
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Tuesday, 21st October 2014

commencing at 10.08 am

(Day 60)

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

1 (10.08 am) 21 October 2014

2

3 CHAIRMAN: Good morning, ladies and gentlemen. Can I just
4 say straightaway that you will notice that we do not
5 have a stenographer present this morning, for reasons
6 that are personal to our excellent stenographer. She
7 can't be here today, and it has not been possible in the
8 short time to arrange a substitute. We therefore will
9 record today's proceedings and they will be transcribed
10 as soon as possible. But it means that we will not have
11 the advantage of a live note transcription as the
12 evidence proceeds. Before we commence, may I also
13 remind everyone that all mobile phones must be turned
14 off or placed on silent/vibrate. And that no
15 photography of any sort is permitted in the building or
16 within the confines of the Inquiry premises. Ms Smith?

17 MS SMITH: Yes, Chairman, before I commence there are some
18 appearances to be announced this morning.

19 CHAIRMAN: Yes. Yes, Mr Unknown Speaker?

20 UNKNOWN SPEAKER: Yes. I appear, Chairman, in relation to
21 HIA147. I don't know whether I should use the name or
22 just the number?

23 CHAIRMAN: It's not necessary to use the name, thank you.

24 UNKNOWN SPEAKER: Well, in that case, HIA147, who has an
25 involvement through the statements of one of the

1 witnesses who will be giving evidence this morning. I'm
2 instructed by Ciaran McAteer Solicitor, and I believe
3 you're familiar with my identity, Sir.

4 CHAIRMAN: You can be sure of that Mr ... Yes
5 Mr McLoughlin?

6 MR McLOUGHLIN: Chairman, I appear in relation to HIA152, I
7 am instructed ... but we are here in relation to
8 a matter that our client, DL347 was involved with. So
9 this is the first time before the Tribunal, I have to
10 say.

11 CHAIRMAN: Thank you very much.

12 MR McLOUGHLIN: Thank you very much.

13 JUDGE: Thank you, Mr McLoughlin.

14

15 WITNESS HIA379 (called)

16

17 MS SMITH: Chairman, and Panels Members, ladies and
18 gentlemen, the first witness to give evidence this
19 morning is Gabriel. He's been given a designation
20 HIA379, but I've spoken to Gabriel this morning and he
21 wishes to waive his anonymity. I have made him aware
22 that while he can certainly do so, he nonetheless has to
23 maintain the anonymity of anyone about whom he speaks
24 and he's aware of that. He also wishes to take the
25 religious oath.

1 CHAIRMAN: Thank you.

2

3 WITNESS HIA379 (sworn)

4

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

6

7 Questions from COUNSEL TO THE INQUIRY

8

9 MS SMITH: There are a number of documents that I would
10 refer to, and draw to the attention of the Inquiry.
11 Gabriel's statement can be found at RUB714718, and I'll
12 turn to that shortly. The Order's response can be at
13 3056 to 3057 with exhibits at 3059 to 3076. There's
14 a short statement from the Health and Social Care Board,
15 which can be found at 8080 to 8081. The Board accepts
16 that Gabriel was a Welfare Authority placement, but no
17 longer hold any records in respect of that. Although we
18 do have some documents which have obviously come from
19 Social Services at some stage to which I'll refer later.
20 There's also a police ABE interview which took place in
21 February 2007, when Gabriel spoke to the police. That
22 can be found at RUB64699 to 64796. The Brother about
23 whom he complains in that statement was interviewed in
24 August 2009. His interview can be found at RUB64798 to
25 63824. The same Brother swore an affidavit on the 9th

1 of November 2011 in respect of a civil claim that
2 Gabriel brought against the Order. That can be found
3 RUB5422 to 5453. The relevant paragraphs of that
4 affidavit are paragraphs five to eight. It clearly
5 shows that this brother, who is no longer fit to give
6 evidence, and the medical in respect of him can be found
7 at RUB5421. But certainly in 2011, he was aware of the
8 allegations that Gabriel had made against him and denied
9 them in that affidavit. If we could then, please --

10 CHAIRMAN: Can I just ask you for the designation number of
11 the Brother whose statement is at 5422?

12 MS SMITH: It's 3, BR3.

13 CHAIRMAN: Thank you very much.

14 MS SMITH: If we could just go, on the screen Gabriel, I've
15 explained to you this is the witness statement that you
16 prepared for the Inquiry. If you could just go to the
17 last page of that, please, which is 718. Gabriel,
18 I also explained that under this black box where it
19 says, "HIA379", your signature is there; isn't that
20 correct?

21 **A. Yes.**

22 Q. You signed your statement on the 3rd of March 2014. Can
23 I just confirm with you that this is the statement of
24 evidence that you wish the Inquiry to consider, together
25 with whatever else you say today?

1 **A. Yes.**

2 Q. Now, if we could go to the first page again, and your
3 personal details are set out in paragraph one, where
4 sadly your mother was ill when you were a baby and you
5 and your brother were put into St Joseph's babies home
6 while she was ill and your father was looking after her?

7 **A. Yes.**

8 Q. You don't remember being there. But sadly your mother
9 died when you were very young in and your brother
10 and you went back to live with your father until he
11 placed you in Nazareth Lodge, because his own father was
12 ill?

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

14 Q. You were in Nazareth Lodge in , and you describe in
15 paragraph two what you remember about Nazareth Lodge.
16 You said that you were placed in a dormitory on the top
17 floor with your brother. You name the nuns that you
18 remember there, and you'll see that they have also been
19 given designations, SR34, SR47 and SR121. "My memories
20 of the nuns are that they were very cruel. They made us
21 polish the floors on our hands and knees. They would
22 put us into the bath without checking the water, which
23 was scalding hot. They would hit us across the knuckles
24 with a length of wood and they would punish us for the
25 smallest thing. We were just children being playful,

1 but they saw it as us being bad. If you were caught
2 running down the corridor instead of walking you would
3 be pulled by the ear and dragged up the corridor." You
4 recollect that while you were in Nazareth Lodge your
5 father visited every Sunday?

6 **A. Apart from once, it was every Sunday.**

7 Q. You say that some Sundays he'd take you out of the Lodge
8 and take you home for the day?

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

10 Q. That at paragraph four you said that a nun told you that
11 you weren't supposed to go home. But your uncle took
12 you back home to your father, in any event, on those
13 Sundays?

14 **A. My Uncle came up and asked where we were, and he
15 took us home.**

16 Q. That said, you were very young when you were in Nazareth
17 Lodge. But those are the memories that you have of that
18 home?

19 **A. Yes.**

20 Q. Then you were living at home for a period of years, and
21 you were moved from the school that you were in to
22 another school and you think the reason that you were
23 moved was because you were being disruptive and
24 fighting; isn't that correct, Gabriel?

25 **A. Well, that's what I was told, like. But when I was in**

1 the school, like everybody, all the children fight at
2 the school. But I was getting bullied, I would fight
3 back. But then my father was getting word back from the
4 school that I was fighting.

5 Q. As a result of that, your father had discussions with
6 Social Services, who were involved in your care and you
7 were told by your father that you were going to a new
8 school, and that turned out for Rubane in Kircubbin?

9 A. Yes.

10 Q. Now, in paragraph six you talk about how you came to go
11 to Kircubbin, and you say, "On Monday morning two
12 welfare officers took me to Kircubbin." You knew
13 straightaway it wasn't an ordinary place, you thought
14 you were going to another school?

15 A. It was just the same as Nazareth Lodge again. But
16 I thought I was going to a school because my father said
17 it was a farm and all on it, and I loved working on
18 a farm, so that's what I thought it was.

19 Q. You were quite excited about the prospect?

20 A. Yes.

21 Q. You said that _____, who you name there, BR6,
22 was called BR6, and you were placed in a dormitory in
23 the big house at that time, and you think there were
24 about ten boys in the dormitory. You name the other
25 Brothers as being present in the home when you were

1 there, and that was BR15, BR3, and BR44. You say that
2 he worked on the farm. Now, I'm going to use some of
3 the names of these Brothers, because I understand the
4 numbers that we have given to them, the designations
5 will mean nothing to you, Gabriel. But you're aware
6 that those names are not to be used outside this
7 chamber?

8 **A. That's okay.**

9 Q. Just to remind everybody else that that is the position.

10 So was BR6?

11 **A. Yes.**

12 Q. And do you remember a BR15, a BR3 and you say a BR44
13 worked on the farm?

14 **A. That's right, BR44 never actually come near the**
15 **children, he was actually -- yes, he was always on his**
16 **own anytime we seen him. He worked beside the farm**
17 **anyway, so I took it for granted that's where he worked.**

18 Q. Yes. Well, the Order would say, just for clear, that
19 BR44 didn't work on the farm, that it was another
20 Brother who worked there. Is it possible you might be
21 mistaken about the name?

22 **A. I could have been. But I thought it was BR44.**

23 Q. Now, I'm going to come on to discuss, just to be clear,
24 you were in Rubane between and .

25 So you were there for approximately months?

1 **A. Yes.**

2 Q. I am going to come on to some of the specific
3 allegations you make about your time there. At
4 paragraph seven, you say you were left alone for a week
5 and then there was a sudden change?

6 **A. Yes.**

7 Q. You say you went to get coal for the kitchen and the
8 women who worked there would give you a shilling if you
9 brought them coal. "I was hit in the stomach by another
10 boy. He said he was going to get the coal and I hit him
11 back. BR15 saw this and brought me over to the school
12 and took out a cane and told me to bend over." Now, I'm
13 going to pause there before describing what this Brother
14 did to you. You have named this Brother as BR15 in your
15 statement to the Inquiry. But having spoken to me this
16 morning, you want to change that; isn't that correct?

17 **A. Yes. It was BR3.**

18 Q. You say that when you -- sorry?

19 **A. Sorry, I shouldn't have said the name, sorry.**

20 Q. No. You're quite -- in these circumstances, it's all
21 right for you to say it, as long as you don't say it
22 outside this room, that's fine, Gabriel. So you say BR3
23 saw you fighting with this boy, that you'd hit this boy.
24 When you told him you wouldn't bend over, when he took
25 you over to the school, took a cane out, told you to

1 bend over, you told him you wouldn't, and you say, "He
2 hit me all over with the cane. When he stopped I
3 shouted at him. He hit me again. I shouted at him
4 again and he said he was not going to stop until
5 I stopped talking back." You said he hit you until you
6 passed out and when you came round there was no one
7 there. You then crawled up the steps to the schoolyard
8 and you say you lay across a bench on your stomach
9 because it hurt too much to sit down. About half an
10 hour later your father arrived to visit and you say that
11 your father came once a week to visit you while you were
12 in Rubane?

13 **A. Every Sunday.**

14 Q. He asked you why you were crying, and you told him that
15 this Brother had hit you. He went and spoke to the
16 Brother who told him that you'd been fighting and had
17 been punished. "And when he came back, he told me that
18 I shouldn't have been fighting and I got what
19 I deserved." You say you were beaten black and blue by
20 the Brother and you didn't receive any medical
21 treatment. You say you still suffer from a bad back as
22 a result of that incident?

23 **A. I have to take -- I have to take severe medication for
24 it to kill the pain.**

25 Q. You relate your back pain to this one incident in

1 Rubane?

2 **A. Yes. The doctors -- well, one doctor thought it was**
3 **that.**

4 Q. Now, first of all, can I just say that the Order say
5 that they accept that corporal punishment may have been
6 administered if boys were fighting. But they say that
7 you weren't beaten in the way that you say you were?

