
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Thursday, 9th October 2014

commencing at 10.00 am

(Day 58)

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

1 Thursday, 9th October 2014

2 (10.00 am)

3 CHAIRMAN: Good morning, ladies and gentlemen. Just before
4 we start can I remind you all, as always, that you
5 should ensure that your mobile phones are either turned
6 off or placed on silent/vibrate and that no photography
7 of any sort is permitted inside the chamber. Indeed,
8 that goes for recording as well. If anybody wants to
9 use their mobile phone for that purpose, it is not
10 permitted.

11 Yes.

12 WITNESS HIA399 (called)

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

14 The first witness is morning is HIA399. He is "HIA399".
15 He has travelled from England to give his evidence, and
16 he is aware, Chairman, that you are going to ask him to
17 take the oath or affirm.

18 CHAIRMAN: HIA399, do you wish to take a religious oath or
19 make an affirmation, which is a solemn promise, which
20 has the same legal effect? It's entirely a matter for
21 your choice.

22 **A. I'll take the oath.**

23 CHAIRMAN: Very well.

24 WITNESS HIA399 (sworn)

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

1 Questions from COUNSEL TO THE INQUIRY

2 MR AIKEN: Can you bring up, please, 864? HIA399, on the
3 screen is a copy I trust of the first page of your
4 witness statement except that the hard copy you have
5 doesn't have the black marks. Can you just look at the
6 hard copy that you have and make sure that it's the same
7 as the version on the screen except for the black marks?

8 **A. Yes, it is.**

9 Q. Then if we can go, please, to page 872 and, HIA399, if
10 you can look at the last page of your hard copy, I'm
11 going to ask you to confirm that you've signed your
12 witness statement. Obviously the one on the screen has
13 a black mark over the signature, but can you confirm
14 that you've signed your witness statement?

15 **A. I have signed the original one. This is a copy.**
16 **I haven't signed this one.**

17 Q. Yes?

18 **A. I did sign the original one.**

19 Q. And do you wish to adopt the contents of your witness
20 statement as your evidence to the Inquiry?

21 **A. Yes, I do.**

22 Q. The reason, as you're aware, HIA399, for the black
23 marks, if we can go back, please, to 864, is because of
24 the Inquiry's anonymity policy so that, when someone is
25 reading this material on the website, they can see the

1 experience that's being described, but they won't be
2 able to identify the person, and you wish to keep your
3 anonymity?

4 **A. Yes.**

5 Q. In addition to HIA399's statement, Members of the Panel,
6 there is a replying statement from the De La Salle Order
7 at 2155 through to 2157. We will look at that as we go.

8 There is also a replying statement from the Health &
9 Social Care Board at 8066 and 8067.

10 In relation to the Health & Social Care Board they
11 simply observe that in HIA399's case he was what has
12 become known as a private placement. So he entered
13 initially with his -- his brother and three sisters to
14 the Nazareth properties, the girls to Nazareth House,
15 the boys to Nazareth Lodge, but quickly, because of his
16 age, moved to Rubane, but that was entirely a placement
17 that didn't involve the welfare authorities.

18 HIA399, you were born on 20th June 1947 --

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

20 Q. -- making you now 67 years of age, and the next witness
21 that the Inquiry will hear from is your brother, HIA261,
22 who is three years younger than you.

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

24 Q. You and he entered both Nazareth Lodge together and then
25 Rubane together?

1 **A. Yes.**

2 Q. You entered Rubane on 16th March 1960 and -- when you
3 were 12, and he would have been 9?

4 **A. Yes.**

5 Q. And you remained there until 2nd July 1962 --

6 **A. Yes.**

7 Q. -- when you were 15?

8 **A. Correct.**

9 Q. And at that point you went back to live with your mother
10 in Belfast --

11 **A. Yes.**

12 Q. -- and began a couple of jobs in Belfast, and then moved
13 on to the army, which we will talk about at the end
14 briefly?

15 **A. Yes.**

16 Q. For the record, Members of the Panel, the admission
17 record showing those dates is at RUB2159.

18 The -- if I can just draw the Panel's attention,
19 because of matters that I am now going to go into,
20 HIA399 arrived in Rubane in 1960, which is after the
21 1958 investigation took place in September and November
22 of 1958.

23 HIA399, what I am going to do is work through some
24 of the matters that you raise in your statement in
25 a thematic way. I am going to deal, first of all, with

1 the sexual abuse that you describe at the hands of BR17.

2 **A. Yes.**

3 Q. He was the head of the home whenever you arrived --

4 **A. Yes.**

5 Q. -- and also the principal in the school?

6 **A. Yes.**

7 Q. If we can look, please, at paragraph 8 of the statement
8 at 865, you say that you initially were in a dorm in the
9 building that was away from the main house. Is that
10 right?

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

12 Q. That you describe as the old school. I think in some of
13 the documents the Inquiry has seen it is described as
14 the steward's house, but it was down on the farm?

15 **A. Yes.**

16 Q. Then you move up to the main dormitory in the main
17 house?

18 **A. Yes.**

19 Q. That's when the abuse begins --

20 **A. Yes.**

21 Q. -- with BR17. You describe in paragraph 8 that he
22 started to interfere with you in all sorts of different
23 places: his office. Was that the office that was in the
24 school?

25 **A. Yes.**

1 Q. Which was another building adjacent to the main
2 building?

3 **A. Yes, yes.**

4 Q. His car?

5 **A. Yes.**

6 Q. You describe a workman's hut in the middle of a field on
7 one occasion?

8 **A. Yes.**

9 Q. And was that in one of the fields on the Rubane site?

10 We know it had 2... --

11 **A. On the farm, yes, yes.**

12 Q. On the farm?

13 **A. On the farm.**

14 Q. And also you say he would take you to his room at night.
15 Was that his bedroom in the main house?

16 **A. Yes.**

17 Q. You remember there being linoleum covering the floors
18 and he would come in with his socks on and nobody would
19 hear him entering. Is that the point you're making?

20 **A. Yes, that's exactly it, yes.**

21 Q. You then say at first you didn't know what was going on.
22 Is that because you had no knowledge of these types of
23 things --

24 **A. Exactly, yes.**

25 Q. -- before you arrived?

1 **A. No.**

2 Q. You say that you used to cry but that didn't make any
3 difference to him. So would you have cried in front of
4 him?

5 **A. Yes, yes, that's true.**

6 Q. Then you describe what he did to you, and can I
7 -- without going into the detail of it, the Panel is
8 able to read the content, HIA399.

9 **A. Sorry?**

10 Q. The Panel is able to read the content.

11 **A. Yes, yes, I understand.**

12 Q. But what I want to ask you, it wasn't the same type of
13 physical abuse -- sexual abuse each time; he did
14 different things on different occasions at different
15 places?

16 **A. Yes.**

17 Q. And you describe it as happening about once or twice
18 a week for the two years that you were there?

19 **A. It happened quite a lot anyway over the whole period of
20 time I was there.**

21 Q. You describe in paragraph 9 in addition to what occurred
22 in Rubane an incident where he would take you out in the
23 car to go into Belfast for some reason, but then you
24 also describe him taking you out to Dublin.

25 **A. Yes.**

1 Q. So was that simply he said, "Right, HIA399, you're
2 coming with me. We're going to Dublin" or how did that
3 come about? Can you remember?

4 **A. No, I can't remember. It was both my brother and I
5 he took there. I can't remember how it came about.**

6 Q. And you remember seeing the Irish Army parading?

7 **A. Yes. I think it was before they went to the Congo with
8 the UN.**

9 Q. And you had in Dublin your grandparents or your
10 grandmother?

11 **A. Well, my grandfather had died at that time. My
12 grandmother was living there with my uncle.**

13 Q. And you stayed over with your grandmother in her house?

14 **A. Yes, yes.**

15 Q. And you record how -- in the last part of paragraph 9
16 the Panel can see BR17 was offered to sleep in the front
17 room of the house. That is presumably the sitting room?

18 **A. Yes. My grandmother wasn't well at the time so she had
19 her bed moved down from upstairs to the front room.**

20 Q. So she allowed him to have that?

21 **A. Yes, she was actually using that as a bedroom, but she
22 went back upstairs when we got there.**

23 Q. And BR17 suggested that you should stay with him?

24 **A. Yes.**

25 Q. You say you wondered how your grandmother might react to

1 that suggestion.

2 **A. Yes. She didn't say anything.**

3 Q. And that's then what happened?

4 **A. Yes.**

5 Q. As you reflect on that, do you think she had no idea
6 what he was doing and that it seemed innocent to her?

7 **A. Yes, probably. I'd say she was a bit naive.**

8 Q. That's the incident in Dublin. I want to move to
9 paragraph 11, if I may, please, because you describe
10 an incident here where BR17 arranges for you and your
11 brother to go and live with his dad in the pub that he
12 operated in [REDACTED].

13 **A. Yes.** -

14 Q. Can you remember how that came about?

15 **A. I don't think I was ever told exactly why, but his**
16 **brother, BR17's brother was living at the house with his**
17 **wife, and she was pregnant at the time, and I know we**
18 **didn't stay there long, and I think when she had the**
19 **baby, it got too much for them to cope with, and we**
20 **ended up going back to Rubane House.**

21 Q. So can you remember -- you were there you think for
22 a few weeks?

23 **A. A few weeks, yes, because we actually went to school**
24 **there.**

25 Q. In [REDACTED] ? .

1 **A. In [REDACTED], yes.**

2 Q. And as you reflect on it now, you think he was intending
3 for you to be taken in essentially by his dad or his --

4 **A. Yes, I wondered that, if we were going to be adopted or**
5 **fostered. I'm not sure exactly.**

6 Q. And can you remember if abuse happened in [REDACTED] when
7 you were in the family's home?

8 **A. Oh, no, no, nothing happened there.**

9 Q. You mention at the end of paragraph 11:

10 "BR17 told us when we had to return to Rubane House
11 that we were to tell anyone who asked that we had been
12 staying with our parents."

13 Why now you, as you reflect, why do you think he was
14 saying that?

15 **A. I don't know. He just told us if we went back to Rubane**
16 **House, we had to tell people that my parents got back**
17 **together again and then they split up and that's why we**
18 **had to come back. I've no idea what was going on there.**

19 Q. Now in paragraph 12 -- and the Panel will be able to see
20 the name of the person that you are referring to; I am
21 just going to write it down -- you indicate that in
22 addition to you -- and the Inquiry will obviously hear
23 from your own brother -- you mention another individual
24 who was overheard talking about being abused by the same
25 individual.

1 **A. Yes.**

2 Q. Am I right in saying you -- he didn't tell you yourself,
3 but you overheard him talking about it?

4 **A. Yes, I heard him telling somebody else. He wasn't**
5 **speaking directly to me.**

6 Q. And is it something that you ever were able to talk
7 about with the other boys?

8 **A. No, I never did.**

9 Q. Now you mention, if we can look at paragraph 10, that
10 BR17 did things for your family. You describe him
11 giving your father 40 pounds at one stage, which
12 I presume at that point in time was a significant sum of
13 money?

14 **A. Yes, it was.**

15 Q. Do you know why he did that?

16 **A. I don't know why he did it, but I think my father needed**
17 **it, because he was in England. He went to England**
18 **looking for work and I don't think he could find any**
19 **work, and he was in debt and he needed to come back to**
20 **Belfast, because I actually went to the post office to**
21 **post the money. BR17 told me that I had to tell him**
22 **that I had saved the money up. I mean, how I had saved**
23 **40 pound in 1961 or 2 I don't know. It's a fortune in**
24 **them days, but I had to say it was my money, that I'd**
25 **saved it up.**

1 Q. And you -- this happened because your dad had written to
2 BR17 asking for help. Is that right?

3 **A. Yes, yes. I presume so, yes.**

4 Q. You describe then in paragraph 13 some further instances
5 of this type of behaviour. You say that he used to buy
6 you presents all the time. He bought you binoculars,
7 a concertina, a radio, a drum kit and a bicycle. Was
8 that all during or before the abuse began?

9 **A. During.**

10 Q. During, and you couldn't keep the bike at Rubane House.
11 So you left it with your dad?

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

13 Q. Was that at where he was living in Belfast?

14 **A. Yes.**

15 Q. Then you mention a spare room. Can you -- some of the
16 Order can't recall or the Brothers who are still alive
17 can't recall a spare room being available. Can you
18 remember where that was that you're talking about things
19 being kept?

20 **A. Oh, yes. The spare room. It was actually in a farm
21 building that was being done up. It wasn't in the
22 house. The farm building, they were like derelict
23 buildings and they were all done up. They were turned
24 into a snooker room, television room, a separate
25 television room for the De La Salle Brothers, and there**

1 **was a room there that wasn't used for anything else,**
2 **a small room.**

3 Q. So this was outbuildings, in fact?

4 **A. An outbuilding, yes, yes.**

5 Q. You didn't tell anyone that he was buying you the
6 presents?

7 **A. No.**

8 Q. Why was that? Why did you not tell anyone?

9 **A. He must have told me to tell people that my father had**
10 **bought them for me. I'm sure -- I'm sure he did. I'm**
11 **sure he said not to tell anybody.**

12 Q. What you're describing, his showing you favouritism, was
13 that obvious to the other boys do you think or --

14 **A. I don't know. Probably not if they didn't know that it**
15 **was him that was actually buying them for me. Perhaps**
16 **that's why I had to tell them my father was buying me**
17 **these presents.**

18 Q. You say at the end of paragraph 13:

19 "I had mixed feelings towards BR17. I knew he was
20 buying me gifts to keep me sweet, but I hated what he
21 was doing to me, but I didn't feel I could talk to
22 anyone about it."

23 Why did you not feel able to talk to anyone about
24 it?

25 **A. Who could I talk to? There was only children there**

1 **apart from the De La Salle Brothers, and he was the**
2 **headmaster there. So I couldn't go to the headmaster,**
3 **could I? He's the one that was doing it.**

4 Q. Do you recall at that stage there might have been
5 a chaplain, a priest living on the premises?

6 **A. There was a chaplain living there, yes, Father**
7 **Armstrong. I remember him well. My cleaning job was**
8 **cleaning his house every morning, just cleaning the**
9 **kitchen and making a fire and that's everything.**

10 Q. Did you feel ever able to talk to him about what was
11 happening?

12 **A. No, for some reason I never did.**

13 Q. And if we look at paragraph 21, please, at 868 and then
14 it moves over on to 869, you describe an incident where
15 your mother and your sister came once to visit you.

