
5 them downwards and he'd be hitting his -- his cane --
6 I knew the cane, because at the top of the cane -- it
7 was made out of bamboo, a bamboo cane --

8 Q. Yes.

9 A. -- and at the top of it there was red elastic tape
10 around the top of it.

11 Q. Yes.

12 A. He used to hit the cane off the side -- off the side of
13 his long black gown with the white collar here and the
14 black dresses they used to wear. He used to hit the
15 cane off the side and he says, "Oh, I'll teach you not
16 to do this and not do that". I never done anything.
17 I was called to his office. He locked me in. He --
18 I said, "Look, I haven't -- I haven't done anything".
19 I says to him, "If you are going to hit me, hit me on
20 the hand like this. No", I says, "I'm not taking down
21 my trousers. I am not taking down my trousers". This
22 is my event of what happened that day. I says, "I am
23 not taking down my trousers". By this time he had the
24 door locked. He had the door locked in his office,
25 which was the ,

1 the school we went as boys, Kircubbin boys, to go to.
2 I was called. I was in the gym, doing class in the gym,
3 and I was called directly to go to BR3's office, and
4 when I went up the stairs, I started panicking. I was
5 saying, "What did I do? What did I do?" I didn't know
6 what I done, you know.

7 Q. HIA149 --

8 A. Then he --

9 Q. -- let me pause you there, because I know exactly what
10 you're describing, and you have described it to the
11 police in your 2012 --

12 A. Yes.

13 Q. -- interview, where you describe what BR3 did to you
14 then in the -- in the room that he took you into, his
15 office.

16 A. Yes.

17 Q. And -- now, as I said to you, BR3 then has -- he was
18 interviewed by the police about what you had to say --

19 A. Yes.

20 Q. -- and, as I said to you, he doesn't accept what you
21 have described to the Inquiry as having happened, but --

22 A. Everything -- everything I have put on my statement
23 I swear by the holy bible is absolutely true, and that
24 was going on for about years in that home, for about
25 not just a couple of months, for about years that

1 I was in it. These things were happening and the people
2 that I have mentioned in the home were the main
3 instigators.

4 Q. Okay.

5 A. They were the instigators.

6 Q. Bear with me a moment, HIA149, because what I'm going to
7 do is just explain to the Panel where in your interview
8 that the Panel will be able to read what you're
9 describing.

10 A. Yes. Sorry. This -- the machine has gone down a wee
11 bit.

12 Q. Okay.

13 A. So it's sort of like -- you said to me give it time to
14 come back, but it's still very low --

15 Q. That's fine.

16 A. -- for me to try and listen in.

17 Q. Can you hear me at the moment, HIA149?

18 A. I can hear you now. It's like -- but it's going off and
19 on sort of thing, you know. Does that make any sense?

20 Q. Yes. Hopefully -- hopefully it will it stay more on
21 than off, but can you hear me at the moment?

22 A. I can hear you, yes.

23 Q. Right. That's great. Just bear with me a moment until
24 I give the Panel the reference for what you are
25 describing.

1 **A. Right.**

2 Q. Members of the Panel, the second interview of 11th April
3 2012, it begins at 64433, and the main part of what
4 HIA149 is now describing is at 64493 through to 64497.

5 You were explaining to the police that BR3 went on
6 to anally rape you in the office --

7 **A. Yes.**

8 Q. -- and all I'm just explaining, HIA149 -- I'm not asking
9 you to accept it -- but he was interviewed by the police
10 on 29th August of 2012, and, Members of the Panel, that
11 can be found at 64622 through to 64629, and he doesn't
12 accept that he ever sexually abused any boy, not just
13 HIA149, not just you, but any boy, and you're saying to
14 the Panel he certainly did abuse you.

15 **A. He did. He certainly did. This I swear by the holy**
16 **bible under oath to this court house. My statement is**
17 **to be true, honourably true. He did. He done it to me**
18 **in the office. He -- he pierced my anus part. I know**
19 **it's a dirty place. After caning me I was crying and**
20 **I went to pull up my trousers. First of all he says --**
21 **now he says, "You're going to listen to me", and tears**
22 **were coming from my eyes, because my buttocks were so**
23 **sore from where he caned me. Then he -- he started**
24 **fondling me and he was going, "Oh, stop crying. Stop**
25 **crying. I've seen worser on a farm. Stop crying. Stop**

1 **crying. I've seen worser on a farm", things like this**
2 **here. He was talking about the farm --**

3 Q. HIA149 --

4 **A. -- which BR18 worked in. Then he started fondling me.**

5 Q. HIA149, let me stop you for a moment.

6 **A. Sorry.**

7 Q. No, you are fine. You have explained then in your
8 Inquiry statement at paragraph 17 at RUB893, and the
9 Panel will be able to see there the description you give
10 there of BR3 and what you say he did.

11 You then -- after talking about the series of
12 Brothers you talk about **DL 509** , and I've touched
13 on that with you already.

14 **A. Yes.**

15 Q. And then when you speak to the police in 2012 you
16 explain to the police in detail what you describe
17 happening --

18 **A. Yes, yes.**

19 Q. -- and you've then explained that. When you met with
20 Miss Turley, you explained it to her, and that forms
21 part of your Inquiry statement at paragraphs 9 through
22 to 22 on 894 and 895.

23 Now I have to also say to you, HIA149,

24 **DL 509** was interviewed by the police and he does
25 not -- he admits to what he did to your brother, but he

1 does not accept that he abused you, and you've explained
2 to me and to the Inquiry that you don't accept that,
3 that you --

4 **A. I don't accept that. He's telling lies. I don't accept**
5 **that. On the reasonable doubt on this holy bible**
6 **I don't accept that and I won't accept that --**

7 Q. And that's fine.

8 **A. -- because he knew what he was doing. That man knew**
9 **what he was doing.**

10 Q. Let me pause --

11 **A. He actually fondled me. He penetrated my anus on**
12 **a number of occasions in his house**

13

14 Q. Let me pause you just --

15 **A. He lived --**

16 Q. -- just for a second, HIA149. Just let me pause you for
17 a moment, because, like the others, your interview to
18 the police in 2012 sets out what you're describing in
19 a lot of detail, and the Panel has that document to
20 consider. You then describe in your statement to the
21 Inquiry him taking you to the North West 200, to
22 Carrick-a-Rede.

23 **A. Yes, Portrush.**

24 Q. Yes, and you also explained it to your -- the
25 psychiatrist that you saw and the Inquiry will be able

1 to consider how it was described to Dr Harbinson in
2 September 2011, and that can be found at 51064, and then
3 to Dr Curran at 51049.