8 **A. Can I answer that?**

9 Q. Yes. Of course?

10 **A. Every -- it doesn't matter what you'd done, every Sunday**
11 **you're brought -- there were these fellows who run away,**
12 **you were punished, you were punished every Sunday, see**
13 **if you run away, like, I said to you earlier, if these**
14 **fellows are brought back in this school on Sunday --**

15 Q. We're going to come on to talk about the three boys,
16 Gabriel?

17 **A. Sorry, sorry.**

18 Q. No. You're okay, there's nothing to apologise for. But
19 we're taking it one thing at a time. So in respect of
20 this incident involving BR3, where you say that he beat
21 you severely for fighting with the boy. What the Order
22 are saying is that you might have been punished for
23 fighting, but you wouldn't have been punished in this
24 way?

25 **A. I was.**

1 Q. In paragraph eight, you make another complaint about the
2 same Brother. You say that the following Tuesday he
3 brought you into one of the classrooms at school for
4 fighting with another boy. You said that he bent you
5 over the table, took down your underpants and he anally
6 raped you. You say that, "Afterwards he warned me not
7 to tell anyone and he then just walked away." You
8 didn't tell anyone because you thought it was your fault
9 and that people would call you names if they knew. He
10 did this again to you about two weeks later in the
11 school corridor?

12 **A. Yes.**

13 Q. Now, in respect of that allegation, the Order don't
14 accept that you were sexually abused by this Brother.
15 He, in the affidavit that I've mentioned to the Panel
16 which was a sworn document that he prepared when you
17 sued the Order, he denied that he either physically or
18 sexually abused you. He said that in fact the
19 classrooms had glass on either side, which meant that
20 anyone would have been able to see in. What do you want
21 to say about that, Gabriel?

22 **A. You see, when you go in the main doors of the school,**
23 **there's a corridor you go down and there's steps down,**
24 **lead in to take you down to the classrooms. There's**
25 **windows on the outside of the school, they're higher-up**

1 than the ones, nobody can see in the classrooms. You
2 can see the windows outside the school, but you can't
3 see through the glass in the classrooms from outside,
4 I'd say.

5 Q. Just to be clear, you're saying that you can't see from
6 outside the school in?

7 A. See from outside, the windows are -- the windows are
8 a wee bit higher than the classrooms, right. What he's
9 trying to say is, you can't see through -- you can see
10 partly through the big windows outside. But there's no
11 way you'll see through into the classrooms from the
12 outside, it's impossible.

13 Q. What about the glass windows that are on the corridor.
14 If someone were walking along the corridor, would they
15 not be able to see into the classrooms?

16 A. Aye but there was nobody -- there was nobody in the
17 school at that time, because everybody -- everybody was
18 out playing. You see, once -- you see, once I was hit,
19 he pulled me into the school and locked the doors behind
20 him so as nobody could get in.

21 Q. Well, just to be clear what else he's saying, Gabriel.
22 In his police interview when he was interviewed about
23 it, he again completely denied the allegations. One of
24 the things he also said is that you, when you spoke to
25 the police, you described him as having hair. He

1 says that in , his hair was colour?

2 **A. I was then, it could have been a different colour,**
3 **but it was to me.**

4 Q. He goes on to describe how his hair receded and
5 , but that
6 was long after you'd left Rubane. If we can just move
7 on to paragraph nine here, you talk about boys who ran
8 away from the home, what happened to them. You say boys
9 would frequently run away from Rubane. "The first two
10 times nothing happened. But on the third time that they
11 would be brought into the one of the classrooms, put
12 over a table, BR15 would hold their arms, BR3 would hold
13 their legs, and BR6 ..." -- who is BR6, --

14 **A. And flog them with a cane.**

15 Q. Yes. You said, "The rest of the boys were brought into
16 the classroom and made to watch, and that these
17 punishments were carried out on a Sunday regardless of
18 when in the week the misdemeanour took place." You say
19 you were flogged in this way on eight occasions for
20 fighting?

21 **A. Yes. Over the table.**

22 Q. And you say, "Boys would also be flogged if they forget
23 their rosary beads"?

24 **A. If you didn't have a pair of rosary beads, they'd come**
25 **in and ask you, if not, a cane. If you didn't have them**

1 they'd just take you out and flog you anyway. See, can
2 I say something here, if you don't mind?

3 Q. No. Of course not?

4 A. That place was away in the middle of the country, there
5 was no houses, nobody -- there was nobody around you.
6 It wouldn't matter how much they beat you, nobody heard
7 your screams or your crying, there was nobody there to
8 come to your aid.

9 Q. You say that this was a regular occurrence on a Sunday
10 then, Gabriel?

11 A. Yes.

12 Q. The Order would say that punishments wouldn't have been
13 confined to just Sundays. That if somebody misbehaved
14 during the week, they might have been punished at that
15 time?

16 A. You may be punished maybe for something slight. But at
17 the same time, now there's something -- see, where you
18 go into the school, you actually had to stand behind
19 each other, and the head Brother treated you like
20 animals, looking through your hair and your teeth, to
21 see if you were dirty at all, he flogged you with
22 a cane. And he didn't care, none of them cared, as long
23 as they got what they wanted, they didn't care about
24 anybody else around them.

25 Q. Well, they also say that it was on Sunday, rewards were

1 handed out. Do you ever remember any rewards being
2 handed out on a Sunday?

3 **A. No, no, I don't. And I'm going to tell you something**
4 **now to see what they say, like, we were all kids in**
5 **there, everybody is -- nobody is going to believe**
6 **a child at that age. I'm telling you now, they were**
7 **hateful so and so's, and I hate them to this day. I**
8 **can't help being hateful, there's that much hate in me.**

9 Q. If I can just go back to another specific allegation.
10 Are you okay, Gabriel, if you need to take a break at
11 any time, just say?

12 **A. I'm okay, I'm okay, yes.**

13 Q. Okay. In paragraph ten, you say that you remember
14 eating your pudding one time and it was too hot so you
15 spat it out so it could cool down, and as a result, BR15
16 kicked you and made your nose bleed for doing that?

17 **A. That's right, he kicked me, he actually kicked me up and**
18 **down the dining room, and he gave me a smack right**
19 **across -- right across my mouth, bled my nose. There**
20 **was older -- there was some of the other older boys that**
21 **had to take me out, out of the room.**

22 Q. Again, I mean that's another allegation that is denied,
23 although the Order would accept --?

24 **A. Excuse me, can I take a break here, please?**

25 Q. Yes, of course?

1 **A. I just want to take a break.**

2 CHAIRMAN: We will rise for five minutes.

3

4 (10.29 am)

5

6 (Short break)

7

8 (10.41 am)

9

10 MS SMITH: Now, Gabriel just before we took a break there,
11 we were talking about BR15 and him hitting you for
12 spitting out the food. I'd said to you that -- sorry,
13 can we just pull the statement back up again, please,
14 it's RUB716, yes? Essentially, what you go on then in
15 paragraph 11 to talk about, if we can just deal with
16 that. You say that Rubane was a terrible experience and
17 you were getting to the stage where you could no longer
18 cope with it. You say that there was one night when you
19 remember looking up at the stars and praying to get out,
20 you prayed to your mother.

21 **A. Yes.**

22 Q. You said, "Mummy, if you love me, get me out of here",
23 and you said your father came up to you to visit you
24 that weekend and he came on a Saturday rather than
25 a Sunday; isn't that correct?

1 **A.** He came up on a Saturday instead of a Sunday, and I went
2 over and asked him, I said, "Da, what are you doing up
3 today for", he said to me --

4 Q. You're okay, Gabriel?

5 **A.** -- he said to me, "We're going ... you're not being
6 crying", and I asked him why, he said to me, "This time
7 next week you're going home".

8 Q. And you did in fact go home with your father?

9 **A.** That Saturday, yes.

10 Q. Yes. You went home with your father then the following
11 week. Just after you left with your father, just to
12 talk about a few other things, Gabriel. You have spoken
13 to the press on a previous occasion about what happened
14 to you; isn't that right, you spoke to the --

15 **A.** I spoke to the Sunday World.

16 Q. Yes. That was in October 2000?

17 **A.** 2000.

18 Q. Just to be clear, we can show that, it's RUB5451 to
19 5452. I'm not going to read through the whole article
20 that's written there about you?

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

22 Q. But that is the article; isn't that correct?

23 **A.** Yes.

24 Q. If we can just go on down through it, please? Well, it
25 looks like your face has been blocked out there. But

1 that is a photograph, the large photograph is
2 a photograph of you; isn't that right, Gabriel?

3 **A. Yes.**

4 Q. Now, you told the paper, without going into the details
5 and it's in the bundle, so it can be read by the Panel.
6 But you told the paper about the physical abuse that you
7 had sustained in Rubane. But you didn't may think any
8 mention of having been sexually abused there, why was
9 that?

10 **A. I didn't want to say anything because I -- I felt**
11 **guilty, I felt dirty, I felt it was my fault,**
12 **I shouldn't have let it happen. But I was scared maybe**
13 **getting it into the papers then, people reading it, they**
14 **say a certain thing, and then people start laughing at**
15 **me, and calling me names, calling me for all the names**
16 **under the sun.**

17 Q. Okay?

18 **A. Because people like that, they would turn around and**
19 **call you a "queer" and everything else. I didn't want**
20 **that.**

21 Q. In the same year in 2000, you took a civil claim against
22 the Order and again there was a letter sent by your
23 solicitor setting out the basis of your claim and what
24 you were saying about the Order. Again, that letter
25 only referred to physical assaults?

1 A. Is that -- is that -- what solicitor is that, is that --

2 Q. Well, we can look at the letter, just that's RUB5453.

3 This was your original solicitor at the time was

4 Madden Finnucane?

5 A. I went to Madden Finnucane, I did, I did say to them

6 -- I went to Kevin R Winter as well, so they're in the

7 same street. I told them what happened to me. They

8 turned around and told me it was too far back and they

9 couldn't take it and they scrubbed it. They said they

10 couldn't do nothing for me.

11 Q. Now, are you saying that this was in 2000, whenever you

12 first went to them you told them this, or was this later

13 on?

14 A. I think it was later on, because I needed a solicitor,

15 you see. So first of all, I went to Harte & Co first,

16 that's in Bridge Street, they were supposed to be for an

17 hour, they only gave me 15 minutes. But if you want, I

18 can talk about that later.

19 Q. Well, I don't think we need to go into all of that,

20 Gabriel?

21 A. No. But it does --

22 Q. What I'm trying to --

23 A. I went to Madden Finnucane and then I went to Kevin R

24 Winters because Madden Finnucane said they couldn't do

25 nothing for me, said it was too far -- too many years

1 **back, they said there can be nothing done about it. So**
2 **then I went to the other solicitors and they said the**
3 **same thing, they couldn't do nothing about it.**

4 Q. Let me just be clear, Gabriel, this letter from Madden
5 Finnucane is sent on the 24th of October 2000. Now, are
6 you saying that you went back at that time in 2000 that
7 you told them that you'd been sexually abused?

8 A. **Well, I know it was 2000, I think, I remember the paper,**
9 **I think it was after that I went to Madden Finnucane.**

10 Q. Yes. So after you'd spoken to the paper you went to
11 Madden Finnucane and you took a claim against the
12 Order. But in this letter, the letter of claim, that's
13 what lawyers call it, is whenever one firm of solicitors
14 sends the other side's solicitor a letter setting out
15 what you're saying happened to you?