16 **A. Yes.**

17 Q. You think you had been there for quite some time when
18 that visit took place, and you then say:

19 "Normally if anyone had visitors like their parents
20 they'd sit", if we scroll down, please, "sit in the
21 classroom if it was raining and speak to them",

22 but you were shown the Brothers' sitting room to
23 use in the main building by BR17?

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

25 Q. Had he met your mum before? Do you recall whether you

1 had had any -- he had had the opportunity to meet with
2 your mum previously?

3 **A. I think he would have done, yes, yes.**

4 Q. And how would that have come about?

5 **A. I can't remember. I can't remember if he took us to see
6 her once or she came to see us on a previous occasion.**

7 **I really don't recall now. I can't remember why.**

8 Q. But this is a -- you would have seen this as a treat, as
9 it were, that you were being -- having a visit taking
10 place in this room --

11 **A. Yes, yes.**

12 Q. -- rather than somewhere else, and you recollect you
13 think you had -- food was brought in?

14 **A. Yes, tea and biscuits, something like that.**

15 Q. Who would have -- who would have done that? Was there
16 a lady working?

17 **A. No. BR17 would have told the cook. That's the only way
18 I can see it happening. The cook wouldn't take it off
19 his own back to do it.**

20 Q. Then you got into a bit of trouble with BR15 for coming
21 back into the room?

22 **A. Yes.**

23 Q. You make various comments about him that we will come
24 back to.

25 The Order, as I explained to you, has accepted

1 already that BR17 sexually abused boys in Rubane. If we
2 look at 2155, please, they have had this to say to the
3 Inquiry:

4 "It is with much regret and sadness that the Order
5 has learned in the last ten years that BR17 abused boys
6 in his care at Rubane."

7 They accept the accounts of travelling to Dublin and
8 [REDACTED]. They suggested, you say, perhaps some sort of
9 fostering arrangement was being considered, and they
10 acknowledge that 40 pounds being sent to your father
11 would have been a lot of money at the time. So the
12 Order has accepted what you're describing taking place
13 and that may be of some assistance.

14 You mention in your statement then, HIA399, some
15 physical abuse that I want to cover with you briefly.

16 **A. Right.**

17 Q. You mention in paragraph 18, if we just go back to it,
18 please, at 868, this again involved BR17 and you
19 witnessed him beating quite a few boys really hard with
20 a big cane and you say:

21 "I recall the sweat was pouring off him as he was
22 doing this. He looked like he was enjoying it too
23 much."

24 Did he ever do that to you?

25 **A. No.**

1 Q. No?

2 **A. No.**

3 Q. And was this something that happened in the classroom in
4 the school?

5 **A. Yes. All the boys were there and most of the Brothers**
6 **were there as well to witness it.**

7 Q. And was it -- I don't want to use emotive words -- but
8 a flogging by arrangement? When you describe that, were
9 people brought in to see?

10 **A. Yes, yes.**

11 Q. What had happened that that took place? What had -- can
12 you remember what the boys had done?

13 **A. Well, this one particular boy I am talking about, he**
14 **kept running away and he got beaten loads of times.**
15 **Every time he was brought back he got beaten.**

16 Q. Were you brought in to see that happening?

17 **A. We were brought in to watch it, yes.**

18 Q. And was that as a warning not --

19 **A. Probably.**

20 Q. -- for you not to run away?

21 **A. Yes.**

22 Q. You describe in paragraph 21 at 869 -- just scroll down
23 a little further, please -- that -- an incident where
24 someone was thrown into the swimming pool who couldn't
25 swim. Did you see that yourself or was that --

1 **A. No, I didn't. I didn't actually witness that. I don't**
2 **know why. I missed it or I don't remember it, but my**
3 **brother explained that to me once. He told me about it.**
4 **I didn't actually witness it.**

5 Q. It is maybe something that can be picked up with your
6 brother.

7 The other instance that you refer to, paragraph 26
8 at 869, by this stage woodwork or metalwork had been
9 introduced into Rubane and DL6 had now come to teach,
10 and his name shouldn't be used outside the chamber, and
11 you refer to him -- if we just scroll up a little
12 please. Sorry. Paragraph 25, not 26. His designation
13 is DL6. He had come from Nottingham and he used to
14 throw things in the classroom.

15 **A. Yes.**

16 Q. You describe him as being bad tempered.

17 **A. Yes.**

18 Q. What did he throw?

19 **A. He once threw a duster at me and it hit me in the eye**
20 **and he thought -- my eye started bleeding and he thought**
21 **he cut my eye, and he told me to go to see the nurse.**
22 **But when I went to the nurse, I went to the washroom and**
23 **had a look at it. My eye wasn't bleeding at all.**
24 **I'd cut my finger, but I'd rubbed it on my eye and it**
25 **looked like my eye was bleeding, but my eye wasn't**

1 **bleeding, and I just went back to the classroom. I was**
2 **all right.**

3 Q. When you say a nurse, this was someone who worked as
4 a cleaner on the staff --

5 **A. Yes.**

6 Q. -- but was a qualified nurse?

7 **A. She was a trained nurse, yes, as far as I know.**

8 Q. That's the one occasion when you were hit. Did you see
9 other people being dealt with in the same way?

10 **A. I've seen him throw things at people. Whether it ever**
11 **hit them or whether they ever needed medical treatment I**
12 **don't know. I can't remember. Probably not.**

13 Q. But at the same time as that type of incident and the
14 losing of the temper you felt you learnt from him in
15 a way that you didn't from others?

16 **A. Yes. I had never done woodwork or technical drawing**
17 **before and I actually learned quite a bit from him. I**
18 **got a certificate after twelve months for geometry and**
19 **technical drawing, but the rest of my education was**
20 **non-existent.**

21 Q. And you describe him as very quick tempered. He was
22 also English. You were making reference to me earlier
23 about the strange accent --

24 **A. Yes.**

25 Q. -- which caused a bit of the losing of the temper.

1 **A. Yes.**

2 Q. Do you want to explain what ...?

3 **A. Do I have to?**

4 Q. It may assist the Panel when considering other evidence
5 relating to this individual.

6 **A. DL6 was describing a procedure for putting a lining**
7 **round a chimney on a new building, and it is something**
8 **to do with waterproofing the chimney where the chimney**
9 **meets the slates, and I think it is called chasing the**
10 **rabbit round the chimney, but because he had a speech**
11 **impediment, he said, "This is called 'chasing the wabbit**
12 **wound the chimney'. You can laugh at this once and**
13 **I never want to hear you laughing again". So I thought**
14 **it was funny.**

15 Q. He had a problem with the Rs and it may be that was
16 abused by boys in his class?

17 **A. Yes, we used to laugh at him, yes.**

18 Q. You describe in your statement things like the allotment
19 and vegetables.

20 **A. Yes.**

21 Q. You can't remember who divvied out the allotment?

22 **A. No.**

23 Q. But you had a go at growing radishes and lettuces and
24 ...?

25 **A. Yes.**

1 Q. And how did that pan out?

2 **A. All right till they grow and then I couldn't eat them,**
3 **because I didn't like them, so I didn't do it anymore.**

4 Q. But did every -- can you remember if every boy had
5 a plot to --

6 **A. No, not everybody. Probably about eight to ten maybe.**
7 **Some of them used to do it quite well as well and kept**
8 **them neat. Grow flowers as well as vegetables.**

9 Q. And I was asking you, as you know, before you came to
10 give evidence whether you had any more positive memories
11 about your time beyond the experiences with BR17. There
12 were some Brothers that you had a good relationship
13 with?

14 **A. Oh, yes. No problem with most of them.**

15 Q. And you described BR63, for instance --

16 **A. Yes.**

17 Q. -- a young man who taught in the school.

18 **A. Yes.**

19 Q. And you had a good relationship with him?

20 **A. Yes, he was all right.**

21 Q. And you remember BR13, the older gentleman?

22 **A. Yes.**

23 Q. And you were describing to me where he worked. Could
24 you tell the Panel just about that?

25 **A. It was a little building next to the school building,**

1 **a small little one-room office on its own.**

2 Q. And when it came time for you to leave Rubane, you are
3 recorded in the admission record as going back to live
4 with your mother, but you do remember being involved
5 with DL367 and the Nazareth Lodge aftercare arrangement?

6 **A. Yes. I think I seen him once or twice, but that was
7 all.**

8 Q. And you thought you saw them in an office in Shaftesbury
9 Square?

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

11 Q. And you did begin working at a pub in May Street?

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

13 Q. But you then describe in paragraph 28 of your statement,
14 if we can look, please, at that, how on one occasion you
15 did go back to Rubane, despite what had happened with
16 BR17.

17 **A. Yes.**

18 Q. Can you explain to the Panel how that came about and why
19 you felt able to go back?

20 **A. Well, as it says in the statement, I met this guy that
21 used to be a cook in Rubane House. I met him in Belfast
22 somewhere about it must have been ten, eleven months
23 after I left there. So this would have been about
24 June/July 1963. I did go back to see the boys and also
25 to see this cook, because he had a scooter and he had**

1 another one back at Rubane House, and I went back really
2 to look at the scooter. I was thinking of buying it,
3 but when I got there, I never got a chance to speak to
4 any of the boys or I didn't even see the cook. I was
5 kept talking all day by BR15 and BR13. For some reason
6 I don't think they wanted me to talk to the boys at all.

7 Q. And when you decided to go back to look at -- talk to
8 the cook and the scooter --

9 A. Yes.

10 Q. -- had you already become aware that BR17 wasn't there
11 anymore?

12 A. Oh, yes. Sorry. I didn't say that. He told me -- the
13 cook told me he had left. That's the only reason I went
14 back, because he wasn't there anymore.

15 Q. The Panel is aware that he moved to Downpatrick in
16 September of '62.

17 Have you ever -- was there ever another occasion
18 when you went back to Rubane?

19 A. No, no. I moved to England probably two months after
20 I last went to Rubane House and I never came back to
21 Northern Ireland again till last March.

22 Q. You give some detail about it. I am just going to ask
23 you a little bit more. You joined the army when you
24 went to England?

25 A. I didn't join the army straightaway. I went to England

1 **in 1963. I worked for three years and I joined the army**
2 **in 1969.**

3 Q. What the statement doesn't tell us is you were a
4 wireless operator in the army.

5 **A. RTG, radio telegraphist, yes.**

6 Q. Obviously that's quite a skilled task.

7 **A. It was in its day, yes.**

8 Q. Where would those skills have come from for you? You
9 hadn't learned that in Rubane presumably. Where did the
10 skills --

11 **A. Well, the radio side came from my father. He was**
12 **a radio officer, civil aviation, and I had an interest**
13 **in radio from being very young.**

14 Q. And that job that you took on in the army --

15 **A. Yes.**

16 Q. -- you saw then most of the world --

17 **A. Yes.**

18 Q. -- at one stage or another over the next nine years?

19 **A. Yes.**

20 Q. Including the Middle East?

21 **A. Yes.**

22 Q. Libya before Colonel Gaddafi?

23 **A. Yes.**

24 Q. And most places through Europe. You mention on one
25 occasion you were in the jungle.

1 **A. Yes. I was in Malaysia three times, Malaysia and**
2 **Singapore.**

3 Q. Through all of that, HIA399, you at no time discussed
4 what had happened with you until the last few years?

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

6 Q. And you describe in paragraph 33 at 871 that you have
7 never spoken to the police about it. You didn't pursue
8 a civil claim against the Order, and you simply had
9 buried it within you?

10 **A. Yes.**

11 Q. Obviously you have engaged with the Inquiry and have
12 come forward to explain what happened to you. Have you
13 found that helpful after fifty years effectively of
14 keeping this within?

15 **A. Yes, yes. I have found it helpful, being able to talk**
16 **about it at last and get it off my mind. I feel it's**
17 **just the end of something now. It doesn't bother me**
18 **anymore like it did when I was younger. I was always**
19 **worried about it, always -- never wanted to talk about**
20 **it, but I'm glad I've talked about it now. I feel**
21 **better for getting it off my chest.**

22 Q. I was asking you, as you know, why you had been singled
23 out. I was then asking you -- you obviously have
24 an accent from the South of Ireland.

25 **A. Yes.**

1 Q. Was there many other boys in Rubane at the time with
2 a more Southern accent?

3 **A. Not that I recall, no, just me and my brother.**

4 Q. HIA399, I explained to you that -- you, in fact -- you
5 can speak Gaelic?

6 **A. I used to be able to at that time when I was Kircubbin.
7 I forgot it now.**

8 Q. And you were involved with the choir?

9 **A. Yes.**

10 Q. And you were an altar boy --

11 **A. Yes.**

12 Q. -- and so on, and you would have sung some songs in
13 Gaelic during the singing?

14 **A. Yes, I did.**

15 Q. HIA399, we always ask towards the end of someone's
16 evidence -- the Panel at the end of their work have to
17 make recommendations to the Northern Ireland Executive
18 about a potential apology, memorial or some other form
19 of redress of some kind, and we ask each witness who
20 comes forward whether there is anything they would like
21 to say or a view they would like to give about what
22 recommendations the Panel might consider making. Is
23 there anything that you'd like to say about that?

24 **A. I don't think so. I haven't given it any thought
25 really. I'm just glad it's over with.**

1 Q. And the last question, HIA399, that we ask each witness
2 -- you have obviously had the courage to come forward
3 and explain what happened to you, and this is your
4 opportunity to say whatever you would like to say to the
5 Inquiry Panel about your time in Rubane. It may be
6 I haven't covered some things in enough detail or I have
7 left out something that you think is important. If
8 there's anything else that you want to say to the
9 Inquiry, now's the time for you to do that.

10 **A. No, I don't think you've left anything out. I think**
11 **you've covered just about everything. I have nothing**
12 **further to add.**

13 Q. HIA399, if you remain where you are just for a few
14 moments, the Panel Members may want to ask you
15 something.

16 **A. Okay.**

17 **Questions from THE PANEL**

18 CHAIRMAN: HIA399, can I ask you about two things? The
19 first is what you've told us about being taken down to
20 [REDACTED] for some weeks.

21 **A. Yes.**

22 Q. It seems from what you have described that it must have
23 been during term time, because you went to school in
24 [REDACTED] for a few weeks. Isn't that right?

25 **A. Yes.**

1 Q. When you came back to Rubane, did any of the Brothers
2 ask, "Where have you been? What have you been doing?"
3 and so on? Did they show any interest in it or ...?