4 You then, HIA149, describe BR77, as you name him --

5 **A. Yes.**

6 Q. -- in your police statement.

7 **A. Brother --**

8 Q. He is not --

9 **A. Yes, --**

10 Q. The .

11 **A. -- with hair and . That's how I can**
12 **describe him.**

13 Q. Yes. From your --

14 **A. He had -- sort of hair --**

15 Q. Yes. and --

16 **A. -- and .**

17 Q. Yes. From the description you give we know you to be
18 talking about BR77.

19 **A. Yes.**

20 Q. He was not mentioned in your Inquiry statement, but you
21 told the police what he did to you and --

22 **A. Yes.**

23 Q. -- that can be found in your January 12 interview at
24 64407 and you describe him at 64408. Now whenever you
25 spoke to the police then on the second occasion in April

1 of 2012 you said he only tried to interfere with you,
2 but he wasn't able to. Do you remember saying that?

3 **A. What Brother -- what I meant by that was first of all he**
4 **used to cane me on the buttocks in his classroom, in the**
5 **science classroom.**

6 Then he used to take us on a camping trip to -- that
7 place beside Newcastle --

8 Q. The Mourne Mountains?

9 **A. -- the little port place.**

10 Q. Tullymore, Tullymore Forest?

11 **A. Not Portrush. It is beside Newcastle. Ardglass. You**
12 **know Ardglass?**

13 Q. Castlewellan Forest Park?

14 **A. Ardglass. No, he used to take us to Ardglass --**

15 Q. To Ardglass.

16 **A. -- a place called Ardglass. Right?**

17 Q. Yes?

18 **A. It's a wee port place.**

19 Q. Yes, I know --

20 **A. Right.**

21 Q. Yes, I know where you are talking about.

22 **A. He used to take -- the same -- the same fella, the same**
23 **BR77 -- BR77 was his name --**

24 Q. Yes.

25 **A. -- he used to take us on camping trips to the Mourne**

1 **Mountains --**

2 Q. Yes.

3 A. -- you know, along the Mournes --

4 Q. Yes.

5 A. -- like Fred and Rosemary West did. He used to make us
6 put up tents. They rented out a school that we could
7 stay in as young students in the school --

8 Q. Yes.

9 A. -- in Ardglass. He called me to his office one time and
10 made me strip right down to my skin till there was
11 nothing on me, and he started fondling me and he said
12 that if I ever tell anyone, he would kill me. He had
13 a hurley bat in his hand, a hurley, an actual hurley.
14 He used to play hurley. He had it in his hand. Then he
15 brought me out, marched me out in front of every kid
16 that was in the place half naked and made me stand in
17 front of them all as an example after him fondling me in
18 a room.

19 Q. Let me pause you there, HIA149, to say, as I explained
20 to you, he has made a statement to the Inquiry, and like
21 the others, he doesn't accept that he sexually abused
22 anyone, and the Panel have his statement at 5408, which
23 deals with the allegation that HIA149 is making.

24 HIA149, you also describe in your statement physical
25 abuse by BR18 --

1 **make you eat your dinner like that.**

2 Q. And --

3 **A. That's what BR18 used to do to us, and that's the God's**
4 **honest truth on the holy bible.**

5 Q. You describe him as having been a boxer. Do you --

6 **A. I can't hear what you're saying, because I can't --**

7 Q. That's okay. Just take our time and we'll see if it
8 comes good again. Can you hear me at the moment?

9 **A. I can't hear the questions that you're asking me because**
10 **of the frequency.**

11 Q. That's okay. Can you hear me at the moment, HIA149?

12 **A. I can hear you now. I can hear you now. It's come**
13 **back.**

14 Q. I want to assure you of something, HIA149. Whatever is
15 happening to my voice -- are you listening -- just
16 listen to me for a moment. The Panel of the inquiry can
17 hear everything that you're saying. You're coming
18 through loud and clear.

19 **A. Right. That's -- thanks very much, but I'd like to hear**
20 **the questions you're asking me, to give me, so I can**
21 **answer them in a proper detailed manner.**

22 Q. Yes, and you have done that, HIA149. What I want to ask
23 you now can you remember was there much sexual activity
24 among the boys in Rubane?

25 **A. I can't understand. Can you repeat that, because of the**

1 frequency?

2 Q. Was there any sexual activity going on between the boys
3 in Rubane?

4 A. Yes, yes. There was a guy called DL365. There was
5 another young lad in the home, and I mentioned a few of
6 the boys that was in the home when I was there. There
7 was a guy called DL365, [DL 67]. There was [DL 41]
8 [DL 41]. There was myself, HIA149.

9 Q. And what I'm asking you --

10 A. There is the two -- there is two [DL 45/DL 144] Brothers.

11 Q. Yes.

12 A. They were there when I was there and they can verify,
13 the [DL 45/DL 144] brothers.

14 Q. What I want to ask you, HIA149 --

15 A. [DL 45/DL 144].

16 Q. Just pause with me for a moment. What I want to ask you
17 is did the Brothers know there was sexual activity going
18 on between the boys?

19 A. Yes, they did. They did. 100% they did.

20 Q. What steps did they take to stop that activity
21 happening?

22 A. Nothing at all and that's on the holy bible. Nothing at
23 all. They turned a blind eye and laughed at it as if
24 they knew what they were at. That's what they were
25 doing. , BR1, he was supposed

1 to be doing something about it. He wasn't. He was
2 a part of it. He was the main man, was a part of it,
3 BR1.

4 Q. The Order would say --

5 A. Sorry. I'm getting a bit --

6 Q. -- HIA149, that they weren't aware of the extent of the
7 problem, and that steps were taken to deal with it, but
8 you don't remember that?

9 A. They didn't take any steps to deal with it at all. BR1
10 was the problem. BR17 was the problem. BR6 was the
11 problem. BR4, , was the
12 problem --

13 Q. I think --

14 A. -- and also BR18 was the problem.

15 Q. Yes.

16 A. They were the main instigators and DL 509 . DL 509
17 got a job at it. It was like one big paedophilia ring.

18 Q. Let me just pause you there, HIA149. I think BR4, he
19 relates to St. Patrick's. Isn't that right?

20 A. Exactly --

21 Q. Yes.

22 A. -- but they were all De La Salle Brothers. They were
23 all part of the same paedophilia ring.

24 Q. I understand that, HIA149.

25 A. That's where my anger lies. Sorry about that, but

1 **that's what happens.**

2 Q. You're fine. Can you hear me okay at the moment,
3 HIA149?

4 **A. I can more clear than I did before.**

5 Q. Okay. What I want to ask you, we ask each witness who
6 gives evidence to the Inquiry --

7 **A. I swear while I talk I'll be honest with you, to be true**
8 **and honest with you while I talk, and if you notice my**
9 **hand is on the bible the whole time. I haven't removed**
10 **my hand since -- at this Inquiry. My hand is on the**
11 **bible the whole time and I am telling you everything**
12 **that happened, and that's what happened. I can only be**
13 **honest.**

14 Q. HIA149, that is fine, and the Panel have heard you loud
15 and clear, what you have had to say, and the Panel has
16 all of the material that I have explained to you and has
17 been able to consider that material and what it says.