16 A. **Yes.**

17 Q. In that letter all they talk about is the physical abuse
18 that you suffered, there's no mention of the sexual
19 abuse?

20 A. **I'm sorry for interrupting you, but I told them**
21 **definitely about the sex abuse.**

22 Q. Okay?

23 A. **Because I tell you the reason why went there was I'll**
24 **just say this quickly,**

25 **, but then I brought up my case to see if they could**

1 help me with the Kircubbin case. I told them I was
2 sexually abused and I had -- and it went on and on.
3 They brought me back and says, like, "We can't take the
4 Kircubbin case because it's too far back, it's too many
5 years, we can't do nothing for you".

6 Q. Okay?

7 A. I went to -- after I went to Madden Finnucane, I went
8 to Kevin R Winters and I told them the same thing, they
9 couldn't do nothing either.

10 Q. Okay. Well, who do you remember first telling about the
11 sexual abuse. Who did you first speak to about that?

12 A. It was Madden Finnucane.

13 Q. Well, that was the first lawyer you spoke to?

14 A. Yes.

15 Q. But who did you first tell before you told any lawyer or
16 any solicitor, who was the first person that you told
17 about the fact that you were sexually abused?

18 A. I told my doctor.

19 Q. And do you remember --

20 A. And I actually -- I actually told a priest too, I told

21 ...

22 , I told him.

23 Q. Do you remember when that was?

24 A. Well, I cut my wrists. But before that, just before
25 I done that I told them.

1 Q. Do you remember speaking to the police about what you
2 say happened to you?

3 **A. I told, sure that's what I'm saying, I went in and told**
4 **what you call it, told Newtownards Police Care Unit.**

5 Q. In fact, you were interviewed with what we call an ABE
6 interview. That was, you were sitting in a room and
7 your interview was videoed. Do you remember that?

8 **A. Yes, yes.**

9 Q. That was in 2006. Did you ever speak to the police
10 before that about what happened to you, do you ever
11 remember speaking to the police at any time before that?

12 **A. The only time I remember was Newtownards, and then the**
13 **army barracks in Hollywood.**

14 Q. Garnerville?

15 **A. I don't know the name of it, I forget the name of it, in**
16 **there.**

17 Q. They'd take you into a room where there was a sofa?

18 **A. Yes, that's right, yes.**

19 Q. That's where you spoke to them?

20 **A. Yes.**

21 Q. The transcript of what you told the police is there at
22 64699 and onwards. Just again at that stage, you told
23 the police that you told your psychiatrist about what
24 had happened to you?

25 **A. Yes.**

1 Q. Then that was in 2006. But you didn't speak to the
2 police at any stage before that, that you remember?

3 **A. No.**

4 Q. Then as I've indicated that the Brother about whom you
5 were complaining was interviewed by the police after
6 you'd spoken to them, and he denied all the allegations
7 that you made in that police interview?

8 **A. Well, you see the Sergeant that interviewed me, he
9 wasn't too happy with me because he'd -- he argued with
10 me too, he says like -- he says, "It's his word against
11 yours." He wasn't too -- too helpful about it.**

12 Q. Well, Gabriel --

13 **A. He wasn't, like.**

14 Q. -- just you did, I mean, we've talked about you taking
15 a civil action, and that was settled ultimately and you
16 received a sum of money from the Order; isn't that
17 right?

18 **A. It was ... McCallion McKeown.**

19 Q. And that was later on that that was settled and you
20 received the sum of £8,000?

21 **A. I wanted to go in the court, but they wouldn't go to
22 court, they kept me out of court. They says, "You're
23 not going in the court, because if you go in the court
24 they can throw it out of court" -- his words to me was,
25 "You'll get frig all out of it." So he says, "We're**

1 them I was fighting in school. My father also put down
2 on that document the reason why I was put away, because
3 I kicked my granny. Now, can I put one thing clear
4 here, please? My father didn't give a damn about me.
5 My brother, yes. Me, no. I was just -- I was left to
6 the side, if I wanted help, he wouldn't give it, he give
7 it to my brother, but not me. That's the reason why
8 I -- as soon as I left Kircubbin, I couldn't learn,
9 I couldn't read or write, it was like being a child in
10 a secondary school instead of being in a primary school.

11 Q. Well, yes --

12 A. See what time -- see what time it tells come up in
13 school, I ... I couldn't read nothing.

14 Q. Well, Gabriel, I know that you still hurt about what
15 happened with your family and the familiar that you
16 don't have a relationship with your father. I'm not
17 going to ask you anything more about that?

18 A. I've got to a stage -- I've got to a stage now, if they
19 don't want me, they don't want me, that's it, I'll just
20 get on with my life, that's all I can do.

21 Q. Can I briefly ask you about one other thing, Gabriel.
22 You, yourself have told me that you feel anger and you
23 recently went to see Rubane again?

24 A. I went down in the car on a Sunday, I'd that much anger
25 in me, I went down to the place. I know for a fact that

1 the police come after me. I went up to the house and
2 because there was a family living in it, the place was
3 all done up. I'd second thoughts about it. But every
4 time, any other time I went down it was just an ole grey
5 building. If it had been an ole grey building, I know
6 everybody is listening to me in here, I'd have burned
7 it. I probably would have done time in jail. But the
8 way I look at it, it would have been worth it.

9 Q. But you are aware that it is now a private home and has
10 absolutely nothing to do with the Order or with your
11 time?

12 A. No. I've no intentions of going back, because it
13 wouldn't -- it wouldn't be right with a young family
14 there and children there because when I thought about
15 it, and when the children was there in the home, it
16 wouldn't be very nice children seeing me doing that to
17 their own -- their home. You know what I mean?

18 Q. Well, Gabriel, that's essentially all I want to ask you
19 about your time in Rubane. Is there anything else that
20 you feel that we haven't covered about what you want to
21 say about your time there. Now is your opportunity to
22 say what you want to say?

23 A. About Kircubbin, when I was -- when I was there, I did
24 get into fights, I admit that. See, I was like an wild
25 animal in there, nothing -- the more they hit me the

1 more I got into fights, and the more they hit me,
2 I wouldn't do nothing for them. I called them for all
3 the ... and they still hit me. Every time my father
4 came up on a Sunday, it was half 11, I was told not to
5 say nothing to my father or anything. From half 11 to
6 half five, I was happy being with my father, once half
7 five came, that was it, my father had to go home.
8 I begged on him not to go home, I begged on him he says,
9 he says to me, "You're not coming home and that's it,
10 you're going to stay here." And that made me more
11 angry, I still have it in me, I'm now, and it will
12 never leave me. I'll go to the grave with this.

13 Q. Well, Gabriel, thank you. There's one final question
14 that I'm going to ask you before I hand you over to the
15 Panel for any questions that they may have. That is
16 a question that we ask everybody at the end of their
17 speaking to us in the chamber and that is, this Inquiry
18 has to make recommendations about what they think should
19 happen. Whether there should be redress, whether there
20 should be a memorial, whether there should be a statue
21 to mark what happened to children. I just want to know
22 what your views are on that, what do you think should
23 happen?

24 A. Well, as I said to you, right, I know a couple of
25 fellows in it, I know fellows out there that has

1 committed suicide, I know a few of them. Now, their
2 lives can't be -- I'd like to see a memorial done and
3 their name, something to remember them by, so as
4 everybody would be able to -- even down south, every
5 where can see it, so as people can see what happened to
6 them children years ago. It's the same as today, I'm
7 sure it still goes on today. But there's only one thing
8 I don't, I don't want no apology from them, that's one
9 thing I don't want. I'm sorry for saying this to
10 everybody, say if one Brother came to me now, you'd have
11 to take me out of here, I don't even -- I don't even
12 want to see one of them in here.

13 Q. Well, Gabriel, thank you very much for that. I have no
14 further questions, and if you're feeling okay, I'm going
15 to hand you over to the Panel and they'll ask you some
16 questions?

17 A. That's okay.

18 CHAIRMAN: Well, Gabriel, I'm sure you will be relieved to
19 hear that we don't want to ask you any questions about
20 what you've said today. Thank you very much for coming
21 to speak to us. We can see that it hasn't been easy for
22 you, but we're very grateful to you for coming, thank
23 you very much.

24 A. See before -- see before I go, there's -- see that book,
25 I wrote a book there's nearly 100-pages there, my life

1 **story, and that's, that's all in that.**

2 MS SMITH: Thank you very much.

3 **A. I'm hoping some day maybe to get a -- you know, get**
4 **a book published, that one.**

5

6 (Witness withdrew)

7

8 MS SMITH: Thank you, Gabriel. Chairman, I know we did take
9 a short break, I understand there is a technical issue
10 which might need resolved before the next witness is
11 called. So if we did take five or ten minutes?

12 CHAIRMAN: Yes. Well, we'll not sit before quarter past and
13 we'll try to sit as soon as we can after that, ladies
14 and gentlemen.

15

16 (10.59)

17

18 (Short break)

19

20 (11.28)

21

22

23 WITNESS HIA152 (called)

24

25 MR AIKEN: Chairman, members of the Panel, good morning.

1 The next witness this morning is HIA152. He's HIA152
2 and he's aware, Chairman, you're going to ask him about
3 the oath. But before you do that, there is an
4 appearance from DL437's legal representatives.

5 CHAIRMAN: Yes.

6 MR BOYD: Mr Chairman, my name is Denis Boyd, I appear on
7 behalf of DL437 and I'm instructed by Martin McLoughlin
8 Solicitors.

9 CHAIRMAN: Thank you very much, Mr Boyd.

10 MR BOYD: Obligated.

11 MR AIKEN: And HIA152 is aware, Chairman, that you're going
12 to ask him to take the oath or affirm.

13 CHAIRMAN: Now, HIA152, do you wish to take a religious oath
14 or to make an affirmation, which is a solemn promise.
15 They have the same legal effect, it's a matter for your
16 choice?

17 **A. The religious oath.**

18 CHAIRMAN: You want to take the religious oath?

19 **A. Yes.**

20

21 WITNESS HIA152 (sworn)

22

23 CHAIRMAN: Thank you very much, please sit down?

24 MR AIKEN: If we can bring up, please, RUB599? HIA152, the
25 first thing I want to check with you is the version of

1 your statement on the screen obviously has these black
2 marks. Can you check that the hard copy you have where
3 you can see under the black marks is the same as this
4 first page and that it's your statement?

5 **A. Yes.**

6 Q. Yes. If we can go, please, to 605, and if you can turn
7 with me, HIA152, to the last page of your hard copy.
8 I just want to ask you to confirm that you've signed
9 your statement, because the one on the screen has
10 a black mark over the signature?

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

12 Q. And you want to adopt the content of this statement as
13 your evidence to the Inquiry?

14 **A. Yes.**

15 Q. As I explained to you beforehand, the reason for the
16 black marks is because of the Inquiry's anonymity
17 policy?

18 **A. Yes.**

19 Q. You want to keep your anonymity?

20 **A. Yes.**

21 Q. Chairman, Members of the Panel, in addition to HIA152's
22 statement, which I know you've had the opportunity to
23 consider, there is a replying statement from the De La
24 Salle Order and that can be found at 2911 through to
25 2913. There then is a Health and Social Care Board

1 statement, which can be found at 8082 through to 8083.
2 There is a replying statement from DL437, that can be
3 found at RUB5454 to 5455. I know that's something
4 you've had the opportunity to consider already. Then
5 there is a police statement from HIA152, which is of the
6 15th of September 2011 and that can be found at 66337
7 through to 66340. Those are perhaps the core documents
8 for HIA152's evidence. HIA152, as we discussed
9 beforehand, the Panel appreciates that it can be
10 difficult for anyone giving evidence, and there's
11 absolutely no problem about that. There's water in
12 front of you, if you need a break that's perfectly fine
13 as well and we'll manage our way through this. As
14 I said to you beforehand, the Panel has considered those
15 core materials and I'm going to summarise much of the
16 material. I know you're reluctant to go into detail
17 about some of what you've set out on paper and I'll deal
18 with that as I go. If you can try as best you can and
19 speak into that mic so that we can get what you're
20 saying?