4 **A. I really can't remember. I really can't remember.**

5 Q. Thank you. If I could just then ask you about the
6 allotments, the little plots that you described.

7 **A. Yes.**

8 Q. You said that not everybody had them, only about eight
9 or ten boys.

10 **A. Yes.**

11 Q. Can you remember how it was that you came to have one?
12 In other words, did you volunteer to do it; did you ask
13 to do it; or did somebody just come and say to you,
14 "There you are, HIA399. There's one if you want to do
15 it"?

16 **A. I can't remember that now, how it works, whether you had
17 to ask for it or whether one came vacant and you got
18 one. I really don't know.**

19 Q. Thank you very much.

20 MS DOHERTY: Thanks, HIA399. Thanks very much for your
21 testimony. Can I just ask did BR17 try to remain in
22 contact with you after you left Rubane? Did he make any
23 attempts to be in contact --

24 **A. No.**

25 Q. -- with you? No?

1 **A. No.**

2 Q. Left it then. Did you -- did you think any of the other
3 Brothers were aware of his grooming of you and his abuse
4 of you? Did you have a sense that the other Brothers
5 maybe were aware of it?

6 **A. Possibly. I am not sure on that one, but it is**
7 **possible.**

8 Q. Okay. Just a final thing is about relationships between
9 the boys. Was there any issues of bullying between boys
10 in Rubane that you remember?

11 **A. Bullying? No, I don't remember any bullying at all.**

12 Q. Okay. Thanks very much.

13 MR LANE: Just going back to the question of the allotments
14 and so on, the De La Salle response to your statement
15 said that boys kept chickens and cats as well. That's
16 something we have not come across. Is that -- can you
17 confirm that?

18 **A. I don't recall that, no. I really don't remember. It**
19 **is a long time ago. I don't remember having chickens**
20 **and cats, no.**

21 Q. Right, and the other question --

22 **A. What would they feed them on?**

23 Q. Sorry?

24 **A. What would they feed them on? They need money to feed**
25 **them, yes.**

1 Q. The other question I was wanting to ask is that you
2 mentioned in paragraph 12 about one other boy who
3 mentioned abuse to you.

4 **A. Yes.**

5 Q. Otherwise did you think it was only happening to
6 yourself?

7 **A. No. I knew it must have been happening to somebody else**
8 **as well. I knew it must have been going on somewhere**
9 **else, yes.**

10 Q. Okay. Thank you very much.

11 CHAIRMAN: Well, HIA399, thank you very much for coming to
12 speak to us today. We very much appreciate that,
13 particularly as you have come not merely some physical
14 distance but obviously had to make a journey yourself to
15 come to the point where you felt you could tell others
16 about it, but as far as we are concerned that's all we
17 need to ask you.

18 We know your brother is coming next. So you are
19 welcome to sit here in the chamber if you wish to hear
20 his evidence, or if you don't think you want to, then
21 you can go with Rosemary, who will take you --

22 **A. Okay.**

23 Q. -- somewhere. It is a matter entirely for your choice.

24 **A. Okay. Thank you.**

25 Q. Thank you very much.

1 (Witness withdrew)

2 MR AIKEN: Members of the Panel, Ms Smith is taking the next
3 witness. Perhaps a few moments to allow that to be
4 arranged.

5 CHAIRMAN: Yes. We'll just rise for a moment or two.

6 (10.53 am)

7 (Short break)

8 (11.10 am)

9 WITNESS HIA261 (called)

10 MS SMITH: Good morning, Chairman, Panel Members. The next
11 witness this morning is HIA261. He is to be known as
12 HIA261 and he wishes to maintain his anonymity for the
13 purposes of the Inquiry. He is ready to take the oath,
14 Chairman.

15 WITNESS HIA261 (sworn)

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

17 Questions from COUNSEL TO THE INQUIRY

18 MS SMITH: Now the witness statement in respect of HIA261
19 can be found at RUB696. If that could be called up,
20 please. If we could just go to the last page, which is
21 706, HIA261, this is the witness statement that you have
22 provided to the Inquiry. Can I just ask you to confirm
23 that you signed that statement on 7th March 2014?

24 **A. I did.**

25 Q. And is this the statement of evidence that you wish the

1 Inquiry to take into account together with anything else
2 that you say this morning?

3 **A. It is.**

4 Q. Thank you. Now just for the sake of completeness,
5 Chairman, the Order's response statement can be found at
6 RUB2030 to 2031 and the exhibits are from 2032 to 2033.
7 In summary, if I can say that the Order accept that the
8 account which will be given of sexual abuse is likely to
9 be generally accurate.

10 The Health & Social Care Board have provided
11 a statement at RUB8066 to 8067 essentially indicating
12 that the admission to Rubane was by private arrangement
13 and they have no records in respect of this witness.

14 Now if I can go back to the beginning of the
15 statement at RUB696, HIA261, the -- as you will see, the
16 personal details about yourself and your family have
17 been blocked out of the witness statement, but you set
18 out the details of your family background in the first
19 five paragraphs of this witness statement and the
20 circumstances, how you came to be in Rubane.

21 If you could just scroll down, please, you are
22 originally from the Republic of Ireland and you
23 experienced family difficulties, if I can put it that
24 way, when you were growing up, and ultimately you and
25 your siblings were taken into care, and you were

1 eventually taken from -- you were in a home in County
2 Limerick at the end of paragraph 3. Then your mother
3 returned and she took you and your brother to live in
4 Belfast, and from there your parents reunited and your
5 sisters were taken to Nazareth House on the Ravenhill
6 Road, but they came to visit you in your family home,
7 and thereafter there was an incident which involved you
8 all being taken back into care. You spent a very short
9 period of time at Nazareth Lodge, but within a couple of
10 months you were then taken to Rubane House in Kircubbin.
11 Is that correct?

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

13 Q. Now you were in Kircubbin from March 1960 until
14 July 1962. I am going to move on to deal with what
15 happened to you while you were there. You were there
16 between the ages of 9 and 11 and you were there with
17 your brother. Isn't that correct?

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

19 Q. He has given evidence to the Inquiry this morning. I am
20 going to use his name, HIA399, to make it easier for
21 you, but neither of your names should be published
22 outside this Inquiry chamber without your written
23 permission.

24 Just generally talking about life in Rubane --
25 sorry.

1 **A. Is it worth making -- me making it clear at the moment**
2 **that I haven't seen or heard my brother's evidence?**

3 Q. That's absolutely fine, yes, HIA261, and we are aware of
4 that.

5 **A. Right.**

6 Q. Perhaps other people in the chamber weren't aware that
7 you haven't heard what he has said.

8 Just for clarity's sake, you have had some
9 conversation with him about your time in care?

10 **A. Oh, yes, yes.**

11 Q. But as you have explained to me this morning, you, while
12 you know he was abused, you were not aware of any of the
13 details of the abuse that he suffered. Is that correct?

14 **A. That's correct.**

15 Q. Now just generally about life in Rubane when you were
16 there, you talk in paragraph 7 and paragraph 10 about
17 what contact you had with your own family apart
18 obviously from HIA399, who was in the home with you.
19 You say that your sister had moved to Belfast and she
20 couldn't live with your father, and she came to visit
21 about once a year?

22 **A. Yes.**

23 Q. You do remember your mum visiting you on one occasion
24 after she had a new baby. She came along with your
25 sister -- isn't that right -- that time?

1 **A. She visited once.**

2 Q. Your father never came to see you, though?

3 **A. I don't remember him coming in at any time.**

4 Q. Then you talk at paragraph 10 about an occasion when
5 your sister did come to visit. You say it was a few
6 times, but not that often, and you say that that was one
7 of the few times that you were allowed into the
8 Brothers' sitting room in the main house to have a cup
9 of tea --

10 **A. Yes.**

11 Q. -- when a visitor came. So that is where you remember
12 family visits took place?

13 **A. Yes.**

14 Q. And you talk about two Brothers there telling you to get
15 out of the sitting room one time when your sister was
16 there when you were having tea, even though you had
17 permission to be there?

18 **A. We had permission to be there from the principal.**

19 Q. That would have been the only contact you would have had
20 with your family members other than HIA399 during your
21 time in Rubane. Is that right?

22 **A. Yes.**

23 Q. You talk about the education you received in the home.
24 You say you went to site -- school on site at Rubane and
25 you believe the standard of teaching wasn't great, if we

1 just look at paragraph 11. You yourself didn't have any
2 problem with reading or writing. You remember studying
3 mathematics and arithmetic. There was no programme for
4 you to do the 11 Plus, and you feel that this is where
5 favouritism came into the equation, and Brother who is
6 given the designation here BR17, who we know was BR17 --
7 and again it is a name that's not to be used outside of
8 the chamber -- he asked you to study for the 11 Plus and
9 put you in for it, but you didn't pass, and you believe
10 you were the only person that year to sit that exam. Is
11 that correct?

12 **A. From that school, yes.**

13 Q. You go on to say there that your brother -- you
14 believe -- your brother -- this particular Brother,
15 I should say, was abusing your brother HIA399 around the
16 same time that you sat the 11 Plus. You think he pushed
17 you or treated you like a favourite at times because, as
18 you describe it, he was touching up your brother. Now
19 can I just ask you why you -- how you knew that or why
20 you believed that?

21 **A. Well, the Brother had -- we'll keep to your words --**
22 **touching -- had been touching me up on various occasions**
23 **and I -- and I just took it -- I assumed that it would**
24 **be right that he would be abusing my brother at the same**
25 **time, simply because my brother got a lot -- a lot of**

1 **favouritism and gifts disguised as gifts from the family**
2 **when they were actually from BR17. So it was just**
3 **an assumption that if I was being abused, then -- and my**
4 **brother was getting a lot more favouritism, I assumed he**
5 **must be being abused as well.**

6 Q. I will come on to talk about the abuse you were
7 suffering, but if I can just talk again generally about
8 some of the other aspects of life in the home.

9 In paragraph 12 you describe the food as basic, well
10 enough fed, but you say:

11 "The contrast between the Brothers and us was stark.
12 We had our dining room in the cellar just like Oliver
13 Twist while the Brothers' dining room was more akin to
14 a five star hotel. The Brothers had silver service.
15 They had the best of everything, the best food, the best
16 china. We only had basic food. I wasn't hungry, but
17 I ate everything I got, and I accepted what we were
18 given as normal."

19 So, looking back on it, you see the food as basic,
20 but at the time you didn't have a particular complaint
21 about the food other than the fact that the Brothers
22 were getting better food. Is that it?

23 A. **I'd say that the food was adequate, but the contrast --**
24 **there was definitely a major contrast between our food**
25 **and the Brothers' in the sense that, like I said, their**

1 dining room, they would have a three-course meal whereas
2 we would have basic, and as for getting enough food,
3 when I -- when I look back, yes, I don't remember going
4 hungry, but there were on -- occasions when some of the
5 Brothers would -- say of an evening we got two slices of
6 bread. There were occasions when some of the Brothers
7 would break a loaf up and put it on the table and we
8 could take what we want, and when we took, then we took
9 a lot more than two slices. So that tells me that we
10 could have been fed a bit better. That's how I see it.
11 We used to look forward to when some of the Brothers
12 would do this, because we would have extra food.

13 Q. The Order would say that the boys were given the same
14 food as the Brothers, that there was no difference made
15 between what you ate and what the Brothers ate.

16 A. I would say that that is totally wrong. I'll stick by
17 my guns with that.

18 Q. You talk in -- about contact with other people other
19 than your family while you were in Rubane. You don't
20 remember anybody from Social Services coming to visit or
21 anyone else in authority. You do remember, however, the
22 nit nurse coming out now and again. You say if she
23 found you had nits, you would get your head shaved. You
24 don't remember any medical treatment for nits in those
25 days. You just got your head shaved.

1 You say that one year a Brother whose name -- again
2 BR17 -- and that will be redacted before this is placed
3 in the public domain -- you say he sacrificed you to the
4 nit nurse:

5 "... because he didn't want people to think I was
6 getting special treatment."

7 You say he checked your brother's hair to make sure
8 he had no nits and then presumably he was able to stand
9 to the side, but he didn't check your hair and you had
10 to have your head shaved.

11 **A. That's -- that's how I saw it and I saw that I was**
12 **sacrificed so that he wouldn't be seen to show too much**
13 **favouritism to both of us, and also this happened on**
14 **different occasions, but there was never any animosity**
15 **or bad feeling between myself and my brother. To me**
16 **this is just what happened. This is how it was. That**
17 **was it.**

18 **Q.** And you said that this -- you felt ashamed that your
19 head had been shaved, because you felt you had done
20 something wrong.

21 **A. Well, it's a terrible thing to -- you know, to have the**
22 **head of bushy, curly hair and then suddenly you have it**
23 **shaved off. You then -- the bad thing about it was**
24 **going out into the playground where all the boys were**
25 **let's call it normal and you were -- you stood out. So**

1 yes, it was -- yes, you felt as if you did something
2 wrong. You felt as if you had been punished. You just
3 felt terrible about it, but having said that, that again
4 was what happened. So you accepted it, and then again
5 -- I may have mentioned this sort of later, about going
6 out and resilience.

7 Q. Yes. You actually mention it in the paragraph that's on
8 the screen.

9 A. Right. So what we did then was the resilience of being
10 a child and accepting you felt terrible, but within two
11 hours you were playing with the other boys normal games
12 again except your game had changed from Cowboys and
13 Indians to Baldies against Hairies. So -- but that was
14 the situation. You accepted it and you just got on with
15 it.

16 Q. Can I just ask you -- some people have complained to the
17 Inquiry that head shaving was used as a form of
18 punishment, for example, for absconding. Do you
19 remember that?

20 A. I don't personally remember that. It doesn't mean it
21 wasn't. I don't personally remember it.

22 Q. You do remember that there were other health inspections
23 while you were there. You remember seeing a doctor or
24 a nurse on occasions.

25 A. Yes. We saw a doctor and a nurse in one of the rooms

1 off the main hall and we were just -- general examine --
2 general examinations, not on a regular basis, but I do
3 remember it happening.

4 Q. And you remember seeing a dentist once when you had
5 a bad toothache?

6 A. I was taken to a dentist's cabin that was parked in
7 a lay-by by Strangford Lough. So I was taken there to
8 have my tooth out, and on that particular occasion
9 I~will just add in that on that day I was trying to
10 skive and I didn't have a toothache, but I didn't have
11 the strength to tell them that I was fibbing. So they
12 pulled the tooth out anyway.

13 Q. You talk about the chores you had to do in Rubane at
14 paragraph 15, and you remember on Saturday morning your
15 job was to clean the main staircase. You had to clean
16 the dormitories, polish the linoleum with heavy wooden
17 buffers, and you do recall that in September you were
18 out picking potatoes from 7.30 am for local farmers.