18 What I want to not ask you, HIA149, at the end of
19 the Inquiry's work -- you will recall when I was
20 speaking to you earlier I said as part of the work they
21 have to make recommendations to the government about
22 maybe an apology or a memorial or something else in
23 terms of reparation. Is there anything you want to say
24 about an apology or a memorial or any other means of
25 trying to make up for what happened?

1 A. I would -- I would like to say on behalf of the victims,
2 as being a victim myself, on behalf of all of the
3 victims at the time we were young boys. We hadn't
4 a clue for the name of God what was going on, but we
5 still had to suffer the pain and the paralysation of it
6 all mentally, physically and violated.

7 Apology is no -- it's a bit late for apologies.
8 I'll be honest, and I'm saying it on the holy bible to
9 your Lordship there and her ladyship. It won't take
10 away the memories. We are left scarred for life.
11 I will be. I will be left scarred. I am years of
12 age. My family think I'm going mad because I am trying
13 to get through this. My family want me to do this. All
14 the good people that I know outside, Britain, Ireland,
15 Scotland, Wales, N. Ireland, Belfast, wherever I go,
16 they want me to come forward as a voice. They say,
17 "You've got a voice. Stand up now and be proud and use
18 it". So here I am at this tribunal to tell you exactly
19 my childhood and what them bad people done.

20 Q. HIA149, you --

21 A. They should never have got away with it in the first
22 place.

23 Q. Let me -- let me pause you there, HIA149, and just say
24 you will able to say to those people that you did just
25 that, because you have come forward and you have spoken

1 to the Inquiry and you have provided them with your
2 evidence in writing in the Inquiry statement, and we
3 have gathered all of the police material, so the Panel
4 can see exactly what you are saying, and the Panel has
5 heard from you today as to what happened, and we will
6 hear from you again whenever we deal with Nazareth
7 Lodge.

8 **A. Right.**

9 Q. Okay?

10 **A. Okay.**

11 Q. Now is there anything else that you want to say at the
12 moment about Rubane that I haven't summarised or have I
13 covered everything?

14 **A. I would just like to say that was the reason why me and
15 a couple of other young boys used to run away, abscond
16 from it, because we were getting abused in it, violated,
17 bugged, whatever form you want to call it. It's still
18 sexual abuse. Buggery is a form of rape on a boy,
19 a young boy.**

20 Q. Yes.

21 **A. We weren't -- we weren't sent to them places to be rent
22 boys or anything. We were sent there to be reformed.
23 The only reform we got was touched up for
24 years. We kept running away, and the police of Northern
25 Ireland, especially the ones in the New Lodge Road,**

1 which dealt with me, they used to find me in the town
2 hanging with other young lads. They'd capture me.
3 They'd bring me to the New Lodge Road Police Station
4 headquarters. They'd make me sit in the room, but the
5 policeman -- I remember one RUC man saying to one of the
6 De La Salle Brothers that used to come down in a white
7 van to collect us -- and when the RUC men weren't
8 listening, the Brothers used to say to us, "You're dead
9 when we get you back at the home. You're dead". These
10 were the exact words that these De La Salle Brothers
11 were saying to us when they came to collect us in the
12 white van for absconding. So that made us more
13 frightened and more vulnerable. That made us very, very
14 vulnerable, very afraid of who to trust and who not to
15 trust.

16 I remember one time -- I remember one time I was
17 waiting in -- I was captured for absconding and the
18 policeman said, "Son, son, why did you abscond out of
19 this place?" and I couldn't -- I couldn't -- I wanted
20 to -- I couldn't tell that RUC man. They had green
21 uniforms at those times, not white shirt. They had
22 green uniforms, the old RUC uniforms, and they used to
23 wear the bullet proof vests because the conflict was on
24 at that time in the North. I was only a child and
25 I couldn't for the life of me tell that policeman.

1 I wanted to get it out. I really wanted to get it out,
2 but it wouldn't come, and I wanted to tell that
3 policeman that, "Them people that you're sending me back
4 to are raping us in the homes. That's why we're running
5 away from it". That was the only reason why we kept
6 running away from it --

7 Q. Well --

8 A. -- and they kept bringing us back and they kept caning
9 us and abusing us. So that's --

10 Q. HIA149, let me just say to you you should be proud. You
11 were the one who told your social worker about what
12 DL 509 had done to your brother --

13 A. Yes.

14 Q. -- and he was convicted of that.

15 A. Yes.

16 Q. HIA149, just bear with me. I'm not going to ask you any
17 more questions. The Panel Members will speak to you
18 next. Sometimes they ask questions. Sometimes they
19 don't, and once --

20 A. Okay.

21 Q. -- once they're finished and they rise, then I'll have
22 another brief word with you once I clear everybody out
23 of the chamber before -- before we finish. Okay?

24 A. Okay, your Lordship. Okay.

25 Q. So just bear with me for a moment. The next voices you

1 hear will be from the Panel -- from the Chairman.

2 CHAIRMAN: Well, HIA149, thank you very much indeed for
3 coming to speak to us today. What you have had to tell
4 us has been very helpful indeed, but we don't have any
5 questions we want to ask you today, but we will be
6 seeing you again on another occasion when you come back
7 to speak to us about Nazareth Lodge, but thank you very
8 much for everything you have had to say today. Thank
9 you.

10 **A. Thanks. Thanks for hearing me out, your Lordship.**

11 **Thank you very much for hearing my side.**

12 MR AIKEN: HIA149, if you just remain where you are for
13 a moment, and the Panel are going to rise and I'm going
14 to get the room cleared, and then you and I are going to
15 have a word before you go back.

16 **A. Okay.**

17 **(3.18 pm)**

18 **(Short break)**

19 **(3.26 pm)**

20 **WITNESS HIA56 (called)**

21 MS SMITH: Chairman, Panel Members, ladies and gentlemen,
22 just before proceeding with the final witness there is
23 an appearance to be announced.

24 CHAIRMAN: Yes, Mr Dunn.

25 MR DUNN: Indeed my name is Campbell Dunn. I appear

1 instructed by Armstrong Solicitors for anonymised
2 witness HIA511, who gave evidence before the tribunal on
3 4th November.

4 CHAIRMAN: Thank you.

5 MR DUNN: I am accompanied by Sharon Taylor, my instructing
6 solicitor.

7 CHAIRMAN: Yes.

8 MS SMITH: Chairman, Panel Members, the next witness is
9 HIA56 and he is HIA56. He wishes to take the religious
10 oath and he also wishes to maintain his anonymity.

11 WITNESS HIA 56 (sworn)

12 Questions from COUNSEL TO THE INQUIRY

13 CHAIRMAN: Thank you very much, HIA56. Please sit down.

14 MS SMITH: HIA56, I can see that even while taking the oath
15 you were doing what I'd asked you and that was to speak
16 into the microphone, because you are very softly spoken
17 and we do have to hear all that you say, but just before
18 I come on to deal with your evidence, HIA56, if I can
19 just outline to the Panel that we have a number of
20 documents.