21 **A. All right.**

22 Q. You were born on the

23 **A. Yes.**

24 Q. And are now aged ?

25 **A. Yes.**

1 Q. And you are the siblings?

2 **A. Yes.**

3 Q. The Inquiry heard from one of your Brothers ,
4 there'll be another one , and your sister
5 passed away some time ago?

6 **A. Yes.**

7 Q. You were in Nazareth Lodge from from the age of
8 through to , the age of . You
9 appreciate, we're not looking at Nazareth Lodge at the
10 moment, we're looking at Rubane. You went into Rubane
11 on the , aged and you were there
12 until the aged . That was part
13 of the normal, as it had become, transfer of a number of
14 boys at the age of from Nazareth Lodge to Rubane at
15 the end of each summer to start school then in Rubane in
16 September?

17 **A. Yes.**

18 Q. The admission record, as we were discussing beforehand,
19 that there is, suggests that your placement in Nazareth
20 Lodge had been a voluntary one, or a private placement,
21 and we can see that at 2915, please? That the admission
22 record that the Order has just recording you coming in
23 to Rubane itself, if we just maximise that, please? You
24 can see local authority responsible, came from Nazareth
25 Lodge. So there's no suggestion in that document that

1 you were under the care of the Welfare Authority, which
2 would have been Belfast in your case. As I indicated to
3 you, it seems that at some point perhaps Welfare were
4 involved with you. It appears from records that I'm not
5 going to bring up now, but I'll give to the Inquiry,
6 2937, a date that at some point during your time in
7 Rubane you seem to have come formally into care. But
8 you don't remember ever being visited by Welfare
9 Officers or Social Workers?

10 **A. No, no.**

11 Q. You describe in your statement, when you left Rubane
12 that the person that -- you were hoping to live with
13 your grandparents. But NL40, NL40 picked you up and got
14 you digs and a place to work. I discussed with you, he
15 was from the Nazareth Lodge Welfare Committee. So
16 a part of the Diocesan Welfare Services that were
17 operating?

18 **A. Yes.**

19 Q. Do you remember him in Rubane?

20 **A. I heard a name in Rubane, but I never really met him.**
21 **I knew he was there, sort of, a few times, you know.**

22 Q. He's not someone you'd any contact with --

23 **A. No.**

24 Q. -- until you were in the bus depot in Belfast that day
25 when you were going on?

1 **A. Yes.**

2 Q. You discuss in your statement two types of sexual abuse?

3 **A. Yes.**

4 Q. I'm going to deal with those now. The first one I'm
5 going to deal with is the abuse by a Brother. If we can
6 look at paragraph 20, please, of your statement at 603?

7 You describe how you were cleaning the stairs and one of
8 the Brothers told you to go to BR65. Now, BR65 is BR65.
9 and his name shouldn't be used beyond the chamber. From
10 what we've been able to establish, he came to Rubane in

11 , so just shortly after you entered Rubane.

12 At that stage, he would have been and he was in

13 Rubane for , he left on the

14 . The reference for that is in the history

15 of home book, which is at RUB11825. It appears he'd

16 been in what's described by the Order as "In the

17 missions." He comes home, he's sent to Rubane for

18 , then he leaves Rubane and goes back off to

19 in His CV, if we could just

20 bring it up, please, at 964? You can see recorded the

21 details. So his date of birth is in , so he was

22 at the time he was in Rubane and was there for of

23 your stay, you would have been between and while

24 he was there?

25 **A. Yes.**

1 Q. Then we can see him moving off again to
2 . He then died on the . In
3 your police statement of the 15th of September 2011, you
4 go into a little more detail as to how this came about.
5 I'm just going to show you that, that's at 66338,
6 please? If we just scroll down, the first part relates
7 to the other type of sexual abuse that I'm going to come
8 to later. But you say here, "My worst encounter, I'll
9 never forget, it was BR15 who told me to go to BR65's
10 room." Now, BR15 is BR15 and the Inquiry is now
11 familiar with him. He was in the home until and you
12 say here that he asked you to go to BR65's room?

13 **A. Yes.**

14 Q. Did he tell you why you were to go to BR65's room?

15 **A. Yes. He did, sorry, it was to help him clean paint off
16 his habit, his thing he wears, what do you call it?**

17 Q. The robe type --

18 **A. The robe, yes, there was paint on it.**

19 Q. Did BR15 tell you, "You're not supposed to be in
20 a Brother's room"?

21 **A. No. He just -- we were cleaning the stairs, he just
22 came to me and said, "Go to BR65 and give him a hand",
23 that was it.**

24 Q. You went to the room?

25 **A. I did, yes.**

1 Q. You describe then what happened and you say he told you
2 it was going to be, "Our secret"?

3 **A. Yes.**

4 Q. Then I appreciate you find this difficult, and don't
5 want me to go into the detail of it. But the Panel is
6 able to see what you describe and if we just scroll
7 down. You describe the abuse that he engaged in, and
8 that happened over a number of occasions?

9 **A. It did, yes.**

10 Q. Over a period of time?

11 **A. Yes.**

12 Q. Then he left?

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

14 Q. You speculate in your Inquiry statement that you
15 wondered was it because somebody knew what was going on?

16 **A. Yes. Years later, I thought that was the reason, you
17 know.**

18 Q. But you don't know that yourself?

19 **A. No.**

20 Q. No. On other occasions then, he would send one of the
21 boys to get you, you were told --

22 **A. Yes.**

23 Q. -- BR65 was looking for you, was that how it was?

24 **A. It was down in the playground or something, they'd go
25 down and tell me that I had to go up to his room, so ...**

1 Q. You won't have known this until today, but I explained
2 to you that the De La Salle Order, another individual
3 had come forward through the De La Salle Order, and the
4 Inquiry will hear from him in due course. He's
5 a gentleman now called DL455 and at the time he would
6 have been to you DL455. I know when I spoke to you
7 earlier, you remember him?

8 **A. Yes.**

9 Q. I think in fact he may be here, so he may be, you can
10 talk to him later on today. But it appears you and he
11 were friends in Rubane?

12 **A. Yes.**

13 Q. Am I right in saying that before I talk to you about him
14 today, you haven't seen him since you were in Rubane?

15 **A. I haven't seen him in about years or so.**

16 Q. You didn't know he was making any statement to the
17 Inquiry?

18 **A. I didn't, no.**

19 Q. Because he has made a statement to the Inquiry and as
20 I said, the Inquiry will hear from him in due course.
21 But if we can just bring up RUB1490? Now, I should say
22 he's come forward for different reasons. He has
23 a positive view about a number of Brothers, and wants
24 that to be known, and the Inquiry is going to hear from
25 him. But what he does do and if we just -- to set the

1 scene, if we look at 1492, please? At paragraph 17 of
2 DL455 statement, again his identity shouldn't be used
3 beyond the chamber. He then sets out his recollection
4 of a number of Brothers. He goes through, over the next
5 three pages, a series of Brothers and then he gets to
6 No. 8 on his list at 1494, please? Just to put this in
7 context, HIA152, at the time he's writing his statement,
8 you've never spoken to him at all?

9 **A. I haven't.**

10 Q. He has no idea, I can assure you, that you've spoken to
11 the Inquiry at the time he's providing a statement, and
12 doesn't know what you've said to the Inquiry. So if we
13 just scroll down, please, to No. 8, we get to BR65?
14 DL455 says to the Inquiry that BR65, "He was only there
15 a short time. He got me French books. I remember boys
16 visiting his room, HIA152. I remember being annoyed
17 because I liked to spend time with HIA152." Now, I know
18 that came as a bit of a shock to you?

19 **A. It shocked me, yes.**

20 Q. But what that does is it suggests that he recalls you
21 going to BR65's room. He doesn't say -- did you ever
22 talk to him about what happened in room?

23 **A. I never mentioned to anybody, no.**

24 Q. He recalls being annoyed because he liked to spend time
25 with you. So we'll hear from him in due course. But

1 the impression that seems to come out of that is that
2 you were in his room for a while. He seems to recall
3 other boys visiting his room. Did you know other boys
4 were visiting BR65's room?

5 **A. No.**

6 Q. As far as you were concerned, it was just you?

7 **A. As far as I was concerned just me, yes.**

8 Q. Now, you mentioned in your Inquiry statement and in your
9 police statement, you never felt able to report what
10 occurred?

11 **A. No, I never could, no.**

12 Q. I think you say in the Inquiry statement, "Telling on
13 other boys ...", and I'll come back to what you mean by
14 that, " ... was entirely different from telling on
15 a Brother." Just can you put that, why was it entirely
16 different, what had happened already that had you of
17 that view?

18 **A. Well, the Brother I was talking to about it would have
19 thought, he'd believe you if it was other boys, but
20 would not believe you if it was another Brother.**

21 Q. Yes?

22 **A. So you didn't know what sort of circumstance would come
23 out of that, or how you'd be treated by even saying it.
24 So I was more scared to say it.**

25 Q. And you never discussed that?

1 **A. No, never mentioned it, no.**

2 Q. I want to look at that a little further through the
3 other issue that you discuss in your statement when you
4 did speak to a Brother. You say to the Inquiry that you
5 spoke to a Brother about peer abuse that you were
6 suffering. If we can look, please, at paragraph 19 at
7 603? You describe an older boy telling you to go out to
8 the toilets. You describe this in your police statement
9 in more detail, and I want to discuss with you why that
10 is in a moment. But if we can look at 66337, can we
11 scroll down, please? So in your police statement in
12 2011, you identify DL437 and you know who we're talking
13 about, and the Panel know who we're talking about. You
14 didn't name him to the Inquiry. Do you want to explain
15 what you'd already been told by the police and why you
16 took that view then, just to describe the issue, but not
17 the individual?

18 **A. Well, basically the letter I got back after telling the**
19 **police about it, I was told there was no further thing**
20 **to be made on it, and basically there's no point. And**
21 **--**

22 Q. Had you got a letter saying there was not going to be
23 a prosecution?

24 **A. There wasn't going to be a prosecution, and there was**
25 **nothing more they were going to do about it. So when**

1 **the Inquiry came up with this, I said no, I didn't want**
2 **it mentioned, because it really felt like a waste of**
3 **time for me, sort of, you know.**

4 Q. I explained to you how the Inquiry gets information from
5 other sources?

6 **A. Yes. You explained that, yes.**

7 Q. How DL437 was being spoken to by the Inquiry, and how he
8 has responded and we'll deal with that shortly?

9 **A. Yes.**

10 Q. But you describe, you were in BR55's class?

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

12 Q. BR55 agrees that if boys asked to go out to the toilets,
13 then he would have let them do that. You recall that's
14 what occurred?

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

16 Q. Then you describe what happened. If we just scroll
17 further down? I appreciate you don't want to verbally
18 describe that yourself?

19 **A. No.**

20 Q. But the Inquiry is able to see what you're describing.
21 What I want to ask you about is, you say that on foot of
22 this incident happening, you talked to a Brother about
23 it?