19 A. Yes.

20 Q. You got time off school to do it. You say:

21 "The Brothers got paid a pound a day for us and we
22 got a shilling on Sunday."

23 Then you talk about being told that the next person
24 to bring a mouse home -- you brought mice home in your
25 pockets from the fields -- would burn in hell. You

1 don't remember which Brother in particular issued that
2 threat, though.

3 **A. Correct.**

4 Q. You do remember this wasn't just picking potatoes on the
5 farm in Rubane. It was for other farmers as well. Is
6 that correct?

7 **A. Well, we went out to local farmers, and the Brothers,
8 the home, the Order got paid for our labour. When we
9 say -- you know, looking back, when I say a pound a day,
10 that might sound a bit too much. I really am not too
11 sure on that, you know. It sounds -- to me now a pound
12 a day sounds an awful lot of money in those days, but
13 they got paid and we got a few shillings at the end of
14 the week.**

15 Q. We have heard other boys say that you didn't -- that
16 this money was given and you were able to spend it in
17 the tuck shop. Is that your recollection?

18 **A. Yes. We had -- we could buy some sweets at the -- at
19 the tuck shop, whatever it was, yes.**

20 Q. Can I just ask then this -- you remember that in
21 September you went out picking potatoes. Is that the
22 only time you were taken out of school to go to work on
23 farms?

24 **A. I only remember that as spud picking time when it
25 happened, September. It may run into October. I'm not**

1 **sure.**

2 Q. Can you remember any other times in the home, for
3 example, Christmas? Do you remember how that was
4 celebrated or what happened around then?

5 A. **Christmas was always religious, you know. The biggest**
6 **thing about Christmas was we would -- you know, making**
7 **little cribs and you were very -- seen as very posh if**
8 **you had a battery and a bulb in it to light up the back**
9 **of it, but out Christmas was not -- it wasn't party and**
10 **fun. It was all religion, and, of course, being in the**
11 **choir, we would -- we would then have to give up our**
12 **playing time after school to practise.**

13 Q. And do you remember how birthdays were celebrated at
14 all?

15 A. **Not very -- they weren't well celebrated at all. We**
16 **wouldn't even get anything from -- from home. We**
17 **wouldn't expect anything from home, but BR17 would**
18 **sometimes get us a present and put it down to coming**
19 **from our family.**

20 Q. When you say "get us", you are talking about yourself
21 and your brother HIA399. Is that right?

22 A. **Yes, as favouritism.**

23 Q. It wasn't something that was done for all the boys in
24 the home?

25 A. **No, no.**

1 Q. What about trips out of the home? Do you ever remember
2 any trips, going anywhere on trips or ...?

3 A. Trips out for the choir on day trips. Because of our
4 time spent practising after school, we would then get
5 a day trip out, where I think we -- one day we went --
6 we were taken down to The Skerries for the day.

7 Q. What about holiday time? Did you get -- in the summer
8 holidays?

9 A. Ah! We went to -- yes, we went on a holiday up to -- up
10 to the north coast. I can't -- I can't quite remember
11 --

12 Q. The Order would suggest that you were taken to a house
13 in Glenariff. Does that ring a bell, or Cushendall or
14 Cushendun? Do those names mean anything?

15 A. No. The -- there was -- I remember going -- at one
16 stage going up -- sorry. I am getting confused. We may
17 have gone up to the north coast with Nazareth Lodge.
18 That's it. Down -- down in Rubane House I don't
19 remember the holidays. I'm not saying they didn't, just
20 that I don't remember them specifically. Myself and my
21 brother were allowed to go to Belfast to stay with my
22 father for two weeks, you know, so whether this -- we
23 went there for two weeks while the school was off,
24 possibility.

25 Q. Well, at paragraph 8 of your statement, if we could just

1 go back up to that, please -- it's on page 698 -- you
2 talk generally here about the Brothers that you remember
3 during your time there and you talk that BR17, who was
4 BR17, was the principal of Rubane while you were there.

5 **A. Yes.**

6 Q. The other Brothers you remember are BR15 and BR12. You
7 describe BR15 as vicious and bad tempered, although you
8 never saw any signs of sexual abuse from him. You
9 remember when you were queuing up for your meals if one
10 of the boys laughed, he would make you all stand in
11 silence for fifteen minutes. You describe him as very
12 controlling. BR12, BR12, you say was the farm manager
13 and you describe him as a big stocky man.

14 **A. Uh-huh.**

15 Q. Did you have much dealings with the farm manager at all
16 during your time there?

17 **A. Not much dealings with BR12, but I went into the house**
18 **one day when I shouldn't have been in the house. I was**
19 **going down to the locker room downstairs beside the**
20 **dining room, the cellar dining room, and he caught me at**
21 **the top of the steps and asked me what I was doing and**
22 **told me that I shouldn't be in the house, and I said**
23 **I just wanted to go down and get something from my**
24 **locker, and at that he hit me with the side of his arm,**
25 **and this is a big man hitting me a full wallop with the**

1 side of his arm and knocked me flying against the wall
2 -- totally unnecessary -- and then told me to get out.

3 **Totally unnecessary.**

4 Q. You talk about that in paragraph 17 and I will come on
5 to deal with those matters, but that's the only
6 interaction that you had with this particular man?

7 **A. Yes.**

8 Q. Can I just ask before we move on to talk about some of
9 the specific allegations that you make about what
10 happened to you do you have good memories of your time
11 in Rubane? Were there any positives that you remember?

12 **A. Well, as children you made your own fun. So, you know,**
13 **yes, we had -- we had a swimming pool down at the bottom**
14 **where -- of the grounds where we could swim. Obviously**
15 **it had to be in the middle of summer, but there were**
16 **days when -- yes, and we played football. So, you know,**
17 **everything is not 100% misery. So there obviously are**
18 **and were, you know, good times. We could -- you know,**
19 **some of the boys would be given a plot of ground to grow**
20 **plants at the edge of the football field. So nothing is**
21 **all doom and gloom.**

22 Q. Can I just ask you about the football you are talking
23 about? Was that soccer or was that Gaelic football?

24 **A. We weren't -- it was Gaelic football. We weren't**
25 **allowed to play soccer, because it was seen as**

1 an English game, and there was an incident when we
2 actually got a real telling off for playing soccer when
3 some visitors came when BR17 was away.

4 Q. You haven't spoken about that incident in your
5 statement.

6 A. Well, what happened was that the visiting Brothers from
7 Belfast came down and BR17 was away, wanted a game of
8 soccer and we told them we couldn't play soccer. So
9 they said, "Well, you know, it is only a football game".
10 So, of course, we joined in and had a good game of
11 soccer, good fun, but when BR17 came back and found out,
12 he got us all in a line and told us everything going
13 back to religious fights, even referring to Cromwell,
14 and found all sorts of reasons why we should never ever
15 play soccer.

16 Q. If I can then now, HIA261, move on from the general
17 circumstances of Rubane and your memories of them to the
18 specific instances you want the Inquiry to know about
19 what happened to you there. You have already told us
20 that BR17 showed favouritism towards yourself and your
21 brother and about how you knew or believed that your
22 brother was being abused by him.

23 You also talk at paragraph 16 about being
24 threatened. At the end of paragraph 15 you talk there
25 about the Brother issuing this threat that we talked

1 about for bringing the mouse back, that you would burn
2 in hell. You say you were constantly threatened with
3 burning in hell. Was there -- was this part of the
4 atmosphere in the home? What do you mean exactly by
5 that?

6 **A. Well, we couldn't -- looking back, I couldn't understand**
7 **why we had to have a God that was to be feared and we**
8 **were constantly told about if we didn't say our prayers,**
9 **how we would end up in hell. If we committed sin and if**
10 **we used swear words, that they were so vile to use, that**
11 **we would end up in hell. Everything seemed to be**
12 **a threat whereas religion should be happy, not fearful.**

13 **Q.** You talk in paragraph 16 about an occasion when a priest
14 came from Belfast to give you a lecture on Christianity.
15 You can't remember his name, but he -- again it was this
16 sort of:

17 "There was only one thing keeping us out of hell.
18 That was saying our prayers. If we didn't say our
19 prayers, we would burn in hell. The only thing keeping
20 you from dying at night was your breathing. If you
21 stopped breathing and died in your sleep without saying
22 your prayers, you would go straight to hell."

23 This was in the early days of your time in Rubane.
24 You were very young at the time and the effect -- you
25 describe the effect in this paragraph that that had on

1 you.

2 A. Well, these are visiting priests again from Belfast, and
3 late in the evening one decided to get us all together
4 and give us a talk about how we have to say our prayers
5 at night, and there is only -- there is only -- if we
6 don't say our prayers at night and we die in our sleep,
7 we will end up going to hell, and there is only one
8 thing keeping us awake -- sorry -- keeping us alive at
9 night and that's our breathing, and if we go to bed at
10 night and stop breathing and die and we haven't said our
11 prayers, we'll go straight to hell, and where there will
12 be three days of darkness, three days of light and the
13 world will end and then we will have to go in front of
14 God and make up for all our sins. So this is
15 frightening.

16 So I went to bed that night and my brother was in
17 the bed at the end of the room beside mine, and
18 I couldn't sleep and I was crying, and my brother was
19 asking me, "What's wrong?" and I said, "Well", I said,
20 "I am frightened to go to sleep in case I stop breathing
21 in my sleep and go to hell" and he said, "Well", he
22 says, "it is only that priest trying to frighten you".
23 I says, "Well, he is doing a good job" and my brother
24 said to me -- he said, "Well, look, don't worry", he
25 says. He said, "You go to sleep", he says, "and I'll

1 listen for you", he says, "and if you stop breathing",
2 he says, "I'll wake you up and you'll be all right".

3 So I'm going to sleep and then I'm crying again and
4 he says, "What's wrong now?" and I said, "It's dark
5 outside". He said, "Well, what's wrong with it? It's
6 night". I said, "But if it doesn't get light in the
7 morning, it might be the beginning of the end of the
8 world". So then he just said, "Go to sleep", he said.
9 "I think it's the priest that wants a wallop, not you".

10 So that is the kind of thing that happened. So, you
11 know, to go to bed in fear of dying and going to hell
12 and being burnt eternally, it's not good for a kid, you
13 know. That's how it was.

14 Q. You -- your brother is older than you. Is that right,
15 HIA261?

16 A. Yes, there's about three years between us.

17 Q. So he would have been 12 at this stage when you are 9?

18 A. Yes, yes.

19 Q. And can I just then go on to talk about another matter?

20 You have already told us about paragraph 17 where --
21 this incident involving BR12, the farm manager, and
22 getting -- trying to go to the locker in the house.

23 You also talk about -- at paragraph 18 about another
24 Brother, BR15, and you say a time when you were down at
25 the swimming pool he threw a young boy who couldn't swim

1 into the pool just for fun. You give the name of the
2 boy that he did that to. You say he was about a year
3 younger than you. So you think he was about 8 years of
4 age at this stage and he was small for his age.

5 "He managed to scramble to the side and was gripping
6 on to the handrail at the side when BR15 dragged him off
7 it and threw him in again. The Brother was trying to --
8 the boy was trying to paddle underwater and was
9 screaming, 'Please, Brother, I can't swim. I'll give
10 you my shilling on Sunday'. The Brother just laughed
11 and said, 'Now you see? You can swim if you want, can't
12 you?' The boy had to agree, but he couldn't swim and he
13 was terrified."

14 You actually witnessed this episode, HIA261?

15 **A. Yes, yes.**

16 Q. Apart from yourself were there other boys around?

17 **A. There were. There were.**

18 Q. Was this the only boy that was done to?

19 **A. Yes.**

20 Q. You also talk at paragraph 19 of an incident where you
21 remember two boys running away from Rubane and being
22 brought back by police. You say:

23 "We were all gathered in the front room -- school
24 room and the boys who had run away were at the front.
25 We were forced to watch while they were given a beating

1 by BR17", was it? Yes, BR17. "The boys were dressed in
2 just their swimming trunks so they had no protection at
3 all. BR17 beat them on their backsides and their thighs
4 with a very brutal stick. The boys were beaten so badly
5 they leapt in the air with pain. BR17 had sweat
6 dripping off him he was putting so much effort into the
7 beating. Looking back now, I can see the purpose of
8 this public beating was to terrify the boys and show us
9 what would happen if we had the audacity to run away."

10 Now was this in front of the entire residents, of
11 all of the boys that this took place?

12 **A. Yes, it was -- yes, it was in front of the entire**
13 **school, and they were made take their clothes off and**
14 **put the swimming trunks on so that there was no**
15 **protection for them, and they did leap in the air, and**
16 **BR17 put everything he had into that beating and, as**
17 **I said, he was perspiring.**

18 **Q.** And this wasn't any -- this wasn't some form of corporal
19 punishment taking place in the school, for example?

20 **A. You mean because of schooling or because of problems in**
21 **the school?**

22 **Q.** Yes.

23 **A. It was because they had run away and they were found on**
24 **the road to Belfast and taken back by the police. So**
25 **then BR17 decided to show -- I assume to show us what**

1 **would happen if anybody did that, if anybody tried to**
2 **run away again.**

3 Q. You go on to talk about the sexual abuse that you
4 suffered at the hands of this particular Brother, and
5 you say that the first time it happened, when you were
6 about nine years of age, was a summer evening. You were
7 coming back from playing football. You went up to the
8 dormitory and he was there. You were looking for a
9 headache tablet. He gave you an Alka Seltzer. He put
10 his hand up your shorts, touched your private parts, and
11 you say this happened in his room beside the dorms. You
12 did not know what to do and he kissed you on the
13 forehead and walked out of the room. You say he did
14 that to you a few times.

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

16 Q. You say you knew it was wrong, but you didn't know what
17 to do about it. So, knowing that it was wrong, you
18 decided to speak to the priest. You say he was the
19 regular priest who heard mass and heard confession at
20 Rubane. There would have been a chaplain assigned to
21 the home. Is that the person that you remember going to
22 confession to?

23 **A. I don't remember the name or the priest. I know that**
24 **I went to confession, told the priest what was**
25 **happening. The priest then said to me, "You must go and**

1 tell the principal". The only problem was it was the
2 principal that was doing it. So therefore I was thrown
3 into confusion. So I didn't know what to say to the
4 priest. So my answer to the priest was -- quick answer:
5 "The -- well, the principal knows". So whether the
6 priest picked up on all that I don't know. I assume he
7 had the intelligence to pick up on it.