21 HIA56, you had made a statement which is at RUB521
22 to 534. You also made a brief addendum statement, which
23 can be found at RUB4762 to 63.

24 His -- the DLS response can be found at RUB2319 to
25 2324 and there are exhibits at 2325 to 2350, which

1 include detailed school reports.

2 There is a statement from the Health & Social Care
3 Board at 8113 to 8115 and it clearly states that HIA56
4 had been a private placement until , when he was
5 admitted to the care of the Belfast Welfare Authority
6 under section 103 of the Children and Young Persons Act,
7 when he was discharged from Rubane. They then wrote to
8 the County Antrim Welfare Committee,

9 , and the County Antrim Welfare
10 Committee agreed to accept financial responsibility for
11 him until he reached 18. Those exhibits can be found at
12 8116 to 3... -- sorry. That should be 8130.

13 HIA56 spoke to the police in 1995. That statement
14 can be found at 61338 to 61340.

15 In March 1996 he made an affidavit withdrawing his
16 statement to police. That's at 61341.

17 He again spoke to police in -- at RUB67178 to 67181,
18 which detailed what happened to him when he was in
19 Nazareth Lodge.

20 Then he was asked about a specific matter in 2013
21 and he made a statement to the police at that time,
22 which can found at RUB64967 to 68.

23 Now if we could just pull up HIA56's first
24 statement, please, which is RUB521. Now, HIA56, we have
25 looked at this and you can see instead of your name you

1 can see "The Witness Statement of HIA56", which, as you
2 know, is the designation we have given to you.

3 Your personal details are set out there in
4 paragraph 1. From paragraphs 2 to 20 you talk about
5 your time in Nazareth Lodge, and among other things you
6 tell us that while you were in Nazareth Lodge, you were
7 the victim of sexual abuse there. Can I just confirm
8 with you that you are willing to return to talk to us on
9 another day about your experiences in that institution?

10 **A. Yes.**

11 Q. Now from paragraph 21 you talk about Rubane and you say
12 -- you were there we know from to . You talk
13 in paragraph 21, if we could just go to that paragraph,
14 please, which is at page 56 -- 526, and you say that
15 once you turned , you were taken in groups of about
16 ten or twelve boys in a minibus to Rubane. You were
17 taken on . It happened very quickly and
18 there was no preparation. Nobody told you you were
19 going, or was there much discussion in Nazareth Lodge
20 about you going that you remember, HIA56?

21 **A. No, we were told we were going, but there wasn't**
22 **preparation.**

23 Q. You didn't visit the home --

24 **A. No.**

25 Q. -- before you went or anything like that? At

1 paragraph 22 you remember when you arrived you were made
2 to take a shower with the other new arrivals and you
3 name the Brother who supervised you there. I am going
4 to use the names, HIA56, but those names aren't to be
5 repeated outside the chamber, and that was BR15 you say
6 who supervised you --

7 **A. Yes.**

8 Q. -- gave you all a pep talk and warned you you had better
9 toe the line or else. You don't remember during your
10 time there any social work visits. Is that right?

11 **A. No, none.**

12 Q. And in paragraph 39 -- sorry. Sorry. Did you say
13 "one"? Sorry.

14 **A. No. Sorry.**

15 Q. "None", is that what you said?

16 **A. There was no social workers, no.**

17 Q. There were no social workers who visited you, and we
18 know from the records we have received there was
19 certainly no social worker who was supposed to visit you
20 when you were in either home.

21 **A. No, none.**

22 Q. We do know -- and I will come back to this -- that the
23 Order employed a DL 475 Do you ever remember
24 her?

25 **A. Yes.**

1 Q. And did you have direct contact with her at all?

2 **A. No.**

3 Q. Paragraph 36 of your statement, please, if you just go
4 to that. That's at 529. If I am just going to cover
5 some of the general matters about your time in Rubane
6 with you, HIA56, before coming on to your specific
7 allegations.

8 You talk in paragraph 36 about there being a shop
9 where you could spend pocket money which you received
10 from the brothers every Sunday. You got 20 or 25p
11 a week for pocket money.

12 **A. Yes.**

13 Q. And you say the shop sold cigarettes and the Brothers
14 sold them to you.

15 **A. Yes.**

16 Q. "All my money was spent on cigarettes. I would then
17 sell the cigarettes to other boys for 5 pence each.
18 There was even a designated smoking area, which was the
19 cinema room in one of the outbuildings on the farm. You
20 weren't allowed to smoke in the house, chalets or
21 school. Everyone smoked. The Brothers were selling
22 cigarettes to children and that's why most of us smoke
23 today."

24 You say that wasn't right. The Order -- and I have
25 told you this, HIA56 -- the Order would say that boys

1 were allowed to smoke only from the age of 14.

2 **A. No.**

3 Q. What age were you when you started smoking?

4 **A. .**

5 Q. Would the Brothers have sold cigarettes to you at that
6 age?

7 **A. Yes, in the shop, yes.**

8 Q. Can I ask you generally about food in Rubane? Is there
9 anything you can say about that?

10 **A. No, it was adequate.**

11 Q. What about chores? Were you asked to do chores when you
12 were in the home?

13 **A. We were, yes. It was expected. There was no problem
14 there.**

15 Q. I think you actually said to me you quite enjoyed doing
16 what you were asked to do.

17 **A. I did, yes.**

18 Q. You yourself worked in the gardens. Is that right?

19 **A. In the gardens, in the bus and car, cleaning them up.**

20 Q. Cleaned the bus and the car?

21 **A. Yes.**

22 Q. I think you actually said you learned to drive when you
23 were there in Rubane?

24 **A. I did, yes.**

25 Q. You also had to work in the kitchen?

1 **A. The kitchen as well, yes.**

2 Q. Now just going back, can I ask you do you remember
3 birthdays being celebrated in Rubane at all?

4 **A. No.**

5 Q. What about Christmas?

6 **A. Not really, no.**

7 Q. Did you go out during those times to your mother, do you
8 know?

9 **A. No, not at that time.**

10 Q. Well, coming on to some of the specific allegations that
11 you make, if we could go back to paragraph 24, please,
12 which is at the bottom of 526, you say that you were in
13 chalet -- and again I am going to have to use the
14 names, although they have been blanked out here --

15 **A. Uh-huh.**

16 Q. -- with your houseparents, and they were **DL 134 & 135**
17 **DL 134 & 135**.

18 **A. Yes.**

19 Q. You think it was good at the beginning and then **DL 134**
20 turned out to be abusive.

21 **A. Yes.**

22 Q. "I don't think **DL 135** knew much about it at the time,
23 but she was quite strict and bullied you. We were
24 actually terrified of them. She was like a prison guard
25 as she was strict and I wanted to keep on the right side

1 of her, otherwise she would have slapped you. There was
2 no family atmosphere in our chalet."