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

25 Q. You say, if we just scroll down, we can see, "I told

1 BR3." Now BR3 is BR3, BR3 as he now is, BR3. His name
2 shouldn't be used beyond the chamber. "I told him what
3 was going on and he said he'd do something about it.
4 He'd heard other reports. But nothing was ever done
5 about it." Now, what I want to ask you to explain, can
6 you remember why it was BR3 that you spoke to?

7 **A. I don't know how it came around to be BR3. It wasn't**
8 **like there was -- there wasn't like something said, "If**
9 **you've any problems go to him." I can't really recall**
10 **why I first approached him, you know.**

11 Q. So there was never something discussed, this is the man
12 to go to to tell?

13 **A. There was -- no.**

14 Q. When you went to talk to him about what happened, where
15 did you go?

16 **A. To his room.**

17 Q. This is his bedroom?

18 **A. Yes.**

19 Q. Just back to BR65 we were talking about. Can you
20 explain to the Inquiry where BR3's room was in terms of
21 BR65's room?

22 **A. Just across the landing facing each other.**

23 Q. This is on the first floor?

24 **A. It is, yes.**

25 Q. You go up a staircase, it goes either side; is that

1 right?

2 **A. Just up the stairs.**

3 Q. The rooms are opposite each other?

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

5 Q. Do you know if BR3 ever saw you going into BR65's room?

6 **A. Well, the chances of that, yes, because they are**
7 **opposite each other, sort of.**

8 Q. But you don't know if he ever saw you?

9 **A. I don't, no.**

10 Q. When you went in to speak to him, were you telling him
11 about this or did you keep it in a shorter form, or how
12 did you explain to him what had happened?

13 **A. About the classroom?**

14 Q. About the classroom?

15 **A. Yes. Well, I didn't go into detail with him, I just**
16 **told him about certain boys and what they were doing.**

17 Q. You've mentioned there plural, and you've said to me
18 beforehand when I was asking you. You're describing
19 here one particular incident with one particular boy,
20 was this something that did happen to you with other
21 boys?

22 **A. It did, yes.**

23 Q. Again, you'd rather not identify who they were?

24 **A. Mmm.**

25 Q. Can you remember, if you can tell the Panel, just how

1 many boys would have done this to you?

2 **A. It's about three.**

3 Q. Did it follow a similar pattern, it was in the toilets?

4 **A. Not necessarily, no.**

5 Q. I think you mention in your statement someone coming to
6 your bed?

7 **A. Yes, that's correct, yes.**

8 Q. Was that one of these older boys as well?

9 **A. Mmm.**

10 Q. Did you tell BR3 about more than DL437?

11 **A. I did, yes. But I knew nothing was being done about it**
12 **myself then.**

13 Q. Well, let me just ask you about that. How did you form
14 the view that he hadn't actually done anything about it,
15 in terms of confronting the boys involved?

16 **A. It was quite easy really, because when I'd bump into**
17 **them in the playground or somewhere, there was no**
18 **animosity, there was no, like, anger, there was no**
19 **saying, "You told on me", or something, it wasn't even**
20 **mentioned. So it was obvious then that they weren't**
21 **pulled aside for it, because they were obviously bigger**
22 **than me, and anything could have happened, you know.**
23 **But there was nothing, so I knew then that didn't go**
24 **anywhere. Plus, the people I reported on continued**
25 **trying, sort of, so it obviously wasn't reported.**

1 Q. You describe in your statement how you then knew who
2 these guys were, and tried to stay away from them?

3 **A. Yes, because I wasn't long in Rubane at the time and it**
4 **didn't take long to sort of realise who to avoid and who**
5 **not to at the start before you got a different story.**

6 Q. Can I ask you, this type of problem with older boys, was
7 it before or after BR65 started to interfere with you?

8 **A. This is before.**

9 Q. So this was quite quickly after you started in Rubane?

10 **A. Yes.**

11 Q. Then the BR65 abuse begins later?

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

13 Q. I want to ask you a bit more about BR3 and what you told
14 him. You mentioned to me beforehand, and I appreciate
15 you thought it was stupid. But can I ask you to tell
16 the Inquiry what he said to you as part of talking to
17 you about this?

18 **A. Well, he was -- when I told him exactly what had**
19 **happened and what was done, he would turn around and say**
20 **to me, "You know when that happens, you're killing**
21 **a baby when you masturbate", and stuff like that, and**
22 **ever since, it was that stupid that I wouldn't even**
23 **mention it to anybody, sort of.**

24 Q. You said to me, you didn't tell the police because you
25 thought it was stupid?

1 **A. I didn't tell the police, I couldn't tell the police.**

2 Q. But that's the line that he --

3 **A. That's the line he used, yes.**

4 Q. Can you remember any other, and I appreciate it's a long
5 time ago, and if you don't that's fine. Do you remember
6 any other words that he said to you about it?

7 **A. It was mostly that I remember because when I think back
8 now how stupid it was, that was basically one
9 I remembered, sort of.**

10 Q. Now, did you have any friends that you talked to about
11 this type of activity. I appreciate you didn't tell
12 anyone about BR65. Were there other boys who were
13 dealing with what you were dealing with as well?

14 **A. Well, it was quite commonly known, sort of, in Rubane,
15 what was actually going on among boys. It wasn't like
16 -- it wasn't really hushed up, sort of, people knew,
17 sort of, that's why after a while then you knew who to
18 avoid really, because your friends would tell you or
19 something, "Avoid so and so".**

20 Q. Before we look at what DL437 says about this, what
21 you're describing and what you described to the police,
22 in terms of what you told BR3 was put to him at an
23 interview as BR3, as he then was, , when he
24 was interviewed on the 29th of August of 2012. For the
25 Panel, that interview is at 66352 through to 66391.

1 What I want to do is just show you what he says to the
2 police when your allegation about telling him about
3 these older boys abusing you was put to him. If we can
4 look, please, at 66378 and it covers three pages through
5 to 66380? Again none of the names should be used. So
6 what you describe in your police statement is then
7 summarised by the police officer, and put to BR3. He
8 says, "He then goes on to say, 'I told BR3 what was
9 going on and he said he'd do something about it. He'd
10 heard other reports, but nothing was ever done about
11 it'. Does that ring any bells with you, is there any
12 ...?" And the reply is, "No, certainly not." "Would
13 HIA152 have come and told you what was happening with
14 DL437", his name should not be used beyond the chamber,
15 that's DL437, "... as he's described in his statement?"
16 "I don't think he would." "Can you remember any --
17 I mean a thing like that, as grave as that would
18 register with me?" "Okay." "What would the action have
19 been if a pupil had come to you and described what
20 I stated in that statement there?" "Oh it depends ...
21 this happened in school, is it?" "Well, he was -- he
22 was taking -- one of the times he was taken out of class
23 to the toilets." And the reply is, "It's a serious
24 thing, in the basement I would have talked about it.
25 First of all, bring the two boys together myself."

1 "Okay?" "And then report the matter." "Okay?" "Again,
2 but I would deal with it." "Okay?" "As it was very
3 serious." And then a solicitor asks a question, "But
4 you don't recall this?" "No, this is hypothetical, yes,
5 yes." "You don't recall this?" "I don't, no, ever."
6 "Can you recall anybody coming to you, any pupil coming
7 to you and making allegations of a sexual nature.
8 I mean that's something that would maybe stick in your
9 mind?" "No." "No?" "The boys, they wouldn't have went
10 -- they would have went down the woods and all that
11 themselves, but not -- they never reported anything."
12 "To you?" "To me, as a member of staff, this is even
13 outside school I'd be walking around or going for walks
14 and things like that, boys with me and I never heard
15 anything." "Okay. So as your capacity and
16 just as a person who lived at Rubane?" "Yes." "None of
17 the children there came to you with an allegation that
18 they had been sexually abused?" "No." "Okay. Is there
19 anything else that you want to add?" "No." And then he
20 moves off to a different subject. If we can just take
21 that down now, please? So he's being interviewed
22 specifically about what you describe to the police, and
23 then you describe going to talk to BR3 about it. He
24 says basically that never happened. I appreciate this
25 is news to you today. But what do you say about that,

1 that you've basically, this is made up?

2 **A. You see, I know it did happen. But I've no way of**
3 **proving it happened, it's not like I spoke to other boys**
4 **and said, "I'm going to BR3." So there's nothing I can**
5 **really say to that, you know, that the fact that he's**
6 **just not telling the truth.**

7 Q. About the classroom incident, I made you aware that
8 DL437 has provided a statement to the Inquiry, that's at
9 5454, please? Just to summarise it, because I made you
10 aware of the content earlier, HIA152, that he basically
11 says that that didn't happen. He never left a class
12 with you, nor ever went with you to the toilets. He'd
13 never any sexual contact with you. He says, "It was
14 well known among ..." -- this is paragraph four, members
15 of the Panel, "... it was well known among the boys that
16 self masturbation took place in the toilets. But I'm
17 not aware that that kind of behaviour described by
18 HIA152 or indeed any sexual abuse ever took place." So
19 the implication of that is that boys went to the toilets
20 themselves to carry out this activity?

21 **A. Yes.**

22 Q. But he wasn't involved in that, and certainly never took
23 another boy to the toilets. What do you say about that?

24 **A. Again, it's basically his word against mine on that.**
25 **But I know it happened, and the fact that he even knew**

1 **that boys went to the toilets says enough for me on that**
2 **statement.**

3 Q. He observes then in paragraph five of his replying
4 statement at 5454, please, if we can bring up 5454? He
5 says in your police statement you also mention that in
6 the bedrooms, the older boys would come to you, and
7 that's some of the other boys that you've told the
8 Inquiry about already?

9 **A. Yes.**

10 Q. He says, "It's not clear whether he includes me in this
11 allegation." You don't include this gentleman in that
12 allegation?

13 **A. No.**

14 Q. He was not involved in coming to you in the bedroom?

15 **A. No, no.**

16 Q. It was the other boys that you've mentioned already?

17 **A. Yes.**

18 Q. You haven't mentioned their names. But the other boys
19 who were there. In fact, you can remember the first
20 name of --

21 **A. Yes.**

22 Q. -- but you can't remember their surnames?

23 **A. No.**

24 Q. So he's quite right in saying he'd no involvement in
25 what you're describing about the bedrooms?

1 **A. Yes.**

2 Q. Now, then and I appreciate we discussed this this
3 morning for the first time, that he says that at no time
4 was he ever spoken to about this. So that means either
5 you didn't tell BR3, and therefore he'd no reason to
6 talk to him, or your surmise, and it will be a matter
7 for the Panel, that you did tell BR3, but he didn't
8 speak to the boy concerned that you'd identified,
9 because did you name this boy to BR3?

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

11 Q. So he's saying categorically to the Inquiry and he will
12 come and give evidence in due course, that he was not
13 involved in this, this didn't happen or certainly not
14 involving him. You mention, I just want to deal with
15 these in passing, HIA152, if I may, because it's
16 a matter that has come up a number of times with
17 witnesses. You talk in paragraph 14 of your statement
18 at 602 about the white line in the playground. Can you
19 remember was there actually a white line or was it just
20 that area you weren't to cross?

21 **A. No. There was like a line you would see on a road, like
22 a give way sign line, a thick white line, it did
23 actually exist, yes.**

24 Q. Was this to keep you guys all in a certain area?

25 **A. It was to keep you in a boundary sort of, that you**

1 **didn't step out of it or clear off somewhere else**

2 **basically sort of, you know.**

3 **Q.** What happened if you stepped over the white line?