8 Q. So -- and you at that stage thought that you had
9 committed another sin by --

10 A. Well, it confused me, because confession had gone wrong.
11 This was something that was supposed to go smooth and
12 then suddenly I am thrown into, "What do I say now?"

13 Q. You also talk about an occasion which involves your
14 brother, that there was one occasion where new swimming
15 trunks were ordered for the boys for the home. When
16 they arrived, BR17 picked out your brother and got him
17 to try the trunks on and let him pick his favourite pair
18 out of the trunks. You say that he got the best,
19 flashiest swimming trunks, as you describe them. Then
20 you say when he brought you in to pick up your trunks,
21 he brushed up against you and gave you the worst trunks
22 in the pack. You thought the reason he did that was to
23 try to even things out so that you wouldn't both -- both
24 you and your brother wouldn't stand out as his
25 favourites?

1 **A. As being favourites, yes. I got the type of swimming**
2 **trunks that when you jump in the water, they end up down**
3 **at your ankles, so -- the woollen ones, not very**
4 **comfortable.**

5 Q. You talk that you used to sleep walk when you were in
6 the home?

7 **A. I did, yes, I did, as a kid, yes.**

8 Q. You remember one night you walked in your sleep and you
9 walked into the Brother's bedroom. Can I just pause
10 there and ask where were the bedrooms in relation to the
11 dormitory, HIA261?

12 **A. At the front of the house upstairs there was a long**
13 **dormitory. There was one to the side, one to the other**
14 **side and then to the side of the dormitory there was**
15 **BR17's room, if that helps, which isn't far away.**

16 Q. And I presume -- I mean, from what you relate in the
17 statement you obviously thought you were going to the
18 bathroom, but you walked into his room instead?

19 **A. I was kind of lucky that his electric fire wasn't**
20 **switched in, because when I woke up -- when he woke me**
21 **up, I was peeing on his electric fire.**

22 Q. And you say he took you then to the sink to finish going
23 to the toilet --

24 **A. Yes.**

25 Q. -- and then put you into his bed --

1 **A. Yes.**

2 Q. -- and you went to sleep.

3 **A. Yes.**

4 Q. You say when you woke up, you felt his privates in your
5 hand and he tried to have his hands round your privates
6 and then he put you back to bed?

7 **A. Yes.**

8 Q. Again you knew something was wrong and you avoided him
9 after that?

10 **A. You tried to avoid these people, but obviously sometimes**
11 **you can't.**

12 Q. You say that -- in paragraph 23 you go on to describe
13 more about this sexual abuse with you, and although you
14 have never discussed what happened with HIA399, you
15 thought that he had maybe gone further with your brother
16 than he did with you. You recall about six or seven
17 incidents of sexual abuse which you would describe as
18 inappropriate touching and they happened mainly in his
19 room. As you say, your brother never confided in you
20 regarding his treatment, but you recall having your
21 suspicions, because he, HIA399, received a lot of gifts
22 and cigarettes from this Brother, gave him presents on
23 his birthday.

24 You relate a particular incident where there was
25 a card signed "From Uncle from Canada" and another

1 Brother you can't remember, you remember him saying to
2 HIA399, "I see you got another parcel from your Uncle
3 in Canada. There's no stamp on it". So you
4 believe from that the Brothers were aware that there was
5 something ...?

6 **A. They could see that there was something. He got**
7 **a parcel full of sweets and things and the card and it**
8 **was from Uncle in Canada, but it obviously had**
9 **come local. It hadn't come from Canada, and some of the**
10 **Brothers did have their suspicions, because they would**
11 **just drop little hints now and again.**

12 Q. You go on to say about although HIA399 had a favourite
13 job, as it were, having the key to the store and to the
14 tuck shop, you never resented him for being a favourite,
15 but you were certain if they were happening -- if these
16 things were happening to you, they were likely to be
17 happening to him?

18 **A. Yes.**

19 Q. Now you talk in paragraph 24 about being taken by BR17
20 to stay with his family outside of the home. I think
21 that was in .

22 **A. Uh-huh.**

23 Q. You remember you stayed there for about three weeks.
24 You even went to school in when you were there.

25 **A. Started school. We were going to live there.**

1 Q. That was your understanding was that you were going to
2 live there, that you weren't going back to Rubane?

3 **A. Yes.**

4 Q. But you remember hearing -- overhearing a conversation
5 between him and his sister and brother-in-law about them
6 going to adopt you, but then their mother took ill and
7 you remember something about a shadow on the lung.

8 A few weeks later you were back on Rubane. You were
9 told to tell everyone that things hadn't worked out with
10 your parents. You think that was about halfway through
11 your time at Rubane.

12 **A. This was all unofficial, to go to -- to get us to go and**
13 **live with his family, and nobody else was supposed to**
14 **know about it. We were supposed to be "going home" to**
15 **our own parents. Therefore when we went back then, we**
16 **just had to say, "No, things didn't work out at home**
17 **again".**

18 Q. You talk -- you move on to say your mother took you out
19 of Rubane when you were 12 and you went to live with
20 her. That was in Belfast?

21 **A. Yes.**

22 Q. At that stage your father wasn't part of your lives.
23 Your sisters were still in care, but the abuse that you
24 suffered at the hands of this man didn't end when you
25 left Rubane. He came to visit you at home in Belfast.

1 Isn't that right?

2 **A. He used to come and visit on a regular basis and he**
3 **would actually help my family.**

4 Q. You recall one visit where he stayed in the house and
5 somehow you ended up sharing a bed with him and he
6 abused you on that occasion, as you have described in
7 paragraph 27. You then say that, you know, he was able
8 to leave and go down as though nothing had happened and
9 have his cup of tea downstairs.

10 If you just scroll on down, please, you remember
11 that he did help your family and that you couldn't tell
12 anybody about what he had done or was doing because of
13 this control that you feel he had over your family?

14 **A. Can I just say what happened?**

15 Q. Yes, sure.

16 **A. Well, he did stay the night at my family home, which was**
17 **just a flat. Somehow he stayed the night and ended up**
18 **arranged that we would share a bed, of which I didn't**
19 **want, but then again didn't know how to explain that,**
20 **and I woke -- I mean, am I -- do you want me to carry --**
21 **do you want me to explain this?**

22 Q. Well, the reason I -- it is in your statement and the
23 reason I haven't gone into it in any great detail is
24 because it happened after your time in an institution,
25 HIA261?

1 **A. Right. That's fine.**

2 Q. But the point is that this man continued to visit you
3 outside of the home and continued to abuse you even
4 after you had left the home?

5 **A. Yes, yes.**

6 Q. And you then describe in -- your mother eventually
7 decided that you were going to move to England and she
8 moved you from Belfast. You describe in the next -- in
9 paragraphs 29 through to 33 what your time -- what your
10 life was like afterwards, about the effect that this
11 abuse and your time in care had had on your life. You
12 say that it affected you deeply. I am not going to go
13 into the details of your life. They are there for the
14 Inquiry Panel to read, but you do just say that one of
15 the things -- one of the effects is that you are
16 fiercely independent as a result of what has happened to
17 you and your time in care. You are now in a happy and
18 strong relationship and your life -- you have been
19 getting on with your life and you have made a life for
20 yourself despite your experiences?

21 **A. Yes.**

22 Q. If we could just scroll down, and you make the point
23 that your brother and your sister were not maybe as able
24 to cope in this robust a way as you had been able to do,
25 but you have never reported the abuse you suffered to

1 the police?

2 **A. No.**

3 Q. And you have never made any civil claim in respect of
4 what -- your time in Rubane, although you did receive
5 some compensation from the Republic of Ireland about the
6 time you spent in the home in Limerick?

7 **A. Yes.**

8 Q. At paragraph 36 then you say:

9 "I don't think there is anything wrong with religion
10 in itself; it is the bad people who are in it. Having
11 said that, there were some good, empathetic, helpful
12 people in these organisations as well. That should not
13 be forgotten."

14 Can I ask you if you remember anyone in particular
15 in the home who was good to you and to the boys? Is
16 there any --

17 **A. I -- there was a BR63, who was quite a young Brother,**
18 **who I never saw anything wrong with, who was always fun**
19 **and sort of -- well, I liked him. Then there was**
20 **another Brother. He would be about 35 to 40 and he --**
21 **I am describing him because I can't remember his name --**
22 **bald-headed and he had -- all I remember is that he had**
23 **come back from Malta or he had been somewhere in Malta**
24 **and then came to the home, and he was very good. Of**
25 **course, there were -- there would have been other people**

1 there as well that were good. It wasn't all bad. We
2 must not forget the good people, because they are -- you
3 know, it wasn't -- they were not all bad people. There
4 were some bad people. We must not forget that there
5 were good people there as well.

6 Q. I think you have probably answered the question I was
7 going to ask you. As you sit here today, what do you
8 feel about those who were charged with your care as
9 a child?

10 A. We obviously didn't have the best of care. These people
11 were there to look after us and they didn't. Some of
12 them looked after us very well and some of them abused
13 us. It is just unforgivable, the things that some of
14 them did, and I am talking about literally affecting
15 a child's head and how they are thinking. How could
16 they do that to a child? In my opinion, if I can say
17 it, if somebody wants gratification, they can go and
18 find an adult and do what they want in private. Don't
19 do it to a child. Just -- I can't believe that they
20 couldn't consider the damage that they could do.
21 I count myself lucky, because I'm reasonably stable, and
22 I count myself very successful, because I have the
23 things in life that are important to me. I'll leave it
24 at that.

25 Q. Thank you. Is there anything, HIA261, that you feel in

1 going through your account of what occurred when you
2 were in Rubane that we haven't covered or is there
3 anything else that you want to say to the Inquiry? This
4 is the opportunity to say that at this stage.

5 **A. I think we have -- I think we have covered everything.**
6 **When I leave, I will remember something. So that's**
7 **normal, but in general, you know -- the last thing**
8 **I would like to say to you is that I would like to thank**
9 **everybody and I would like to thank everybody at the**
10 **Inquiry and all the people who have worked so hard to**
11 **get here, and it is really sad that some people who have**
12 **suffered and been abused are not here any longer to see**
13 **the recognition that has been now given that is well**
14 **overdue. So there are not a lot of manners about these**
15 **days in some places and there's not a lot of thanks**
16 **about. That's why I always thank people. I even**
17 **thanked the tax man when she gave me a telling off, but**
18 **-- because she put me right. You know, I just want to**
19 **thank everybody here for helping and everybody who has**
20 **fought to get -- to get to this position where we are**
21 **today.**

22 Q. Thank you.

23 **A. I have a good life and I am grateful. Thank you.**

24 Q. Thank you very much, HIA261. There is one further
25 question that I want to ask you before I hand you over

1 to the Panel and it's a question we ask everyone. The
2 Inquiry has to make recommendations to the Northern
3 Ireland Executive about what should happen now to mark
4 what has happened to people like yourself, whether that
5 should be by way of redress, a memorial, an apology, and
6 I just want to know what your views on what you think
7 should be done.

8 **A. I think the recognition and apology would be foremost,**
9 **because people are saying, "Thank God somebody has**
10 **finally listened to me and accepted what I have said".**

11 **Monetary redress, yes, that would be good. Another**
12 **recognition, help people out. It is not the main -- the**
13 **main thing, but it would help people.**

14 **Memorials or anything like that, I would leave it to**
15 **local people to make their mind up without my input,**
16 **because I don't live here and I haven't been in the**
17 **middle of it, as some of them have for years. So, you**
18 **know, that's -- to me that's a local thing, local as in**
19 **I live in England.**

20 **Q. Thank you very much, HIA261. I have no further**
21 **questions for you, but the Panel Members may want to ask**
22 **you some questions.**

23 **A. Thank you.**

24 **Questions from THE PANEL**

25 **CHAIRMAN: HIA261, can I just take you through one or two**

1 things you have told us about to ask you something more?

2 **A. Yes, sir.**

3 Q. You remember you said that you did see a doctor and a
4 nurse and there was a general medical examination. You
5 weren't able to say how regularly. You said it wasn't
6 regular, but it did happen. Taking one year and the
7 next, because you were there for just a little over two
8 years, was it -- and I appreciate you may not be able to
9 remember, but doing the best you can -- might it have
10 been just once, once a year, every six months or
11 irregularly, or have you any recollection at all?

12 **A. The best I can do is say that I would think it would be**
13 **at a minimum of once a year and that it could have**
14 **been -- it could have been six monthly, but I would say**
15 **a minimum of once a year we did see a doctor and**
16 **a nurse.**

17 Q. And did the doctor and the nurse come together at the
18 same time?

19 **A. From what I remember we went into a room obviously**
20 **individually off the main hall to be examined and it**
21 **was, as I describe it, the general thing, a general**
22 **examination, looking at you, that, and then, of course,**
23 **they check you down below and they tell you to turn left**
24 **and cough or whatever. It's general.**

25 Q. Just for the record you touched your ears, for example.

1 So they would look in your ears?

2 **A. They'd check your ears, check your throat, your mouth,**
3 **your whatever, probably the eyes, a general check-up,**
4 **a general check-up that wouldn't take longer than four**
5 **or five minutes.**

6 Q. And then you remarked about going to see the dentist in
7 a cabin parked by Strangford Lough. Was this
8 a travelling dentist to Rubane or something like that?

9 **A. All I know is this was my second toothache. My first**
10 **toothache was legitimate and my second one wasn't. So**
11 **they decided to take me and pull the tooth out. So we**
12 **went -- I don't see it as being travelling. It must**
13 **have been there, because it wouldn't have happened just**
14 **to be there when I had my toothache --**

15 Q. No.

16 **A. -- or so-called toothache. So I am assuming it would**
17 **have been there for a time limit. It was on a lay-by**
18 **facing the road on Strang... -- on the Strangford Lough**
19 **side.**

20 Q. Yes. I'm sure you have seen chest X-ray vans going
21 round, blood donors.

22 **A. Oh, yes, yes.**

23 Q. Something of that sort perhaps?

24 **A. This was dental. I am not saying that there were other**
25 **things there --**

1 Q. No, but I mean --

2 **A. -- but similar to that.**

3 Q. Similar to it?

4 **A. Similar to that, yes.**

5 Q. Turning to a different thing, you described that there
6 was a swimming pool in the wint... -- in the summer,
7 that you made your own fun and so on. Can you remember
8 if the pool was drained in the winter?