3 Did she ever slap you, HIA56?

4 **A. No.**

5 Q. Just you were afraid she might. Is that it?

6 **A. Yes.**

7 Q. If we can scroll down to paragraph 25, you talk about
8 sexual abuse involving **DL 134** and an older boy. You
9 say that you were abused in the shower.

10 "Chalet had a private shower and in the shower
11 there was a glass panel door. **DL 134** brought me into
12 the shower with an older boy",
13 whom you name there --

14 **A. Yes.**

15 Q. -- and you think that that boy was about 14.

16 "Then **DL 134** watched us showering by looking
17 through the glass as he masturbated",

18 and you believe he created the scene so he could
19 get pleasure.

20 "He locked the door from the inside. The other boy
21 then masturbated himself",

22 and then both he and **DL 134** groped you, and you
23 were told by **DL 134** not to tell anyone, and you didn't
24 because you were afraid. You believe **DL 134** forced
25 the other boy to do this, because you remember him sort

1 of half crying at the time.

2 **A. Yes.**

3 Q. You say there were rumours about **DL 134** and another
4 boy in the home, whom you name as well in that
5 paragraph. You go on then to talk about one night you
6 needed a drink of water and opened the sitting room
7 door. You saw **DL 134** on the sofa with another boy,
8 again whom you name, and I am not going to give his full
9 name, but his name is **DL 124**.

10 **A. Yes.**

11 Q. You said that **DL 134** shouted at you to "Get the fuck
12 out". You think he was also abusing other boys in
13 Rubane and you name two other boys.

14 Now can I just stop you there to say that **DL 124** has
15 given a statement to the Inquiry and said he was never
16 abused by **DL 134** in any way. Can you say did you
17 actually see him being abused by **DL 134**

18 **A. No. I just assumed.**

19 Q. You just assumed it, because -- and why did you make
20 that assumption?

21 **A. Because he had that reputation, **DL 134** I just
22 thought.**

23 Q. Sorry. This boy was alone with him in the room when you
24 saw him?

25 **A. Yes.**

1 Q. Just for -- I am not going to call up DL 124's statement,
2 but it is at RUB1498 at paragraph 36. You talk about
3 being taken by the DL 134 & 135 to visit DL 135 mother.

4 You then talk in paragraph 27 about being sexually
5 abused by an older boy whom you name in paragraph 27 and
6 you describe what he made you do. You also said that
7 there was another boy, and you give his name. He tried
8 to feel you up in the grass, but he didn't get his way.

9 A. Yes.

10 Q. You also then in paragraph 28 go on to talk about
11 an episode with a man who is known by the boys as DL230.

12 A. Yes.

13 Q. You said that:

14 "Strangers who lived in the local area were abusing
15 boys in the home. One of them was known as DL230."

16 You give his real name. You say:

17 "He lived down the road from Rubane and
18 ."

19 On one occasion a boy whom you name here, and I will
20 call him DL116, but we will not give his full name, made
21 you go with him to a derelict farmhouse.

22 "DL116 was the go-between for DL230 and the home and
23 DL230 got DL116 to bring new boys to him. The farmhouse
24 was outside the gates of De La Salle, across the road
25 and a few fields away. When I got to this old

1 farmhouse, DL116 took me up to the attic and DL230 was
2 there . I was terrified. DL230 made me
3 lie down on straw and take down my trousers and he felt
4 all over my penis. He knew I was afraid. He gave me
5 three shillings and a cigarette and then I went back to
6 the home."

7 You think he might also have been abusing DL116,
8 DL230 only abused you once. After this incident you say
9 DL116 tried to sexually abuse you in the oil tank house,
10 but you stood your ground and he did not succeed. You
11 thought DL116 was

12 Now I have told you, HIA56, that DL116 has spoken to
13 the Inquiry and he has given evidence before you today.
14 He gave a witness statement and he indicated that, first
15 of all, the derelict cottage did not have an upstairs.

16 **A. It did then.**

17 Q. He also says there was a boy who would have been abused
18 by DL230 as well as himself. I am not going to give his
19 full name, but he named him as **DL 104**. He said that he
20 didn't know you, that he did not take you to DL230, that
21 what you are saying is not correct, and he also said
22 that if he had -- I mean, he had nothing to hide by
23 saying -- he freely admitted that he was involved in
24 sexual encounters with other boys and with DL230, but
25 the only person who ever came with him to DL230 was this

1 boy DL 104 --

2 **A. No.**

3 Q. -- and that the two of them would not have been engaged
4 with DL230 at the one time, but separately.

5 **A. Yes.**

6 Q. He also told -- you told the police about that in your
7 statement to the police in 1995 as well. Just to be
8 clear, that's at RUB61339. In that you say:

9 "I can remember DL116", that's DL116, "making me go
10 with him to a derelict farmhouse which was outside the
11 gates of De La Salle, across the road and a few fields
12 away. When I got to this old farm, there was a man.
13 I remember he was called DL230. He was known locally by
14 the home boys but I never knew his name. He got DL116
15 to bring new boys up to him. and
16 I was terrified. He made me take down my trousers and
17 he felt all over my penis. He knew I was afraid, and
18 I got three shillings and a cigarette and I went back to
19 the home."

20 You say that you knew he was having sex with DL116
21 and that you felt DL116 would get more money than you
22 got. Is that because of what you thought DL116 was
23 doing with this man?

24 **A. Yes.**

25 Q. And he only abused you the once?

1 **A. Once, yes.**

2 Q. Now paragraph 29, if we could go back to your statement,
3 please, HIA56, at -- sorry. Just before I move on,
4 I~have told you what DL116 has said. Is there anything
5 you want to say, anything more about that at all, HIA56,
6 about the fact that DL116 says he never took you to meet
7 this man?

8 **A. He probably doesn't remember. He might have brought so**
9 **many up he just can't recall.**

10 Q. So paragraph 29 at 528 you say that -- this is going
11 back to living in the chalet with the [DL 134 & 135]. You say
12 you were isolated from the other boys in the other
13 chalets by the [DL 134 & 135].

14 "For a while we weren't allowed to associate with
15 the other chalets."

16 You talk about two nuns who had a chalet
17 next door to you in chalet . They say they were
18 teachers and they were good. You believe the [DL 134 & 135]
19 from Rubane.

20 **A. Yes.**

21 Q. Do you remember who took over when the [DL 134 & 135] left?

22 **A. It was Mr and Mrs -- .**

23 Q. . The Order I should say would accept the
24 [DL 134 & 135] were possessive of the boys --

25 **A. Yes.**

1 Q. -- who were in their chalet.

2 You talk in paragraph 30 about the lack of education
3 that you felt that you received in Rubane, and I have to
4 say that the Order would say they felt they had done
5 their best to educate the boys in their care.

6 **A. No, I don't think so.**

7 Q. You don't agree with that?

8 **A. No.**

9 Q. Now if I move on then to paragraph 31, you say that you
10 were moved to

11 . You were about This was unusual because you
12 . You describe being sexually
13 abused twice by BR15 in his room.