4 **A.** **Well, you were punished for it, but probably not right**

5 **away, probably the end of the school, end of the class**

6 **or something. You'd be told to report to the Brother**

7 **who is in charge at the time and then you'd be caned for**

8 **it. And you'd probably forget that you'd actually**

9 **stepped over it, sort of, you'd forget what you're being**

10 **canned for.**

11 **Q.** You don't go into this in your Inquiry statement, is it

12 right that you got caned from time to time?

13 **A.** **I did, yes.**

14 **Q.** Unlike other people who have come to the Inquiry who

15 complain about very severe caning incidents that go

16 beyond three on the hands, your experience was only ever

17 of being caned on the hands?

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

19 **Q.** It only happened to you on a few occasions?

20 **A.** **Yes.**

21 **Q.** I'm also right in saying that other than BR65 and what

22 you've described about BR3, you never had any

23 altercations with any of the other Brothers who were

24 there in your time?

25 **A.** **That's correct, no.**

1 Q. How would you describe how you went about living in
2 Rubane?

3 A. I basically kept my head down, sort of, sort of, got my
4 own circle of friends and just stuck with them and just
5 didn't get involved in anything really, sort of, or try
6 not to.

7 Q. I appreciate again this is difficult for you. But you
8 describe in paragraph 18 of your statement how your
9 grandparents visited every week. I know this is
10 difficult for you, but we'll get through it. You
11 mentioned to me that you felt a bit of shame at the time
12 of them coming. What happened that caused you to feel
13 ashamed that they were coming?

14 A. Well, they arrived every week, and I loved to see them.
15 But you became apart from the other boys, you seemed
16 different or something, and --

17 Q. Because they didn't have someone coming?

18 A. -- they didn't have, and my grandparents were
19 continually coming every Sunday. After a while, you
20 felt -- which was wrong, but you would get embarrassed
21 a wee bit. And also one of the other boys called them
22 names, that didn't help at all, you know.

23 Q.

24

25

1 to what the Belfast Welfare might have been doing with
2 after care for people who had left a home?

3 **A. Yes.**

4 Q. But it was him who worked with you and got you somewhere
5 to live and a job?

6 **A. Well, actually he didn't get the job, it was the
7 grandparents helped me get the job.**

8 Q. The grandparents got the job?

9 **A. Yes.**

10 Q. But am I right in saying you used to have to report to
11 and at the time it was in

12

13 **A. Yes, that's correct, yes.**

14 Q. You never remember it being on the ?

15 **A. No.**

16 Q. So it was on and you had to hand
17 your wages in there; is that right?

18 **A. Once a week, yes.**

19 Q. Did they stay involved with you until you were about 18?

20 **A. They did, yes.**

21 Q. You describe and I appreciate you were embarrassed
22 speaking to me about this, so bear with me. You
23 describe, because for the reasons I explained to you
24 it's important that the Panel are aware of this. In
25 paragraph 23, you explain that you eventually went for

1 a period of time and lived ?

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

3 Q. You describe how it was difficult to settle into life
4 outside an institution, "And despite hating Brothers and
5 Nuns for so long, I actually went back to an
6 institution", and you were in that for a number of
7 years?

8 **A. Yes. It does seem crazy, my friends nowadays are
9 probably thinks crazy for doing it. But it just seemed
10 the right thing at the time, sort of, you know.**

11 Q. And you say here, "Hating Brothers and Nuns", was that
12 because of what happened to you, or is that too strong
13 a word?

14 **A. Yes. Well, it's a bit strong. I didn't hate all
15 Brothers and Nuns, there were good ones, I wouldn't sort
16 of like tar them all with the same brush type of thing.
17 You know, there were good ones, and I got on with quite
18 a few of them. But it's just a hard life more than
19 anything else.**

20 Q. I'm right in saying you never brought a civil claim
21 against anyone in respect of what happened?

22 **A. No.**

23 Q. You did speak to the police in September 2011. Can you
24 tell the Inquiry what prompted you to do that?

25 **A. I think it was basically**

1 , and it
2 was really to probably give them a bit of support, and
3 say, "Yes, it happened to me, I'll do the same." If
4 they hadn't, I probably never would have, I would have
5 just tried to forget about it.

6 Q. As soon as you said, in the context of DL437, the boy
7 you described, the Order has confirmed he would have
8 been about a year older than you. Does that ring with
9 your recollection?

10 A. Sorry, how do you mean, like?

11 Q. He would have been about one year older than you?

12 A. Yes.

13 Q. Would that be how you remember him?

14 A. I just remember him being older sure.

15 Q. There's two last things that I want to ask you that we
16 ask each witness. The first is at the end of the
17 Inquiry's work, the Panel have to consider what
18 recommendations they might make to the Northern Ireland
19 Executive. That's in generally three areas about some
20 form of apology, some form of memorial and perhaps some
21 other form of redress. We ask each witness whether
22 there's anything they want to say to the Panel about the
23 recommendations they might consider making, is there
24 anything you want to say?

25 A. Basically, I always wanted a closure at the end of all

1 **this, and that's what I want. But I started thinking**
2 **that was never going to happen, because I'm going to**
3 **have to live with that for the rest of my life anyway,**
4 **and other people are. But I think by just coming**
5 **forward, it'll not happen again to other people,**
6 **basically.**

7 **Q.** That's your hope as to what will come out of this?

8 **A. Yes, yes.**

9 **Q.** That maybe answers the next question. But we ask each
10 witness, this is your opportunity, you've had the
11 courage to come and say what you felt you needed to say.
12 But it's your opportunity to say anything else now that
13 you want to say to the Inquiry about your time in care.
14 We'll come back and deal with Nazareth Lodge another
15 time. But in terms of Rubane, or just generally whether
16 there's something I maybe haven't covered properly or
17 covered in enough detail, or maybe something I didn't
18 touch on at all that you want to say to the Panel at
19 this stage?

20 **A. I don't think so, I think I've said most of it, sort of,**
21 **you know.**

22 **Q.** Well, I know you weren't looking forward to this?

23 **A. Not in the slightest.**

24 **Q.** You wanted to do it, but you were not looking forward to
25 doing it. If you'd just bear with me for a few more

1 minutes, the Panel may want to ask you something. If
2 you just stay where you are, and we'll finish shortly?

3

4 Questions from THE PANEL

5

6 CHAIRMAN: HIA152, can I just ask you something about the
7 visits that your grandparents used to make. You
8 mentioned that it was quite some distance to the bus
9 stop?

10 **A. Yes.**

11 Q. They, I take it, would get the bus from Belfast, perhaps
12 Newtownards, and then Newtownards to Kircubbin,
13 something like that?

14 **A. No straight from Belfast to Kircubbin, I think it went.**

15 Q. I see. But they had a very long bus journey?

16 **A. It was long because the bus didn't go passed Rubane, so
17 you'd a long walk as well, you know.**

18 Q. I see?

19 **A. Plus there were on a low, I mean, pension and they
20 didn't have money, and I think --**

21 Q. No, indeed. I gather they were getting on in life
22 a bit?

23 **A. Yes.**

24 Q. A fair walk from the bus to the house. Were they ever
25 given any assistance by the Brothers?

1 **A. Yes. The Brothers would --**

2 Q. Pick them up or run them down to the bus or whatever?

3 **A. They would, depending on what Brother you got, and what**
4 **sort of mood he was in.**

5 Q. I see?

6 **A. They would get them.**

7 Q. I mean, with our climate there must have been some days
8 when it was wet and so on?

9 **A. Yes. They went up, all sorts of weather really, sort**
10 **of, you know.**

11 Q. Yes. When they were coming every week, how did the
12 Brothers react to this, did they make them welcome, or
13 did they just seem to put up with it. What was their
14 attitude towards the visits?

15 **A. I think -- I think they just tolerated them, sort of,**
16 **sometimes probably just ignored them.**

17 Q. I gather sadly because you were one of the few who were
18 being visited?

19 **A. Yes.**

20 Q. That you felt it marked you out in a way?

21 **A. It just made you feel different from the rest.**

22 Q. Yes?

23 **A. Because you were growing up with all these boys. But at**
24 **the same time you had these grandparents coming up, it**
25 **just didn't fit in sometimes.**

1 Q. Yes. Lots of boys don't like being thought to be
2 different; isn't that right?

3 **A. Yes.**

4 Q. Thank you very much?

5 MS DOHERTY: Thanks very much for your testimony. Can
6 I just check in relation to the Brothers. Did they say
7 anything to you generally as a group about masturbation
8 or about behaviour amongst yourselves?

9 **A. Not that I can recall, no.**

10 Q. Okay. But did you have a sense that they were aware
11 that that sort of activity was going on in the toilet
12 areas?

13 **A. Well, when I think back on it now, yes, they must have,
14 if they were doing their job right at all they would
15 have known sort of, you know.**

16 Q. Okay. Thanks very much.

17 MR LANE: You mention that the schooling was terrible and
18 you said it was dominated by religious teaching. Could
19 you just say a little bit about what a typical day would
20 have been like in the classroom?

21 **A. Well, you had the mass everyday before you went, and
22 then you had the prayers, it was all geared towards
23 religion. I mean half of your class probably in the
24 morning would have been taken up by religious stuff.
25 And I just think the whole thing was more dominated on**

1 religion. In the evenings, if you were watching TV,
2 everyone would have to come out to go to benediction or
3 something, it was just so much religion and it was
4 almost like drummed into you to a certain extent.

5 Q. The rest of the school day, would there have been sport
6 as part of that?

7 A. There was sport, yes, it was like hurling was the sport
8 at the time.

9 Q. Other lessons like maths and things like that as well?

10 A. You did have that, yes.

11 Q. Thank you?

12 A. Okay.

13 CHAIRMAN: Well, HIA152, thank you very much for coming to
14 speak to us today. As I'm sure has been explained to
15 you, we know that there are things that you want to tell
16 us about your time in Nazareth Lodge. But because
17 that's a different thing, we'll deal with that on
18 a different occasion. But thank you very much for
19 coming to speak to you us today, we're very grateful to
20 you, thank you.

21

22 (Witness Withdrew)

23

24 MR AIKEN: Chairman, Members of the Panel, the next witness
25 will be taken by Ms Smith and it may be that taking

1 lunch now would be --

2 CHAIRMAN: Yes. Well, we'll aim to sit hopefully about
3 quarter to two, ladies and gentlemen, not before quarter
4 to two, but as soon as after that as is convenient.
5 Thank you very much.

6

7 (12.19 pm)

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1 lunch now would be --

2 CHAIRMAN: Yes. Well, we'll aim to sit hopefully about
3 quarter to two, ladies and gentlemen, not before quarter
4 to two, but as soon as after that as is convenient.
5 Thank you very much.

6 (12.19 pm)

7 (1.52 pm).

8 WITNESS HIA19 (called)

9

10 MS SMITH: Good afternoon, Chairman, Panel members, ladies
11 and gentlemen. The witness this afternoon is HIA19. He
12 is HIA19. I've spoken to HIA19 and he wishes to
13 maintain his anonymity and he also wishes to affirm.