9 **A. Yes, it was.**

10 Q. And --

11 **A. It was drained and I can remember -- sorry. Do you want
12 me to elaborate?**

13 Q. No, no. Yes.

14 **A. Yes, it was, because when it was cleaned up ready for
15 the summer, it -- it was filled by a normal tap and it
16 took -- believe me, I think it took a week to fill it.
17 It could have even taken ten days.**

18 Q. And to turn to a different thing, you have referred to
19 your brother getting these presents from the so-called
20 Uncle --

21 **A. Yes.**

22 Q. -- in Canada and one Brother making a sarcastic remark
23 about that. Then you said that some Brothers had
24 suspicions, as they dropped hints. Were there many
25 hints dropped, not just by the same person but by

1 different Brothers?

2 **A.** Probably just a couple. Not everybody, not everybody,
3 but when parcels roll up from Canada with no stamps on
4 them, people are going to talk.

5 **Q.** Yes.

6 **A.** Of course it had a double meaning, because we did have
7 an uncle in Canada, and BR17's name was as well.

8 **Q.** I see.

9 **A.** So it had a double meaning, "from Uncle ". His
10 name was -- well, yes, . You don't need any more
11 information than that.

12 **Q.** No. So presumably -- do you think that BR17 knew that
13 detail?

14 **A.** Oh, he did. Oh, definitely. That was the cover.

15 **Q.** Thank you. The last thing I want to ask you about is
16 this time you went down to .

17 **A.** Yes.

18 **Q.** At the time or soon afterwards did you have any idea for
19 whatever reason why that trip had been organised?

20 **A.** Well, I always assumed that he -- that BR17 just wanted
21 to get us out of the home to help us. Whether there
22 were any hidden agendas I don't know, but it was planned
23 that we would actually go and live unofficially -- it
24 wasn't sorted out genuinely -- with his family, who said
25 that they would take us and we could live with them as

1 a family, and we actually started school. So it was all
2 up and running, and the next thing was there was a hint
3 of illness, and we weren't told about it. Next thing we
4 were back -- back in Rubane House, Kircubbin without
5 explanations.

6 Q. Well, do you mean without an explanation to you and your
7 brother?

8 A. Yes. Without an explanation to myself and HIA399. We
9 didn't know -- all we knew was -- we couldn't
10 understand, but I had overheard something and it sounded
11 to me like a referral -- referring to a shadow on the
12 lung, that I assumed to be the lady, the lady's illness,
13 and then we were back.

14 Q. And when you came back, did any of the other Brothers
15 comment on your absence, ask you where you had been or
16 anything like that?

17 A. I don't remember specifically, but we were told that if
18 anybody asked, "You just say you went home to your
19 parents in Belfast. It didn't work out and now you're
20 back here".

21 Q. Because, as you mentioned, I think that you spent a bit
22 of time in school in . So it was during the
23 school year that this happened?

24 A. Yes, it must -- obviously. We were probably only there
25 at the school a week or two at the most.

1 Q. But it was during term time anyway?

2 **A. Yes, yes.**

3 Q. Thank you very much.

4 MS DOHERTY: Thank you very much, HIA261. It's been really
5 helpful. Can I just ask we have heard from some other
6 people about boxing matches being set up between boys.
7 Was that -- did you have any experience of that?

8 **A. So this wouldn't be a training boxing match. This would
9 be if they were caught fighting?**

10 Q. Uh-huh.

11 **A. Yes. That -- you know, that would have been part of it.
12 It is like, "If you are going to fight, we will get you
13 in the ring and sort it out and then it's over with".**

14 Q. Okay.

15 **A. So there's nothing goes on, you know. So I could see
16 that, yes.**

17 Q. And in relation to the relationship between boys, was
18 there any bullying between older boys, younger boys?
19 Was that a feature?

20 **A. I didn't see much of it, but simply because we were
21 probably seen as being protected in a sense, being
22 little favourites I suppose in some sense. You know, it
23 would probably have helped us in that way.**

24 Q. Okay.

25 **A. But quite possible that -- I mean, in any institution or**

1 **school, yes, I'm sure it would happen.**

2 Q. Thanks very much.

3 MR LANE: You mentioned about the two boys who were caned
4 for running away --

5 **A. Yes.**

6 Q. -- and you said they were caned in the school room. Why
7 was the school room the place where they were caned?

8 **A. Well, because there -- if I remember right, there were
9 three classrooms that could be opened with big
10 partitions. So that was the place to get everybody in
11 so that everybody -- so that nobody would miss it
12 I suppose. Get everybody in there, open the partitions
13 and let's do it in front of the whole school to send
14 a message.**

15 Q. And it was not to do with them -- it is something to do
16 with schooling as such. It was just that that was the
17 place that everybody could come together?

18 **A. For that specific event, yes.**

19 Q. Okay. In terms of other boys, were you aware of other
20 abuse going on?

21 **A. There were -- there was an incident where when BR17 was
22 away that some of the boys went in to play cards with
23 one of the Brothers in the evening and they ended up
24 running out and running away from his room, because he
25 had exposed himself.**

1 Q. That was the only time that you can recall?

2 **A. That's -- that is one thing I recall, yes, yes.**

3 Q. Thank you very much.

4 CHAIRMAN: Well, HIA261, thank you very much for coming to
5 speak to us today. We are most appreciative of your
6 doing so. As far as we are concerned I imagine you will
7 be relieved to hear that's all we need to ask you about.

8 **A. Thank you.**

9 Q. Thank you for coming today. You can leave the Inquiry
10 chamber, if you wish.

11 **A. Well, I hope I have helped in some way. Thank you.**

12 CHAIRMAN: Thank you very much.

13 MS SMITH: Thank you, HIA261.

14 (Witness withdrew)

15 MS SMITH: Chairman, I know there is a witness to give
16 evidence, but that's not until -- scheduled until this
17 afternoon. Now there is one witness who is unavailable
18 through illness. I can certainly summarise that
19 evidence. However, I understand that Mr Canavan was not
20 planning to be here until this afternoon because it was
21 scheduled for then. So --

22 CHAIRMAN: We had better leave it then until this afternoon.

23 MS SMITH: Sorry. Mr Aiken might have some new input. I am
24 told that Mr Aiken is ready to proceed with the next
25 witness, if that suits the Inquiry.

1 CHAIRMAN: Well, it is not a witness that Mr Canavan would
2 need to be here for?

3 MS SMITH: I don't believe so, no.

4 CHAIRMAN: Well, I think what we will do is, yes, we will
5 carry on with the next witness, Mr Aiken. If you need
6 us to rise for a minute or two, of course we will. Then
7 we will take Mr Canavan's -- the person whose statement
8 has to be read, we will do that at 2 o'clock.

9 MS SMITH: Yes.

10 CHAIRMAN: So we will just rise for a minute to two to allow
11 that to be organised.

12 (12.05 pm)

13 (Short break)

14 (12.10 pm)

15 CHAIRMAN: Yes, Mr Aiken.

16 MR AIKEN: Chairman, Members of the Panel, the next witness
17 today is HIA385, who is HIA385. He is aware, Chairman,
18 that you are going to ask him to take the oath or
19 affirm.

20 CHAIRMAN: HIA247, do you wish to take a religious oath or
21 to make an affirmation, which is a solemn promise? They
22 have the same legal effect. It is entirely for you to
23 decide.

24 **A. I'll swear on the bible.**

25 CHAIRMAN: Very well.

1 WITNESS HIA385 (sworn)

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

3 Questions from COUNSEL TO THE INQUIRY

4 MR AIKEN: HIA385, you're -- you were born on [REDACTED]

5 [REDACTED]

6 **A. Yes.**

7 Q. So you are 67 -- 63?

8 **A. 63, yes.**

9 Q. You are going to be [REDACTED] ?

10 **A. Yes.**

11 Q. And your wife of many, many years -- do you want to tell
12 the Panel how many years you have been married?

13 **A. 43.**

14 Q. 43.

15 WIFE: 2.

16 **A. 42.**

17 **MR AIKEN: 42.**

18 CHAIRMAN: Ladies always remember. Gentlemen often get it
19 wrong.

20 MR AIKEN: Your wife is with you?

21 **A. Yes.**

22 Q. You have travelled from London to the Inquiry?

23 **A. Yes.**

24 Q. If we can bring up, please, 731 on the screen, and you
25 will have your hard copy of your statement in front of

1 you, HIA385?

2 **A. Uh-huh.**

3 Q. I just want you to check that the version that's come
4 up on the screen is the same as the hard copy you have
5 except for the black marks.

6 **A. Yes.**

7 Q. If we could look at the last page, please, at 738, the
8 one on the screen has the signature box blacked out.

9 I just want to ask you to confirm that you have signed
10 your statement?

11 **A. Yes.**

12 Q. And that you want to adopt it as your evidence before
13 the Inquiry?

14 **A. Yes.**

15 Q. And, as you know, I explained to you the reason for the
16 black marks on the one we can see on the screen.

17 **A. Yes.**

18 Q. Whenever it goes on the website nobody will be able to
19 identify who you are, although they can read about your
20 experience.

21 **A. Uh-huh.**

22 Q. I am asking you to confirm you want to keep your
23 anonymity?

24 **A. Yes.**

25 Q. You want the black marks to remain --

1 **A. Yes.**

2 Q. -- when the material goes on the website?

3 If I can for the record give the Panel -- the
4 replying statement from the De La Salle Order can be
5 found at RUB2090 through to 2092 and the Health & Social
6 Care Board reply statement can be found at 8068 to 8069.

7 Now, HIA385, I am going to -- you have a stammer --

8 **A. Yes, a little bit now.**

9 Q. -- which you have mastered very considerably --

10 **A. Yes.**

11 Q. -- but I appreciate and the Panel will appreciate that
12 the type of matters we are dealing with can cause
13 difficulty.

14 **A. Uh-huh.**

15 Q. I am going to try and summarise as much of the material
16 as I can and you can agree with me where I am getting it
17 right, and if I have got it wrong somewhere, you can
18 stop me.

19 **A. Okay.**

20 Q. We will try and deal with it that way and hopefully make
21 it easier for you to explain what you want the Panel to
22 understand.

23 **A. Uh-huh. Yes. Right.**

24 Q. You have set out, if we can go back to 731, your family
25 circumstances before you came to Rubane. Those were

1 difficult family circumstances that you came from?

2 **A. Yes.**

3 Q. And you have described how you lost a very young sister
4 in -- you lived in a caravan in 1952 and the caravan
5 toppled over and the fire resulted in the loss of her
6 life --

7 **A. Uh-huh.**

8 Q. -- and very serious injuries to your face and body.

9 **A. Uh-huh.**

10 Q. The Panel can probably see the mark, but it again has
11 improved over time?

12 **A. Uh-huh. Yes.**

13 Q. But it is something which we will come to which was
14 a source of abuse that you received for the scarring
15 that was on your body arising from that fire?

16 **A. Yes.**

17 Q. The Panel is also aware, HIA385, and I am not going to
18 go into it in any detail, that when you went to Rubane,
19 which was on 3rd February 1961, you were then aged 10
20 and you remained there until 27th March 1964, when you
21 were aged 13.

22 Now there is, as you know, because I explained to
23 you, a letter from the Welfare Officer for the County
24 Londonderry Welfare Authority that explains the
25 difficult family circumstances that there were in the

1 Coleraine/Londonderry area, where you were based in
2 1961, and which resulted in an application being made to
3 take you and probably some of your siblings into care.

4 **A. Yes.**

5 Q. The result of that was you going to live in Rubane. The
6 admission record to Rubane, if I can just for the record
7 indicate that the page that -- unfortunately an error
8 has occurred and the page that's exhibited by the De La
9 Salle Order as the admission record for HIA385, which is
10 at RUB2094, is not, in fact, this HIA385. There was
11 another [name redacted] in and around the same age and
12 it is his record that has been mistakenly referenced,
13 and the Order has provided now the correct admission
14 record, which I have given to the Panel and to the core
15 participants and which the Order has given to HIA385,
16 and we will arrange for that to be replaced in the
17 bundle, but that record shows --

18 CHAIRMAN: You don't have a Bates number for it yet?

19 MR AIKEN: No. The page that we have is without a Bates
20 number.

21 The -- what that record shows, HIA385, is that after
22 your time in Rubane in '64 the record suggests that you
23 were discharged to the Derry County Welfare. I know
24 that you describe in your statement going to live with
25 this lady in some form of foster placement --

1 **A. Yes.**

2 Q. -- and you describe being sexually abused by a man that
3 she gave you to, and I appreciate you've explained to me
4 you wanted to talk about that to the Inquiry.

5 **A. Uh-huh.**

6 Q. The Panel have read what you've said about that, but you
7 yourself can't remember whether a Welfare Officer took
8 you -- you can't remember the circumstances that ended
9 up with you living with her?

10 **A. No.**

11 Q. Unfortunately up to this point the Health & Social Care
12 Board, which is the body that's the successor of the old
13 County Londonderry Welfare Authority, can't find a file
14 relating to you that might give us more detail about
15 your time in care, both before Rubane, during Rubane and
16 after Rubane, and that's unfortunately -- you are not
17 alone in the file not being available.

18 **A. Uh-huh.**

19 Q. Therefore at the moment all I can say is to the Panel
20 that this admission record that the De La Salle Order
21 kept shows you being discharged into the care of the
22 Welfare Authority, because I can't say any further as to
23 what the Welfare Authority did, but you know you ended
24 up in this foster placement --

25 **A. Yes, yes.**

1 Q. -- and you have a real issue about the abuse that you
2 suffered after that occurred?

3 **A. Yes.**

4 Q. You had a number of brothers and sisters and they went
5 to various places, and Rubane was the place that you
6 went to?

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

8 Q. I am not going to bring it up, but conformation that
9 HIA385 was, if I can call it, a welfare boy as opposed
10 to a private boy being placed, there is a reference at
11 10644, which is a list of Welfare Authority boys in
12 Rubane as of 1st September 1962, and HIA385's name
13 appears on that document.

14 HIA385, I explained to you that I would cover the
15 areas that you talk about in broad themes, and the first
16 I want to talk about is the emotional abuse that you
17 describe.

18 If we can look, please, at paragraph 5 at 732, you
19 describe here BR15, summarising it, that he was
20 a horrible man you've said. He used to call you
21 [REDACTED] and say you were from [REDACTED], because of the
22 scars that you suffered in the fire. How did that make
23 you feel?