14 **A. Yes.**

15 Q. On both occasions he simulated sex with you and
16 afterwards he gave you a packet of Embassy cigarettes.
17 Now you talked -- again you mentioned this in your
18 statement at 61340. Sorry. Just going on there,
19 paragraph 32, you say that one day this BR15 promised
20 you cigarettes. So you went to his room in the main
21 house and opened the door. You saw there was a boy whom
22 you name there, and I am just going give his first name,

23 --

24 **A. Yes.**

25 Q. -- who came from and was lying on BR15's bed.

1 "Both had their trousers down and it appeared as if
2 they were having sex."

3 BR15 shouted at you to get out and threw a packet of
4 cigarettes at you. I didn't tell anyone about it as you
5 were afraid of being beaten by this Brother, as he was
6 very vicious and everyone was terrified of him. You
7 said he never hit you, but you saw him hit others by
8 punching and kicking them.

9 **A. Yes.**

10 Q. Now he was interviewed by police when you spoke to the
11 police about this in 1995, and he was interviewed in
12 November 1995, and his interview can be found at
13 RUB61457 to 61473. He denied emphatically your
14 allegations.

15 **A. Uh-huh.**

16 Q. He was asked about corporal punishment and said that if
17 a boy absconded, he got six on the backside with a cane
18 from the head brother. He would have witnessed that
19 himself, but he would never have administered it in the
20 school office. So he didn't at any stage accept that he
21 had either sexually abused you or had physically abused
22 you.

23 **A. No.**

24 Q. The Order say that the reason you were moved from the
25 chalet was because of an incident involving

1 Can you remember that?

2 **A. Not really, no. Vaguely.**

3 Q. Did you have a run-in with in the chalet?

4 **A. I think so, yes.**

5 Q. And you say -- we dealt with paragraph 32. The Order
6 would say that the boy was in the chalet and not
7 the main house, and they think that this is the boy that
8 you say that BR15 was abusing in the main house --

9 **A. Yes.**

10 Q. -- in his bedroom that you walked in on. The Order
11 would say he was in the chalet, not the main house, and
12 if he had been, his absence would have been missed from
13 the chalet. Is there anything you want to say about
14 that, HIA56?

15 **A. Sorry. What was the question?**

16 Q. Sorry?

17 **A. What was the question?**

18 Q. Sorry, HIA56. You told us that was in BR15's room

19 --

20 **A. Uh-huh.**

21 Q. -- and you walked in and were told to get out and you
22 felt they were having sex.

23 **A. Yes.**

24 Q. The Order would say didn't live in the main house.

25 **A. He did.**

1 Q. He lived in one of the chalets.

2 **A. No, he was there.**

3 Q. In the main house?

4 **A. In the main house, yes.**

5 Q. And the Order as far as they're aware have never
6 received a complaint from about BR15.

7 **A. I don't know why.**

8 Q. Now you -- I mean, I have shown you that you made
9 an affidavit withdrawing your complaint in March 1996 --

10 **A. Yes.**

11 Q. -- the complaint you had made to police. That can be
12 found at RUB61341. Why did you do that, HIA56? What
13 was the circumstances that led you to withdraw the
14 police statement?

15 **A. Well, they told me there was no evidence. They're not
16 going to go any further. So I took -- I got upset about
17 that and just done it.**

18 Q. This was prepared by a solicitor for you. Is that
19 right?

20 **A. Yes.**

21 Q. Then you do speak to the police again in 2012 --

22 **A. Yes.**

23 Q. -- although it is fair to say that -- that's at
24 RUB67178. In that statement in 2012 you said -- I mean
25 just at the start there you said that you didn't

1 remember -- you have no knowledge of an affidavit being
2 made by yourself in .

3 **A. No.**

4 Q. You couldn't remember at that stage that you'd done it,
5 but you say it was a particularly difficult period in
6 your life around that time --

7 **A. It was, yes.**

8 Q. -- and you do remember speaking to the press --

9 **A. Yes.**

10 Q. -- in 1997. You go on in this statement -- and I am not
11 going to go through it in any more detail -- but you go
12 on to describe what happened to you in Nazareth Lodge
13 and make complaints about that. So effectively you had
14 withdrawn any complaint you were making about Rubane,
15 but you still wanted to proceed with the complaints
16 about Nazareth Lodge. Is that right?

17 **A. Back then, yes.**

18 Q. Now going back to the Inquiry statement, HIA56, at
19 RUB529 -- sorry. RUB529, please, and you say there --
20 in paragraph 33 you name another Brother whom you say
21 abused you. He name him as BR30. You say he was an
22 n and he died

23

24 **A. Yes.**

25 Q. Now I know you were concerned whenever you read this,

1 because you wanted to make a greater explanation as to
2 what you meant about what this Brother did --

3 **A. Yes.**

4 Q. -- and that's in your addendum statement. If we could
5 look at that, please, it is at 4762, and this was
6 a statement that you made just last month --

7 **A. Yes.**

8 Q. -- and you say:

9 "In paragraph 33 of my witness statement I refer to
10 abuse by BR30. He was ... BR30 was a
11 man and he would grab me in an uncomfortable embrace and
12 press my face tightly against his chest. He would stand
13 facing me as he did this. He would get me in a lock
14 with his hands, touch me on my bottom and he would grope
15 me tightly with his hands. This happened a couple of
16 times. He did not take it any further, but it made me
17 feel extremely uncomfortable."

18 That was the height of your complaint against this
19 particular Brother. Isn't that right?

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

21 Q. You go on in your original statement to talk about the
22 fact that you in paragraphs 34 and 35 admit that you
23 were involved in sexual acts with other boys in the
24 home.

25 **A. Yes.**

1 Q. That began with what had happened to you in Nazareth
2 Lodge, and again we will discuss that in due course when
3 we come back to discuss that.

4 Paragraph 3 there in your addendum statement you
5 talk about a priest who was , a **DL 298**

6 **A. Yes.**

7 Q. You say:

8 "He lived on a site

9 . It had been used as accommodation for
10 dormitories at one stage. I do not recall the exact
11 date, but I do remember **DL 298** calling groups of
12 residents to his home for a chat. He mentioned sexual
13 activity in the home and stated if the Brothers were
14 interfering with any of the boys, we should report it to
15 him. He also told us to report peer sexual abuse among
16 the boys to him."

17 when you were resident there.

18 Now can I ask you, HIA56, did you ever speak to Father
19 **DL 298** about what had happened to you --

20 **A. No.**

21 Q. -- or about what was happening with other boys?

22 **A. No, I didn't.**

23 Q. But you remember him telling you you could do that?

24 **A. Yes, we had the opportunity to.**

25 Q. You had the opportunity to?

1 **A. Yes, but I don't know -- he died shortly afterwards.**

2 Q. You didn't have the opportunity because he died shortly
3 afterwards. Would you have talked to him about it?

4 **A. Probably not, no.**

5 Q. If I can go back to 529, at paragraph 37 there at the
6 bottom of that page you talk about another Brother and
7 this is BR3. Again I am using the names, because it is
8 easier for you to know who I am talking about, HIA56,
9 but again not to be used outside.