14

15 WITNESS HIA19 (affirmed)

16

17 CHAIRMAN: Thank you very much HIA19, please sit down.

18

19 Questions from COUNSEL TO THE INQUIRY

20

21 MS SMITH: Now, Panel members, HIA19's statement can be
22 found at RUB435 to 445. The Order's response is at
23 RUB2383 to 2385, with exhibits at 2386 to 2480, which
24 include detailed school reports in respect of HIA19.
25 The statement from the Health and Social Care Board is

1 found at RUB8084 to 8085, which states that HIA19's
2 placement in care was a private placement until 1970.
3 However, they have no records as to why that movement to
4 care came about. There are a number of police
5 statements in the bundle. They can be found at RUB64873
6 to 64879, which is a statement made in April 2010.
7 There is a statement of January 2011 at RUB64880.
8 A short witness statement at RUB65972 to 73, which was
9 made in September 2012. Finally, a statement of
10 April 2011, which is at 66001 to 66005.

11
12 Now, HIA19, can I just ask you to look at the
13 witness statement? I know that you have difficulties
14 with your eyesight, but we looked at this earlier and
15 you'll see the document that's coming up on the screen.
16 If we could just go to the last page of that, which is
17 445, please? You'll see there, hopefully you can see,
18 HIA19.

19 **A. Sorry, I can't see the screen.**

20 Q. You can't see it. Well, we looked at this, do you
21 remember earlier today and you confirmed that you'd
22 signed the statement that is before the Inquiry. You've
23 dated that as the 13th of March and it looks, I think
24 that should be 2014, but I think it looks like it's 2000
25 on the actual signature. Do you remember when you

1 signed your statement for the Inquiry?

2 **A. No.**

3 Q. Would it have been within the past year or so?

4 **A. Sorry, I can't remember, 2000 there, I think.**

5 Q. Yes. Although, you'll appreciate that the Inquiry
6 wouldn't have spoken to you until either in 2013 or
7 2014?

8 **A. I think it was 13, it definitely wasn't this year.**

9 Q. But you confirm that this is the witness statement that
10 you wish the Inquiry to have regard to, together with
11 whatever else you tell us this afternoon?

12 **A. Yes.**

13 Q. If we could just go back to the first page, that's
14 RUB435. Your personal details are set out there in
15 paragraph one. In paragraph two, you say that you were
16 placed in St Joseph's Baby Home as a baby, and you then
17 were transferred to Nazareth Lodge in Belfast in
18 when you would have been years of age?

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

20 Q. You stayed in Nazareth Lodge until ?

21 **A. Yes.**

22 Q. When you were transferred from there. Now, a large part
23 of your statement from paragraphs three to 27 relate to
24 your time in Nazareth Lodge. We have spoken about this,
25 HIA19, and you understand and are willing to come back

1 and speak to the Inquiry again on a later date about
2 what happened to you in Nazareth Lodge; isn't that so?

3 **A. That's so, yes.**

4 Q. So if we can just now today look at what happened to you
5 after you left Nazareth Lodge. You were transferred to
6 Rubane when you were aged almost in , you were
7 there until . If we go to paragraph 28, please,
8 which is at page 440? I'm just going to ask you first
9 of all about some general things about your time in
10 Rubane. You remember when you went there, you were
11 actually handed a pair of rosary beads by a Brother, who
12 you name there as -- and we've given him a designation,
13 BR15. He told you not to lose them or you would get
14 beaten. You remember that Brother 6, BR6

15 ?

16 **A. Sorry, severely punished.**

17 Q. Severely punished, is that what you were told?

18 **A. Yes.**

19 Q. By that, you've said in your statement to the Inquiry
20 that you told us, "Don't lose them or we would get
21 beaten", is that what you understood a severe punishment
22 to be?

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

24 Q. You go on to say -- sorry, just to be clear, HIA19, the
25 Order have responded to what you've said. They said

1 that losing rosary beads wouldn't have led to any
2 punishment. Were you ever actually punished?

3 **A. No. I wasn't. But that's just what I was told.**

4 Q. Did you ever lose your rosary beads?

5 **A. I can't remember if I lost or not.**

6 Q. Paragraph 37, you remember seeing a dentist when you
7 were in Kircubbin?

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

9 Q. You describe this dentist, that's at page 442. You
10 describe him as coming up in a caravan to provide
11 treatment to the boys?

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

13 Q. That you were scared of him as he pull out a lot of
14 teeth at a time rather than give you fillings. You
15 can't remember his real name, "But we called him the
16 bulldog"?

17 **A. That was the nickname we gave him, yes.**

18 Q. The Order have said that there was actually a woman who
19 came with a trailer to treat the boy's teeth, and that
20 was a Mrs . Do you ever remember a woman treating
21 your teeth?

22 **A. No. I don't remember the woman treating me, I thought
23 it was a man. But I don't remember a woman.**

24 Q. But it was a dentist in a caravan?

25 **A. It was a dentist, yes.**

1 Q. Do you ever remember having any medical examinations in
2 the years you were there?

3 **A. I don't, no.**

4 Q. You don't remember -- you talk about in your statement
5 at paragraphs 40 to 41, that you don't recall any
6 inspections when you were in Nazareth Lodge. But you do
7 remember open days in Rubane House when well dressed
8 rich people gave donations. What were you talking about
9 at that time, what are you talking about when you're
10 talking about open days?

11 **A. Well, I remember the shally's opening, the chalet's are**
12 **-- and I remember there was a Lord Mayor and different**
13 **people came up that time, there was a lot of people came**
14 **up. But that's the only time I remember.**

15 Q. You say you recall the Lord Mayor talking to you?

16 **A. Briefly, briefly.**

17 Q. You say, you, "... cannot recall if we were allowed or
18 not allowed to speak to these people. I think we were
19 separated from them and they spoke to the Brothers."
20 You say, "We got plenty of notice they were coming, and
21 we had to dress up in our scout outfits. I have
22 photographs of the Lord Mayor's visit and there's
23 a photograph of me when I was in the scouts." And
24 you say you had to scrub the place in preparation a week
25 beforehand and make sure everything was immaculate,

1 **A. No.**

2 Q. You don't remember them?

3 **A. I don't remember them, no.**

4 Q. And those would have been secretary of state's wives,
5 presumably, that they --

6 **A. I don't personally remember them, no.**

7 Q. But you left certainly before direct rule came in, in
8 any event?

9 **A. Correct, yes.**

10 Q. I'm going to ask you about some of the specific
11 allegations that you make about what happened to you
12 when you were in Rubane now, HIA19. At paragraph 30,
13 which is at page 440. First of all you were in the main
14 house; is that right, and then you were moved into the
15 chalet's when they opened?

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

17 Q. You were brought into -- paragraph 29 there, if you can
18 just scroll up. You say that, "I was there e years
19 ..." -- sorry, "... the worst time I had there would
20 have been when I was brought into chalet . When I
21 was about or , they'd built chalet's and done away
22 with dormitories. There were house parents, a man and
23 woman who were employed to look after 14 boys each."
24 You give the names of the house parents who had to look
25 after you. You describe him as not a very nice person.

1 You say that he took you into his room once and showed
2 you books on the facts of life, a man and a woman having
3 a relationship, "And he just start the groping me a bit
4 on my private parts. I thought that was a natural thing
5 to do, but then I realised that he was getting aroused.
6 This happened in his bedroom and we only had these
7 discussions on a couple of occasions."

8
9 , but you know he's now dead.

10
11 . But they would say
12 that at the time that this man was abusing you, they had
13 no knowledge of the fact that he was abusing children in
14 this way. You said in paragraph 31, you have also been
15 told that similar things happened with a few other boys
16 with this man. You felt embarrassed at the time, you
17 kept it to yourself for a long time and you didn't even
18 tell his wife with whom you were friendly, even after
19 you'd left Rubane. You said you always had this fear of
20 getting into trouble, " ... because he was a house
21 master and would maybe beat me up. He was wicked at
22 times, very disciplined and strict." Can I just pause
23 there and ask you, HIA19, you say that you've also been
24 told that similar things happened with a few other boys,
25 is that something you knew at the time you were in

1 Rubane, or is that something that you've learned later?

2 **A. I learned later on.**

3 Q. You certainly never spoke to any of the boys that you
4 were with about it while you were in Rubane?

5 **A. No. I've kept that to myself.**

6 Q. You talk in paragraph 32 about keeping in touch with his
7 wife after you'd left. But that relationship broke down
8 due to the fact that you changed your religious beliefs?

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

10 Q. You go on to say that while you were in the home, you
11 heard gossip about abuse of other residents by other
12 Brothers. You heard a rumour about BR27. You say that
13 you'd heard that he had sexual relations with
14 a resident, and that the resident's name is there. I
15 think that's probably a wrong designation, it should be
16 either a DL or an HIA number. You also heard that
17 another resident in the home, that's HIA147 had messed
18 about sexually with other boys. You say that HIA147,
19 I'm going to use his first name, his name is HIA147, and
20 you'll know who I'm talking about, HIA19, but we're not
21 using the names out -- these names cannot be repeated
22 outside this room?

23 **A. Yes.**

24 Q. But you say that this boy HIA147 tried to get over
25 a toilet cubicle on one occasion to you?

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

2 Q. You think that you might have actually reported that to
3 BR6, who was BR6?

4 **A. BR6, that's right.**

5 Q. And you would have been about at that time?

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

7 Q. Are you sure you told BR6?

8 **A. I'm 90 percent sure it was BR6.**

9 Q. Why did you tell him particularly?

10 **A. Because at that time he was , and I felt I had
11 to go to somebody.**

12 Q. Did you feel that he was an approachable man that you
13 could go and tell him about this?

14 **A. Yes, yes. I didn't go to tell him a lot of things,
15 because obviously -- but, yes, I thought I had to go to
16 somebody to tell them.**

17 Q. I mean, I think what you said to me was that you had
18 a lot of time for this Brother?

19 **A. Yes. I liked BR6, I had a lot of time for BR6, that's
20 right.**

21 Q. One thing in this paragraph, you name a rumour, BR27.
22 Now again I'm going to use the names, HIA19, but they're
23 not to be repeated outside this room and that's because
24 everyone has been given these designations to protect
25 everyone's privacy. You heard a rumour that you

1 describe him as a HIA19 had sexual relationships with
2 this other boy in the home. One of the things that the
3 Order have said is that that boy who you name in your
4 statement, and HIA19 wouldn't have been in Rubane at the
5 same time. Just in another statement, which you gave to
6 the police, and it can be found at RUB65972, which you
7 gave in September 2012. You told the police about this
8 incident, about believing that this Brother had abused
9 this particular boy or having sexual relations with him
10 as you describe it. But you give a different name to
11 the police, you talked about a BR41?

12 **A. I got confused, it was either BR27 or BR41, I'm not --**
13 **one of them names, I'm not too sure which one it is.**

14 Q. Because the Order will say that there was never a BR41
15 at any time?

16 **A. Never?**

17 Q. No?

18 **A. Then I made a mistake with the name. But it definitely**
19 **--**

20 Q. But you had heard this anyway about this particular boy
21 and a Brother?

22 **A. Yes.**

23 Q. If I can go on back to your statement. You talk about
24 just while we're on this page, you talk about going to
25 stay with your grandparents for nine weeks. It's true

1 to say that your grandparents came to visit you quite
2 often when you were in Rubane; is that right?

3 **A. Every Saturday.**

4 Q. And in fact, you would have spent summer holidays with
5 them and Christmases and things with them; is that
6 right?

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

8 Q. You knew that there were boys who went to Glenarm, who
9 didn't go home to families?

10 **A. That's right, yes, that's right.**

11 Q. Now, I know you say in your statement that they went for
12 nine weeks to Glenarm. But the Order would say that it
13 would have been a fortnight and no more than
14 a fortnight?