24 **A. Very alone, hurtful.**

25 Q. And the difficulty that an adult talking to you like

1 that created was then the other boys --

2 **A. Yes.**

3 Q. -- were able to pick that up and carry that forward?

4 **A. Yes. Never did. He never helped the situation. He**
5 **just -- he thought it was a joke, funny.**

6 Q. And at that stage, HIA385, your stammer would have been
7 more pronounced than it is now?

8 **A. Yes. It was really, really right there, because when**
9 **I was a lot younger, I found it very hard to speak, and**
10 **of course when I -- when I tried to explain to these**
11 **so-called like Christian Brothers, they would just walk**
12 **away, you know, wouldn't, you know --**

13 Q. They didn't --

14 **A. They had no time for me.**

15 Q. -- take time for you and the problem that you had?

16 **A. No.**

17 Q. You describe in paragraph 12, if we can look, please, at
18 734, where you talk about the swimming pool, you didn't
19 like the water. You couldn't swim. You didn't like to
20 wear shorts because of the scars on your back.

21 **A. Yes.**

22 Q. And BR15 insisted that you get into the swimming pool?

23 **A. Yes, he insisted.**

24 Q. And you were hanging on to the side and you say:

25 "I nearly drowned and one of the other boys had to

1 pull me out."

2 **A. I can remember it was a very hot sort of day and most of**
3 **the boys were just, you know, splashing in the pool.**
4 **I didn't know how to swim. I didn't want to get in**
5 **there anyway, but he insisted that, "You get a pair of**
6 **things and get in there". Of course I was holding on to**
7 **the side and I just let go. I don't know why, and lucky**
8 **enough this other boy, he helped me back out, but he was**
9 **on the side, the so-called -- so-called Christian**
10 **Brother, and he didn't seem very concerned.**

11 **Q. And you -- the Order has said to the Inquiry at**
12 **paragraph 10 -- I'll give you the reference -- at 2091**
13 **that their position is no-one was forced to swim. You**
14 **were encouraged to learn to swim. Are you saying, "That**
15 **might have been the policy, but this particular Brother**
16 **did this to me. He made me get in. I didn't want to"?**

17 **A. I don't know. For some unknown reason I weren't one of**
18 **his pet boys, if you know what I mean.**

19 **Q. I want to then talk to you about the physical abuse that**
20 **you describe in your statement. If we can look, please,**
21 **at paragraph 9 at 733, you talk -- and you have**
22 **mentioned this on a number of occasions -- being grabbed**
23 **by the ear and your ear being tugged.**

24 **A. Uh-huh.**

25 **Q. How prevalent was that?**

1 **A.** It was a normal thing in there for them to do that, pull
2 the boys by the ears and by the back of the hair. It
3 was just one of those things, or as you were walking
4 along if some of the boys weren't doing right what they
5 were, it wouldn't be -- they would run up with their
6 stick and hit them round the legs.

7 **Q.** With a cane?

8 **A.** **Yes.**

9 **Q.** You describe that in paragraph 9. You remember one
10 young boy was caught smoking.

11 **A.** **Yes.**

12 **Q.** He was stripped down to his underpants.

13 **A.** **Yes.**

14 **Q.** They bent him over a chair and whipped him.

15 **A.** **Yes.**

16 **Q.** You describe then in paragraph 13 at 734 after your --
17 after you learned that your mother had died --

18 **A.** **Yes.**

19 **Q.** -- you describe how you ran away, and a van stopped you
20 and recognised you you said to me earlier from your --
21 the type of clothes you were wearing --

22 **A.** **Yes.**

23 **Q.** -- and you were brought back to the home, and:

24 "As soon as that person had left I got a really good
25 hiding instead of them sitting me down and asking me why

1 I did it, why I'd run away."

2 **A. Yes.**

3 Q. "Their answer was always the same: 'He will only
4 understand if he gets a good hiding. Then he will know
5 not to do it again'."

6 Can you remember what form -- was that the cane
7 taken to you?

8 **A. Sorry?**

9 Q. Was it the cane that was used on that hiding?

10 **A. Yes, because, like, when my grandmother, like, when she
11 passed away after that, I didn't run away then, because
12 I don't want the same thing to happen again.**

13 Q. Yes. You describe in your statement sexual abuse and
14 I want to move to that. Paragraph 5, please, page 732.
15 You talk about BR15.

16 "When we were in the television room ..."

17 Now that's in the main building --

18 **A. Yes.**

19 Q. -- but in the basement dining room type area where the
20 television was shown?

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

22 Q. You say:

23 "... he'd sit at the front of the room, put a boy in
24 his lap and put his hand on the boy's leg."

25 **A. Uh-huh.**

1 Q. "We were all wearing shorts. He seemed to have his
2 favourite boys for this. I thought it wasn't right,
3 because there was no need for his hand to be there."

4 Then you also say he used to watch the boys in the
5 showers.

6 **A. Yes.**

7 Q. Now the Order has pointed out that supervision by the
8 Brothers to make sure there wasn't messing about, they
9 would have to be in and around the showers. So why --
10 what is it about what BR15 was doing and this other
11 individual that you can't remember his name but a tall,
12 skinny Brother with glasses -- why did you feel what
13 they were doing was different from just supervising you?

14 **A. Well, it happened a long time ago, but the way that they**
15 **just stood there and looked at the boys and, like,**
16 **talked to themselves and, you know, just weren't --**
17 **like, just seemed, like, they weren't -- they were there**
18 **just to watch the boys, not to watch the boys having**
19 **a shower, but just to watch the boys, what they had.**

20 Q. You felt there was more to it than supervising?

21 **A. Yes, because they knew that there was a sexual thing**
22 **going on, but, I mean, I never actually seen any sexual**
23 **thing, but there was talk amongst the boys.**

24 Q. About that sort of thing going on?

25 **A. Yes, you know. It was -- you know, as I says, I never**

1 **actually seen any sexual thing, but --**

2 Q. You weren't abused yourself?

3 **A. No.**

4 Q. But you witnessed what you are describing in the TV room
5 and the showers and were uncomfortable about it. Were
6 you uncomfortable at the time or now as you look back on
7 it you are uncomfortable? Can you remember? If you
8 can't remember, just say so?

9 **A. No. As I says, like, he never went near me, because**
10 **I weren't his cup of tea, you know, but some of the boys**
11 **were in there, you know, we knew, like, something was**
12 **going on but behind, like, closed doors. We didn't know**
13 **what was happening. Simple.**

14 Q. You describe in paragraph 6, HIA385 -- you call them
15 night walkers.

16 **A. Uh-huh.**

17 Q. You remember two who stick out in your mind. It is the
18 same two as the showers.

19 **A. Yes.**

20 Q. You'd be lying in bed and would see somebody wandering
21 about the dormitory with a torch and sitting on a boy's
22 bed.

23 "I'd just pull the covers over my head. None of
24 them ever came near me."

25 **A. No.**

1 Q. "I never saw any overt sexual activity going on in
2 Rubane, but the other boys spoke of it, and we all knew
3 what was going on."

4 There has been a suggestion in other circumstances,
5 HIA385, where the Brothers might have been checking --
6 the reason for sitting on the bed was to check whether
7 the bed was wet, because some people had a problem with
8 bedwetting, and it might, therefore, be innocent, this
9 night walking that you are describing. What's your view
10 about that?

11 **A. Well, that's why I say I didn't actually see any sexual**
12 **thing happening, but, of course, you're in with boys who**
13 **are the same age as me. You know, they just -- they**
14 **were just frightened to talk about it, you know, and**
15 **they were just scared, you know, you know, because we**
16 **had to live there and they were our so-called carers,**
17 **you know, and, you know -- well, I knew that there was**
18 **sexual things going on there but never actually see it,**
19 **but the boys always talked about it.**

20 Q. You mention bedwetting in paragraph 7. You say:

21 "A lot of the boys wet the bed in Rubane."

22 **A. Yes.**

23 Q. "They had to lie in the same damp sheets all night" --

24 **A. Yes.**

25 Q. -- "and the mattress underneath would be soaked."

1 **A. Yes.**

2 Q. You say:

3 "They were too frightened to admit that they had wet
4 the bed because of what might happen."

5 What do you mean by that? Is that fear of being
6 beaten?

7 **A. Yes, because some of them had a habit of wetting the**
8 **bed, because there weren't enough wet sheets around or**
9 **something like that, but some of the boys, like, used to**
10 **be frightened to say that they wet the bed and they used**
11 **to lie there for three or four days, you know, in**
12 **soaking wet sheets. Of course, it used to smell really**
13 **bad sometimes, you know.**

14 Q. And you talk in paragraph 8 about the chores that were
15 required of you.

16 **A. Yes.**

17 Q. You talk about polishing the floor amongst other things.

18 **A. Yes.**

19 Q. You say:

20 "We had to sweep the floors and then five or six
21 boys would shuffle arm in arm cleaning and polishing the
22 floors with rags on our feet."

23 **A. Uh-huh.**

24 Q. Now what the Order says about -- there were no maids to,
25 you know --

1 **A. No.**

2 Q. So everybody is living in a house and everybody just had
3 to muck in and help clean, and that's the time of that
4 point in history. That's just the way things had to be.
5 Do you accept that or have you a view about whether what
6 you were being asked to do was more than you felt was
7 acceptable?

8 **A. Well, I weren't put there to be a cleaner. I was put**
9 **there to be looked after, have an education, and**
10 **a Rubane education, I couldn't read or write when I left**
11 **there, you know.**

12 Q. In paragraph 11 you describe -- the Panel has heard
13 other evidence about -- potato picking --

14 **A. Yes.**

15 Q. -- and how you were collected on a tractor or van, taken
16 to the fields, and you weren't sure about what the
17 payment arrangements were, but you didn't see any money
18 for it. You describe being freezing cold and only
19 wearing shorts and wellies that were too big for you.
20 You talk about your hands being blue. So that's
21 obviously -- some other boys have described a more
22 positive experience of potato picking. They got into it
23 and got on with it. You clearly didn't enjoy it?

24 **A. I was freezing cold. I was only a kid. You know, my**
25 **hands were blue like I don't know what. My legs were**

1 freezing. I was so -- so cold -- my hands were so cold,
2 you know -- I know it is not the normal thing to do --
3 but I peed on my hands to warm my hands up, you know,
4 and one of the Christian Brothers, like, he came up to
5 me and he said, "I want to see you later on", you know,
6 and that was it, because I turned round, like, and
7 I said, "The reason why, like, I peed on a hand, because
8 I can't get the spuds out" and he turned round and said,
9 "Well, there must be some sort of a fork or something.
10 Use a fork". As I says, I was wearing a big pair of
11 wellies and my hands were too cold. I could hardly hold
12 a bleeding fork, and as I'm like trying to get these
13 spuds out, my hands were so cold holding the fork
14 I've missed the thing and it's gone straight through the
15 boot into my foot.

16 Q. You are describing that in the -- we can see:

17 "One day I was trying to lift the potatoes out with
18 a pitch fork and it went right through my boot and into
19 my foot."

20 You were taken to an old shed and your foot was
21 washed?

22 A. Yes.

23 Q. And you still have the scar from --

24 A. Yes.

25 Q. -- from that injury?

1 **A. Yes.**

2 Q. You express the view, you know:

3 "I shouldn't have been out here having to do this."

4 **A. I never seen a nurse. I never seen a doctor. All they**
5 **did was washed it off, wrapped it up and put me back out**
6 **there again.**

7 Q. HIA385, I was asking you earlier, as we ask each of the
8 witnesses, whether while there are obviously very
9 difficult memories that you have of your time in Rubane,
10 was there any positive memories that you had of that
11 time. Were there any, for instance, Brothers who were
12 kind to you, or sports that you are recall, or
13 experiences that you -- that were positive during your
14 stay there?

15 **A. All I remember of that place is just bad things.**

16 Q. You say in paragraph 18 -- that's 735 -- that you
17 wouldn't say that all the Brothers were bad, but the
18 ones that weren't, ie weren't bad, still didn't do
19 anything to help. What do you mean by that?

20 **A. Well, because they knew that there were bad ones in**
21 **there, you know, but they never helped the situation.**
22 **They turned around -- they could see the bad ones were**
23 **wrong. "What you did was wrong." You know, like, they**
24 **wouldn't go against each other. You know, they just run**
25 **with the flow.**

1 Q. We are not clear as to exactly how it happened. You
2 describe in paragraph 19 initially you left Rubane and
3 went to a farm.

4 **A. Uh-huh.**

5 Q. You had a positive experience there. You were happy
6 there, but then you moved out to this foster placement,
7 which you describe in paragraphs 20 through to 22, and
8 you have set out, and the Panel are aware of, what
9 happened to you when you were staying in the Portstewart
10 area.

11 **A. Yes.**

12 Q. That caused and has caused you considerable difficulty
13 throughout your life.

14 **A. Yes. It's -- it's -- it's affected me.**

15 Q. You say in paragraph 28, HIA385, if we look down at 737,
16 that you have been married to for a very long
17 time. You have two sons --

18 **A. Uh-huh.**

19 Q. -- grandchildren, but you weren't able to talk about
20 what happened to you --

21 **A. No.**

22 Q. -- until the last few years --

23 **A. Uh-huh.**

24 Q. -- when you wanted to engage in the Inquiry process.

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

1 Q. Has it helped you to get out what has been buried away?

2 A. Yes. Well, I mean, I don't think it's helped me.

3 I mean, the people I feel sorry for is the people who
4 ain't come through it, who is no longer with us, you
5 know. I have been -- I have been lucky, because I met
6 my wife and, you know, everything fell in place, you
7 know, but I think I'm quite sort of lucky compared to
8 other people. They must have had worse than me.

9 Q. Until you sustained your injuries you worked all your
10 life as a bricklayer?

11 A. Yes.

12 Q. And carved out that employment for yourself?

13 A. Yes.

14 Q. And provided for your family?

15 A. Yes.

16 Q. You've never gone to the police about what happened and
17 you've never pursued the Order by way of civil
18 proceedings, and the first time you have really dealt
19 with this is engaging with the Inquiry?

20 A. Well, I didn't know what you do. I didn't know who to
21 see or what, you know. I just -- as the wife, she
22 turned round and she said to me, "Well, if you want to,
23 like, go and, like, say what happened to you, like, go
24 for it", but, like, I weren't too sure, but -- it's --
25 I mean, it's hard for me sitting here, you know.

1 Q. From speaking to you and your wife she has been trying
2 over many years to gather as much material about your --

3 **A. Family.**

4 Q. -- early life as possible.

5 **A. Yes.**

6 Q. And small comfort I hope that the record that the De La
7 Salle Order were able to provide you with today will
8 allow her to find records that she's been looking for
9 about your baptism --

10 **A. Uh-huh.**

11 Q. -- and hopefully that will be of some assistance.

12 **A. Yes.**

13 Q. HIA385, whenever we are coming to the end of someone's
14 evidence, we tend to ask them two things. The first is
15 that the Panel at the end of its work has to make
16 recommendations to the Northern Ireland Executive about
17 three main issues, whether some form of apology, whether
18 some form of memorial to the victims, or some other
19 means of redress, and we ask each witness whether
20 they've anything they want to say to the Panel about the
21 recommendations that the Panel have to consider. Is
22 there anything, any view you'd like to express about
23 what the Panel might consider recommending?