10 "He was the only Brother that ever gave me a bad
11 beating. There was a boy called **DL 315** who had just
12 turned 13. He was sent under a court order to Rubane.
13 He asked me where he could go to smoke and I said he
14 could go to the toilets upstairs. I showed him where to
15 go and we were both in a cubicle smoking when the toilet
16 door was kicked by BR3. BR3 grabbed me by the hair and
17 said, 'He's only in the place and you're at him'.
18 I asked him what he was talking about and he grabbed me
19 by the hair and brought me into his room and gave me the
20 worst beating I ever had in Rubane. He punched and
21 kicked me and he left me lying on the floor in a heap of
22 blood and he walked away. My face was bleeding. It
23 shocked me. I remember crawling into the dormitory and
24 lying down. The pain was unbelievable. I didn't
25 receive any medical treatment and I was terrified of BR3

1 from then on. I think I was about at the time."

2 You then go on to talk about another Brother,
3 a BR29. You think he was training. You saw BR6 give
4 BR29 a fistful of cash one day and then he left Rubane:

5 "... and some of the other residents and I always
6 suspected that he was being abused by BR15."

7 Now you had no evidence of BR29 being abused by
8 anyone.

9 **A. No.**

10 Q. This was you just putting two and two together. Is that
11 right?

12 **A. Just an assumption really.**

13 Q. The other thing I would say is that the Order would say
14 BR29 and BR15 weren't actually in Rubane at the same
15 time.

16 **A. No, they were.**

17 Q. Well, they would say -- and just to be clear and to be
18 fair, they would say that BR15 -- if I can just get the
19 dates right here -- BR15 arrived -- yes, BR29 arrived in
20 Rubane in and BR15 had left in

21

22 **A. No. BR29 was there longer.**

23 Q. Yes. BR29 was there from until

24 --

25 **A. No.**

1 Q. -- but BR15 had already gone before he ever got there is
2 what they're saying.

3 **A. No.**

4 Q. You remember them both being there at the same time?

5 **A. I'm nearly sure, yes.**

6 Q. You also remember HIA16 in the home. Again I am using
7 the name --

8 **A. Yes.**

9 Q. -- but not to be repeated outside. Now he alleged that
10 he was abused by BR29 after stealing altar wine with
11 others.

12 **A. Yes.**

13 Q. You made a statement to the police about this in
14 October 2013.

15 **A. Yes.**

16 Q. If we can just look at that, that's RUB64967 to 8. This
17 is October of last year. Police come to you after
18 having received a complaint about HIA16. You were asked
19 if you remembered an incident at De La Salle when HIA16
20 got drunk.

21 "My memory of the incident is as follows. All of
22 the senior Brothers, **BR 2** and all the rest, were
23 away for the afternoon and two of the novice Brothers
24 were in charge. BR20 and BR29 looked after the
25 children. The houseparents would also have been there.

1 A group of boys got into the cellar, which was located
2 in the basement of the old house. Alcohol was stored
3 there for the Brothers' personal uses. The group of
4 boys, including HIA16, gained access to the cellar and
5 helped themselves. They were dotted all over the place
6 drinking outdoors, around the farm or in the woods.
7 I saw HIA16 going around the house being pursued by
8 BR29. HIA16 ran into his own chalet and shortly after
9 appeared at the window screaming abuse and obscenities.
10 I thought he was going to jump. BR29 was in a difficult
11 position. HIA16 had to be restrained. I didn't see
12 HIA16 being restrained. My memory was this happened in
13 the home."

14 When you say the home, you mean the main house --
15 isn't that right -- rather than the chalet? Is that
16 what you're trying --

17 **A. It was in the chalet.**

18 Q. It was in the chalet?

19 **A. Chalet , yes.**

20 Q. Sorry.

21 "HIA16 was -- in my opinion HIA16 was a danger to
22 himself and the other boys and staff at that time -- and
23 other boy staff at that time and had to be restrained.
24 I seen no assault on HIA16 and do not recall how it
25 ended or seeing HIA16 with injuries after this

1 incident."

2 So basically HIA16 makes an allegation about BR29
3 and the police speak to you. You don't support HIA16's
4 account of what happened. Isn't that right, HIA56?

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

6 Q. You have since spoken to HIA16. You have met him. Is
7 that right?

8 **A. Yes, about a month after that.**

9 Q. You met him after that?

10 **A. After the statement.**

11 Q. What was his reaction to you?

12 **A. He was -- he gave me a lot of abuse for not supporting
13 him and called me everything and threatened me. My
14 intention was to go back and cancel that statement.**

15 Q. Why did you want to go back and cancel the statement?

16 **A. I didn't want any part of it, because of what he said to
17 me.**

18 Q. This is HIA16 --

19 **A. Yes.**

20 Q. -- what HIA16 said to you?

21 **A. Yes. I didn't --**

22 Q. But is this what you remember about HIA16 and BR29?

23 **A. I remember up to that point, but not being beaten.**

24 Q. You don't remember him being beaten?

25 **A. I didn't see it. That didn't happen.**

1 Q. And just to be clear, BR29 has given a statement to the
2 Inquiry --

3 **A. Yes.**

4 Q. -- where he absolutely denies it and actually --

5 **A. He's right. He's right.**

6 Q. -- calls on -- you say he's right to deny?

7 **A. He's right, yes.**

8 Q. He didn't assault HIA16?

9 **A. No.**

10 Q. Now can we just --

11 **A. He restrained him.**

12 Q. He restrained him?

13 **A. Yes.**

14 Q. If we could just go back to paragraph 41 of your
15 statement, which is at 530, please, now in paragraph --
16 sorry. Paragraph 41. I am just going to talk about --
17 you complain that there was no real preparation for you
18 leaving Rubane --

19 **A. No.**

20 Q. -- but I am going to explore with you before going into
21 what actually happened when you did leave you -- your
22 mother had placed you in care, HIA56, and it wasn't
23 possible for you to go back to live with her after you
24 left Rubane. Isn't that right? I know that
25 subsequently caused you a lot of disappointment and you

1 wrote to BR2 about that --

2 **A. Yes.**

3 Q. -- asking him, because you were at that stage blaming
4 him for what happened, and you wrote a very long --
5 couple of very long letters to him. I'm not going to
6 call them up, but just so that the Inquiry can find
7 them, they are at -- sorry. Here. RUB2338, RUB2339 and
8 RUB2343. So in when you left Rubane, you were
9 writing to BR2 and saying, "Look, you know, why was
10 I not able to go and live with my mother? I wanted to
11 go and live with my mother and I'm blaming you for doing
12 something, saying something behind closed doors as to
13 why I didn't go", and he responded in detail saying he
14 and **DL 475** had had a meeting with your mother and
15 it was late at night. She had turned up with the person
16 that she was friendly with at that time, a **██████████**
17 They had a discussion and she was quite adamant she
18 wasn't going to take you back.