15 **A. Oh well, I thought nine weeks, summertime.**

16 Q. But they talked to you when you came back about the fun
17 that they'd there?

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

19 Q. You felt that you had maybe missed out by going to your
20 grandparents and missing out on that fun?

21 **A. Well, that's true, yes.**

22 Q. At paragraph 38 of your statement, you talk about
23 a at Rubane House, and you say that he
24 was very wicked. He would call you, "Fat head", or
25 something insulting like that?

1 **A. Not just me personally, the majority of us in the**
2 **classroom.**

3 Q. So it wasn't just you, he would call other boys that as
4 well?

5 **A. Yes.**

6 Q. He threw wooden mallets and chisels at us and sometimes
7 he would hit you with it if you made a mistake. You say
8 the Brothers didn't mind him being there because he was
9 one of their very good The Order would say
10 that they don't accept that this man was wicked as you
11 describe him or that he punished boys unnecessarily.
12 They say the boys would have teased him or wound him up,
13 is there anything you want to say about that, HIA19?

14 **A. That's not true, because obviously we'd be severely**
15 **punished if we'd gone out of our way to tease this man**
16 **personally. We didn't have to tease him to get angry,**
17 **he got angry very quick and he did -- I never personally**
18 **felt good with him, because I never felt that he was**
19 **pleased with us in any way, he was always insulting and**
20 **that word, "Fat head", always came out and I felt really**
21 **insulted, I didn't like going to that class at all.**

22 Q. In paragraph 39, you talk about being struck by
23 Brothers. You say that and again the names are not
24 here, but I'm going to use the names so you know who I'm
25 talking about. You say, "BR3 and BR6 also hit me in the

1 hand with a cane during my time at Rubane. This was
2 normally only for something trivial like having dirty
3 shoes. BR12 hit me with a stick on my backside.

4 I understand that BR12 and BR6 may now be deceased.

5 I would not want to see BR3 brought to court for any
6 assaults on me due to the fact that he is now quite
7 elderly." I'm going to pause there to say that the
8 Inquiry is aware that BR3 is unable to attend to give
9 evidence, and we have received a medical in respect of

10 him, that can be found at RUB5421. He in preparation
11 for a civil claim involving someone else, not yourself,
12 HIA19, provided an affidavit in 2011, which can be found
13 at RUB5422 to 5433. In that affidavit, he admits that
14 he would have punished boys by slapping their hands with
15 either a cane or a strap. The Order would say that
16 corporal punishment was allowed at this time, and that
17 boys would have had three slaps to one hand and three
18 slaps to the other hand. Is that fair, is that kind of
19 punishment that you remember?

20 **A. That is fair, yes.**

21 Q. You also gave more details of what you say about the
22 Brother striking you when you spoke to the police in
23 September 2012, sorry, in April 2010, I beg your pardon.
24 If we could just pull that up, that's RUB64877? If we
25 just scroll to the bottom of that page and you'll see

1 here, you say that, "The Brothers were very strict and
2 intimidating in their nature. I was physically abused
3 by some of the Brothers whose names were BR12 and BR15."
4 Now, that -- those two names you've given to the police
5 are BR12 and a BR15 who you say was . Now, in
6 a further statement, in a later statement to the police,
7 you say that the Brother was actually a BR30?

8 **A. BR30, that's right.**

9 Q. So were you wrong in saying that he was called BR15?

10 **A. It was a mistake on my behalf, you know.**

11 Q. So the Brother was a BR30; is that right?

12 **A. BR30, that's right.**

13 Q. And you say that, "BR3 and BR6 would have assaulted me
14 from time to time. But it was really the other two I
15 had the most fear of." If we can just scroll on down,
16 please? You say that, again the name given here is
17 BR15, but you were talking about the Brother,
18 BR30, "Would have punched me in the face for allegedly
19 stepping out of line. On several occasions I was beaten
20 with a walking stick by BR12. We would have sneaked out
21 to the local post office to get sweets, which was at the
22 bottom of the lane. If we were caught, which we were on
23 occasions, then we were struck severely with a stick."
24 And then you go on to talk about what happened to you in
25 the chalet. But --

1 **A. Excuse me, that stick, to be quite honest with you, was**
2 **a very thick walking stick, it wasn't a band, it was**
3 **a really thick walking stick they'd hit us with.**

4 Q. This was BR12?

5 **A. Uh huh.**

6 Q. The Order would say that corporal punishment was allowed
7 and you may have been punished for walking into the
8 chalet with dirty shoes or as you describe or something
9 like that. But that it would have been three slaps to
10 one hand, three slaps to the other, and this kind of
11 punishment that you describe would not have happened?

12 **A. It's true.**

13 Q. Going back to your statement, you talk about leaving
14 Rubane, if we can go back to page 443. You say that,
15 "At they told us they were going to prepare us to go
16 to lodgings", and you said, "It was a scary time as
17 those of us brought up in orphanages and institutions
18 were odd. They placed me in a certain area, and
19 I remember that day very well." You lived with another
20 boy called who left Rubane a year after you and
21 you're still good friends with him. You talk about the
22 work that you were engaged in and you talk about social
23 workers who helped to arrange -- for getting you work,
24 a NL40 and a DL282?

25 **A. That's right.**

1 Q. You said you didn't see much of them during your time at
2 Rubane, but you saw them more frequently after you left
3 the home?

4 **A. That's right. I didn't see them at all in Rubane to be
5 quite honest with you.**

6 Q. We know that certainly you don't seem to have been in
7 the care of the Welfare Committee until , which is
8 when you did leave?

9 **A. Uh huh.**

10 Q. You also remember going to a club on the ,
11 s?

12 **A. sorry.**

13 Q. And you remember who was in charge there, there was
14 a priest who was in charge when you were there, you
15 earned £4 a week, your lodgings cost £4.50 or £5. So
16 every Saturday you got the difference from the welfare
17 to top up your rent. You go on to describe your life
18 thereafter, you recall that you weren't happy in the
19 lodgings, and even though you were supposed to stay in
20 them, you and this other boy left and found your own
21 accommodation?

22 **A. We were meant to stay there until we were 18, and we ran
23 away from that particular first lodging house to the**

24

25 Q. You then go on to describe how you're still in contact

1 with your brothers. You have had difficulties in your
2 life, which are there in your statement and I don't
3 propose to go into them. You in fact returned to Rubane
4 on occasions after you left; is that right, HIA19?

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

6 Q. Can you say how many times you might have gone back to
7 visit?

8 **A. It's hard to say, probably about four or five times.**

9 Q. That was to visit boys who were still there?

10 **A. Yes, to visits friends of mine who were there, yes.**

11 Q. And to visit some of the Brothers?

12 **A. Well, yes. But not specifically to visit the Brothers,
13 it was just to go up and visit the boys as well.**

14 Q. Well, can I ask you, HIA19, just how you feel about
15 those who cared for you in Rubane. We'll talk about
16 Nazareth Lodge another day. But in respect of those who
17 cared for you in Rubane?

18 **A. Well, how I feel is they had been very very strict,
19 I felt at the time, says in the statement or whatever,
20 that's what it was, it was meant to be. But I felt it
21 was very strict and I was nervous at times, and you know
22 stressed out a lot of times through that. Yes, I don't
23 hold a grudge, I always want to keep friends with
24 people, you know.**

25 Q. In fact, have you subsequently had contact with any of

1 the Brothers who looked after you?

2 **A. I have, about two or three years ago, I went up to see**
3 **BR55 up on the . Well, not to -- I**
4 **was up there visiting friends, so I went up to see BR55**
5 **because I was told he was in De La Salle Order,**

6

7 Q. Now, one other question is, what generally was life like
8 in Rubane, were there good times as well as bad times?

9 **A. There were, there were good times, and there was bad**
10 **times as well, you know.**

11 Q. Well, is there anything, HIA19, that you feel that we
12 haven't covered in what we've discussed this afternoon?

13 **A. I'm trying to think. We've covered mostly -- mostly**
14 **everything.**

15 Q. Is there anything else that you want to say at this
16 stage?

17 **A. No.**

18 Q. I have one final question for you, and that is that
19 you're aware that the Inquiry has to make
20 recommendations at the end of all of its work as to what
21 should happen next. Whether there should be some sort
22 of memorial, some sort of a redress or what you think
23 ought to happen, and I'm just interested to know what
24 your view is, HIA19?

25 **A. Well, I feel a redress would be good.**

1 Q. I have no further questions for you, HIA19. So if you
2 just stay there, the Panel members may have some things
3 they want to ask you?

4 **A. Sure.**

5

6 Questions from THE PANEL

7

8 MS DOHERTY: HIA19, thanks very much. Can I just ask, was
9 physical bullying by older boys an issue when you were
10 at Rubane?

11 **A. Was there physical bullying?**

12 Q. Bullying with older boys?

13 **A. I seen a lot of it. But I was able to stay away from
14 it. But there was a lot of physical bullying going on,
15 not with me, I try to avoid all of that.**

16 Q. Did the Brothers, were the Brothers aware of that?

17 **A. Yes. The Brothers would have been aware, because the
18 Brothers were there frequently anyway all the time, you
19 know, watching out and things.**

20 Q. Okay. Do you remember the white line, we've heard about
21 this white line?

22 **A. Very much so, yes.**

23 Q. What was your experience of that?

24 **A. Well, I felt like a prisoner to be quite honest with
25 you, that's a way of putting things. The Brothers used**

1 to walk up and down the opposite side of it, it just
2 felt --

3 Q. If you stepped over it?

4 **A. If I stepped over it, we knew we'd get -- we would get**
5 **punished for it.**

6 Q. Okay, okay?

7 **A. So that was a fear obviously.**

8 Q. Okay. Thanks very much.

9 MR LANE: When you moved to the new chalet's, that's when
10 lay staff were being appointed to work there as well as
11 the Brothers; is that correct?

12 **A. As well as one Brother, and man and wife.**

13 Q. Did it make a difference to Rubane as a whole, having
14 these additional staff appointed?

15 **A. Well, it split everybody up into groups, it didn't**
16 **really make any much difference to us. It may be easier**
17 **for the staff. But to be honest, it didn't make life**
18 **anything much easier, really.**

19 Q. Right. So from your point of view, being in the main
20 house, was no -- not really very different from being in
21 one of the chalet's?

22 **A. Not a lot, no, not a lot of difference.**

23 Q. Did it change where you had your meals?

24 **A. It did change where we had our meals, we were a group of**
25 **14.**

1 Q. Yes. Thank you very much?

2 CHAIRMAN: Well, HIA19, thank you very much for coming speak
3 to us today, I'm sure you'll be glad to hear that those
4 are all the questions we have for you today. But as
5 Ms Smith explained a few minutes ago at the start of
6 your evidence, we know you have a lot to tell us about
7 the time that you were in Nazareth Lodge, and because
8 it's very difficult to cope with both on the same day,
9 we'll be asking you to come back again at some stage in
10 the future. Thank you very much for coming to us today.
11 Thank you.

12 MS SMITH: Thank you, HIA19.

13

14 (Witness withdrew)

15

16 MS SMITH: That concludes today's evidence, Chairman and
17 Panel Members.

18 CHAIRMAN: Thank you. Well, we'll resume at half past ten
19 tomorrow, ladies and gentlemen.

20 MS SMITH: Half past ten, Chairman?

21 CHAIRMAN: I beg your pardon, 10 o'clock.

22

23 (2.21 pm)

24 (Hearing adjourned until 10 o'clock

25 On Wednesday, 22nd October 2014)