19 **A. Yes.**

20 Q. So given that, they had to find somewhere for you to go
21 when you left Rubane --

22 **A. Yes.**

23 Q. -- and here you see that it says, paragraph 41:

24 "When we reached , we had to leave Rubane. We
25 were told that we were leaving in the afternoon. We

1 If I can just go back up to paragraph 40 on the
2 preceding page, this is something that you said about
3 BR2. You said that he was in charge of Rubane. You
4 liked him. You felt you could talk to him. You talk
5 about one occasion he got you out of bed, brought you
6 into his room, stared at you for ages and made small
7 talk.

8 **A. Yes.**

9 Q. "I guessed that his intentions were sexual. However,
10 nothing happened and I left and went back to my bed.
11 I think he realised what he was doing."

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

13 Q. Now he didn't sexually abuse you in any way, HIA56, did
14 he?

15 **A. No, no.**

16 Q. Why do you say you thought his intentions were sexual?

17 **A. Well, to get you up in the middle of the night. I was
18 aware of what was going on anyway. So I just thought --
19 I'm glad it didn't happen.**

20 Q. You just thought -- you made that assumption --

21 **A. Yes.**

22 Q. -- looking back, that there was something untoward about
23 him waking you in the middle of the night?

24 **A. It was unusual.**

25 Q. But you said he didn't do anything and he left you alone

1 essentially. Now you --

2 **A. And I'm glad he did.**

3 Q. Yes, but you and BR2 kept in touch --

4 **A. Yes.**

5 Q. -- over the years. He tried to help you.

6 **A. Yes.**

7 Q. He organised counselling for you at a difficult period
8 in your life --

9 **A. He did.**

10 Q. -- and, in fact, bought you a bike to get there. Isn't
11 that right?

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

13 Q. Can I ask you today, HIA56, what your feelings towards
14 him are?

15 **A. I still respect him.**

16 Q. Now paragraphs 43 to 56 of your witness statement are
17 words that you actually wrote out yourself and asked to
18 be put in your statement about the effect on your life
19 after you left Rubane --

20 **A. Yes.**

21 Q. -- and what happened to you and the effect that those
22 experiences had on you.

23 **A. Yes.**

24 Q. Now you can take it that the Panel Members have read all
25 that, HIA56, and I am not going to go into it in any

1 great detail. It's there, and the difficulties that you
2 have experienced are quite plain.

3 **A. Right.**

4 Q. That's really all I'm going to ask you about, HIA56. Is
5 there anything that you feel we haven't covered about
6 your time in Rubane that you want to say to the Inquiry
7 today?

8 **A. No. No. That's it there.**

9 Q. And the final question then from me is that you're aware
10 that the Inquiry has to make recommendations about what
11 should happen next by way of redress or memorial or
12 compensation or whatever. What are your own views,
13 HIA56, about that?

14 **A. There shouldn't be any memorials, like. I think**
15 **compensation should be paid and give us a bit of**
16 **freedom, even happiness. I don't know. That's all.**

17 Q. Thank you very much, HIA56. That's all I have for you,
18 but the Panel Members may have something they want to
19 ask you about.

20 Questions from THE PANEL

21 CHAIRMAN: HIA56, can I ask you to think back to what you
22 told us about **DL 298** --

23 **A. Yes.**

24 Q. -- talking to you and other boys? You said that in
25 effect he was asking you or inviting you, all of you,

1 not just you personally --

2 **A. No.**

3 Q. -- but all of you, if you knew of any sexual activity by
4 the Brothers --

5 **A. Yes.**

6 Q. -- or by other boys, to speak to him, and you said that
7 you didn't and you probably wouldn't have spoken to him.
8 Now since he was inviting you to talk about these things
9 and you had had these experiences or some of them by
10 then, why would you not have felt free to speak to him?

11 **A. Just fear, because he would obviously go back to the
12 Brothers, and then they'd probably -- I don't know what
13 would have happened, but he died shortly afterwards.**

14 Q. Yes, I understand that, but if we look at **DL 298**
15 himself --

16 **A. Yes.**

17 Q. -- was he an approachable type of person --

18 **A. He was very good, yes.**

19 Q. -- compared to the Brothers?

20 **A. Yes.**

21 Q. So it wasn't that you were afraid of him specifically?

22 **A. No, no, but --**

23 Q. But from what you --

24 **A. -- if you told him something, he might go back to them**

25 --

1 Q. Yes.

2 **A. -- and all the repercussions of that.**

3 Q. And then would be repercussions for you. Did any of the
4 other boys comment to you in any way about his
5 invitation or express their view about it?

6 **A. No, I don't remember a lot about it.**

7 Q. Were you aware of any boy speaking to **DL 298** about
8 his own experience or indeed speaking to any of the
9 other Brothers about it?

10 **A. No.**

11 Q. No. Thank you very much.

12 MS DOHERTY: Thanks very much, HIA56. That has been really
13 helpful. I just wondered in terms of the boys was there
14 talk amongst the boys about sexual activity between
15 Brothers and boys? Was that something that was
16 discussed?

17 **A. It was, yes, and staff as well.**

18 Q. Staff as well. So lay staff as well?

19 **A. House fathers, yes, and DL230.**

20 Q. What would the boys say? Would it be about -- talking
21 about it or warning people off or --

22 **A. Everybody knew what was going on and the Brothers knew.
23 You can see where they might take advantage, you know,
24 that sort of thing, but -- yes.**

25 Q. Okay. Thanks very much, HIA56.

1 MR LANE: You said you were taught to drive. Who did the
2 actual teaching and what vehicle did you use?

3 **A. I watched the Brother, what he was doing in the car, and**
4 **I was able to do it myself.**

5 Q. You had a go on the actual vehicle?

6 **A. And I got the hang of it. On the coach as well.**

7 Q. Right.

8 **A. So ...**

9 Q. Thank you.

10 **A. I have a driving licence thanks to that.**

11 CHAIRMAN: Well, HIA56, thank you very much for coming to
12 speak to us today. We know particularly in your case
13 this has not been an easy decision for you to make, and
14 we hope that you will be able to come back to us later
15 on to talk to us about your experiences --

16 **A. Yes. Uh-huh.**

17 Q. -- in Nazareth Lodge, because, as Ms Smith will have
18 explained to you, there is simply too much in each thing
19 to deal with them together.

20 **A. Yes, I understand.**

21 Q. We need to look at them separately, but thank you very
22 much for coming to see us today. Thank you.

23 **A. Thank you, sir.**

24 **(Witness withdrew)**

25 MS SMITH: That concludes today's evidence.

1 CHAIRMAN: Thank you very much. Ladies and gentlemen, usual
2 time tomorrow morning.

3 (4.10 pm)

4 (Hearing adjourned until 10 o'clock tomorrow morning)

5 --ooOoo--

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