24 **A. Well -- no. As I said, I just feel sorry for the people**
25 **that didn't make it, you know. I mean it's -- it's hard**

1 for me to sit here, but it must be harder for the people
2 who have lost their sons, you know, and find it much
3 harder than me to get through it. That's all I can
4 really say, you know.

5 Q. And you have probably covered it, HIA385, but the last
6 question that we ask the witnesses --

7 A. **Yes.**

8 Q. -- is whether there is anything else, maybe something
9 I haven't covered or not covered in enough detail or --
10 now is your opportunity, having come forward and gone
11 through the difficulty of coming and speaking to the
12 Inquiry -- whether there is anything else that you want
13 to say that we haven't covered?

14 A. **No. There's nothing else. Nothing else.**

15 Q. You remain where you are, HIA385. I don't intend to ask
16 you anything else, but it may be the Panel will want to
17 ask you something.

18 Questions from THE PANEL

19 MS DOHERTY: Thanks very much. Thanks very much for coming
20 here today. Just one question. Talking about the
21 showers, can you remember what the boys wore in the
22 showers?

23 A. **They were naked.**

24 Q. They were naked. There was no -- there has been
25 a suggestion that they wore swimming trunks.

1 **A. No.**

2 Q. No. They were definitely naked?

3 **A. Naked.**

4 Q. Thanks very much.

5 CHAIRMAN: Well, HIA385, thank you very much for coming to
6 speak to us today and your wife also for coming with
7 you. We know it is not easy for people, but we are very
8 grateful to you for coming to speak to us. It is much
9 preferable for us that we hear what people have to say
10 rather than just read about it. Thank you very much.

11 **A. Thank you.**

12 **(Witness withdrew)**

13 MR AIKEN: Chairman, Members of the Panel, that is -- I know
14 Ms Smith has another matter to deal with, but it may be
15 2 o'clock is the ...

16 CHAIRMAN: Yes. We will rise now and we will deal with
17 that, well, at any time from 1.45 onwards that's
18 convenient to everyone.

19 (12.55 pm)

20 (Lunch break)

21 (1.45 pm)

22 STATEMENT AND DOCUMENTS FROM WITNESS HIA160 READ

23 CHAIRMAN: Good afternoon, ladies and gentlemen. Yes,
24 Ms Smith?

25 MS SMITH: Good afternoon, Chairman and Panel Members. The

1 next piece of evidence that I am going to give to the
2 Inquiry is that relating to HIA160.

3 I see Mr Canavan has just arrived in time before
4 I start. I was about to tell that Mr McKenna was --

5 MR CANAVAN: Can I apologise for my late arrival?

6 CHAIRMAN: We are slightly ahead of the point of time.

7 MS SMITH: I was going to explain that Mr Canavan was en
8 route but that Mr McKenna was going to stand in in the
9 meantime, but as he has made it, he has not missed
10 anything.

11 There is a medical report which explains why this
12 gentleman is not attending in person to give evidence
13 and that can be found at RUB20109. His witness
14 statement that I will turn to shortly can be found at
15 RUB858 through to 863. That's the medical report has
16 been called up on screen.

17 CHAIRMAN: Well, I don't think we need to --

18 MS SMITH: I don't think we need to -- if we can just put up
19 the witness statement, please. It is 858, RUB858.

20 CHAIRMAN: Yes. It is quite clear from the medical
21 certificate that it would not be appropriate to expect
22 HIA160 to come in person.

23 MS SMITH: There is also a response from the Order, which
24 can be found at RUB3101 to 3107, and the Health & Social
25 Care Board -- I should say the exhibits are included in

1 those numbers that I have just read out. The Health &
2 Social Care Board have provided a statement at 8070 to
3 8071 indicating that this person was placed in care by
4 way of private arrangement and they have no records for
5 him.

6 There are also two police statements that he has
7 made. They can be found at RUB66392 to 66393, which is
8 a statement made in 1997, and then there is a statement
9 from 2011, which is at RUB66394 to 395.

10 There is also another document that -- sorry.

11 CHAIRMAN: When was that statement?

12 MS SMITH: It was 2011. I believe it was July. Yes,
13 July 2011.

14 There is also a document which -- I am going to deal
15 with the statement. It might be appropriate to deal
16 with -- with this document now. It is RUB1131. If that
17 could be put up, please. This is a document -- I have
18 obviously got the wrong number for that. Sorry. It is
19 11331. I beg your pardon.

20 CHAIRMAN: Can I just mention I have a document here,
21 a police statement made in 2011, RUB3104.

22 MS SMITH: The police statement in July?

23 CHAIRMAN: 15th July 2011.

24 MS SMITH: 15th July. The RUB number I have on that is
25 66394. The signature of the member of the police,

1 I take that as a Richard Graham.

2 CHAIRMAN: Yes. It is obviously --

3 MS SMITH: The same statement. It must have been put into
4 the bundle on two occasions. Apologies for that.

5 This document that is before you, which is quite
6 heavily redacted, you will see is a letter from
7 Kircubbin, from De La Salle Boys' School dated 20th
8 February 1962. If we can just scroll down to the bottom
9 of it, you will see it is addressed to Dr McGilton of
10 Down County Welfare -- sorry -- Education Office in
11 Belfast. It sets out, if you scroll back up, please:

12 "Dear Dr McGilton,

13 The following are the names and dates of birth of
14 pupils who were ascertained ESN since their arrival at
15 De La Salle."

16 There is a group of boys' names and their dates of
17 birth recited there:

18 "The following boys were committed to our care by
19 other local education authorities as having been
20 ascertained by them."

21 There are three names given there and the education
22 authority who ascertained that they were ESN, which for
23 those who don't know would have been termed -- a term
24 known as "educationally subnormal". So I think we would
25 describe these children as "having learning

1 difficulties" today.

2 "The following boys -- the following boys", then a
3 third grouping, "were ascertained in Nazareth Lodge
4 prior to coming here last August."

5 Then the final grouping is:

6 "The following boys are by our standards very
7 educationally subnormal, but have not been officially
8 ascertained."

9 You will see there that HIA160, who is this witness
10 evidence -- whose evidence I am going to address, is
11 recorded in that final grouping. It says:

12 "These are the pupils in the special class, but
13 besides these there are seven other ascertained pupils
14 in other classes in the school."

15 The reason I draw that to the Inquiry's attention is
16 because in its response statement the Order has
17 indicated that they would have expected this gentleman,
18 who describes himself as being in the class of
19 a particular Brother, to have left Kircubbin having been
20 able to read and write whereas he complains that he
21 could not do so.

22 CHAIRMAN: Yes. Can we just have the Bates number for that
23 page again, please?

24 MS SMITH: Yes. It is RUB11331.

25 CHAIRMAN: Yes. A very quick count, which may not be --

1 I make it 22 --

2 MS SMITH: It is certainly a large group of children.

3 CHAIRMAN: -- children referred to, because there are those
4 who are specifically named --

5 MS SMITH: Uh-huh.

6 CHAIRMAN: -- but there's a reference to there being seven
7 more throughout the school. So there seem to be 22 out
8 of 70.

9 MS SMITH: Perhaps, yes.

10 CHAIRMAN: Somewhere between 70 and 80 at that time.

11 MS SMITH: In 1962.

12 CHAIRMAN: Yes. Thank you.

13 MS SMITH: If I could then just return to the witness
14 statement, which is at 858, please. The personal
15 details of HIA160 are set out in the first paragraph and
16 the explanation as to how he came to be placed in care.

17 At paragraphs 2 through to 9 he talks about his time
18 in Nazareth Lodge Children's Home in Belfast. He says
19 that he was placed there in 1957 when he was 7 years of
20 age along with his brother, who was then 5. He thinks
21 his sisters were placed in a home in Newry, and two
22 younger brothers were placed in a babies' home.

23 Paragraph 3, he does remember his grandmother
24 visiting, but not his father. He remembers that he was
25 in a particular group in the home, that of Sister SR71.

1 It was called "Marion's group".

2 He then goes on in paragraph 5 to describe his first
3 night in Nazareth Lodge. He says:

4 "We were in bed and we had to keep the blankets over
5 our heads. I was told the reason for this is that the
6 nuns would sometimes walk around at night with their
7 veils off, so they did not want us to see them. If you
8 looked out from under the blanket, they would have
9 slapped you. I cannot recall anyone's name in
10 particular. I could hear my brother crying and no-one
11 comforted him."

12 Now it is not clear if he is actually alleging that
13 the nuns would have slapped the boys or if this was
14 simply something he was told.

15 He goes on to complain of hunger in paragraph 6. He
16 said there wasn't a big selection of food, and also
17 talks about the chores that they would have had to do,
18 polishing the corridors every week.

19 "We had to get up early every day and go to mass,
20 which was in Nazareth Lodge. We had our breakfast and
21 went to school. The school was also in Nazareth Lodge
22 and we were taught by the nuns. I do not feel that
23 I received a good education."

24 He then in paragraph 7 describes an episode
25 involving -- a particular episode of physical abuse

1 involving SR34. He says:

2 "At the top of the nun's cell there was an open
3 space. I do not know why I did it, but I climbed into
4 it once when I was about 8 years old. I don't know what
5 I was looking for. I found an empty Roses box with
6 coins in it and took the coins thinking I could use them
7 to run away. When I was climbing back over into the
8 room again, SR71 was standing at the door. She told me
9 to go down and get my breakfast. Then someone came in
10 and took me into an empty classroom and hit me with
11 anything" --

12 I think that should be SR34 he is talking about
13 there. I will just check from the unredacted version.
14 Yes. That designation should be SR34:

15 "... came in and took me into an empty classroom and
16 hit me with anything she could get her hands on, a belt,
17 a stick. She beat me black and blue and would not stop
18 until she had broken me and made me cry. That night
19 SR71 came and sat on my bed and sort of cuddled me.
20 Since then I have always really liked her. SR34 seemed
21 to want to teach me a lesson from then on. She would
22 pull me up by my ear and she would make me work in the
23 laundry. I had to work in the laundry nearly every day.
24 It was really hard work."

25 He goes on to talk about getting his tonsils out

1 when he was about 10 years old, and he was in the dining
2 room after he got out of hospital. The other boys were
3 outside playing. The same nun who had beaten him
4 thought he should have been out playing with them:

5 "... and hit me, even though I was as white as
6 a sheet and still recovering.

7 I knew when I was 11, I would be moved to Rubane.
8 I was scared of going, as I didn't know anything about
9 it. I was taken with a group of boys. I did not see my
10 brother when I went to Rubane and I do not remember any
11 visitors."

12 It is something that the Inquiry I am sure will want
13 to look at when we come to look at the evidence in
14 Module 4 as to what preparation there was for moving
15 boys from Nazareth Lodge to Rubane.

16 He then goes on to discuss his time in Rubane.
17 Paragraph 10, he talks about the fact that there were
18 charge boys used. They had boys in charge of other
19 boys. He talks about BR6. He says that the Brothers
20 would have been -- would have used unnecessary force.

21 "I was tongue-tied and used to be bullied by some of
22 the other boys because of it."

23 In paragraph 11 he talks about being hit by BR15 for
24 losing his toothbrush, and he says that BR15 would have
25 hit you for any reason. He was placed in a house across

1 the yard where this Brother was in charge of them.

2 He talks about the sexual abuse that he suffered at
3 the hands of BR15. He essentially records this in
4 paragraph 12 as occurring in the dormitory. This was
5 one type of abuse:

6 "... where he would creep into the dormitory after
7 the lights were dimmed and came over to my bed. He put
8 his hands under my sheet and masturbated me. After he
9 finished he would have left the dormitory. This
10 happened on a regular basis over a period of about two
11 years. I was really scared. I used to make my bed in
12 such a way that he could not get past the sheet to get
13 his hand down far enough. It was only the way I knew to
14 protect myself."

15 He goes on to describe in paragraph 13 a different
16 type of abuse by the same Brother. He says:

17 "When that Brother was supervising us watching
18 television, he would sit in a chair at the back of the
19 room and put his hands up boys' legs, including mine.
20 He put his hand up my leg and masturbated me. He had
21 a selection of boys he would do this to. He never made
22 us do anything to him. He also masturbated me in the
23 back row of the Majestic picture house when he took me
24 to see 'Jailhouse Rock'."

25 He describes the Brother who was in charge of the

1 farm to which he was transferred as "a very scary man".
2 The Order, I should say, would accept that the Brother
3 BR18 was authoritarian.

4 "I was taken to other farms to work instead of going
5 to school. The Brothers were paid for our work. They
6 would have given us one shilling to spend in the tuck
7 shop in Rubane."

8 He describes the Brother BR14 as being in charge of
9 the tuck shop and football, and describes him as being
10 vicious when they were playing football and used to be
11 known as a dirty old man in the home.

12 He complains about the education he received in
13 Rubane as not being very good. He said it was more like
14 primary school than secondary education. I pause there
15 to remind that you certainly the Brothers felt he fell
16 into what would have been a category of an ESN child.
17 He remembers that BR4 would hit you if you did not know
18 your spellings and thinks that he got pleasure out of
19 it.

20 He then talks about a further episode of sexual
21 abuse by a different Brother. This is BR6. I should
22 say that the Order does not accept that this particular
23 Brother was an abuser. They say that if what is alleged
24 in paragraph 17 here actually occurred, then they would
25 have expected other boys would have seen that behaviour.

1 What he said is that:

2 "One day in [this Brother's] class he called me to
3 his desk and put his hands down my shorts and touched my
4 private parts. I was older by then and walked away, so
5 he did not manage to do anything to me. There were
6 other boys in the classroom, but I was standing with my
7 back to them, so they couldn't see anything."

8 He goes on to describe how he started to play
9 sports, which gave him confidence, and believes that his
10 brothers, who he knows -- states were not interfered
11 with -- he believes that him being interfered with gave
12 them some sort of protection.

13 He doesn't remember anything about showering in the
14 home, and he has a vague memory of being in St. Pat's at
15 some point during his care, but certainly the Order have
16 no recollection that he went there from Rubane. He
17 believes that he has blocked things out.

18 In paragraphs 21 through to 25 he recounts life
19 after he left Rubane and states that he had no
20 preparation for leaving. He talks about St. Augustine's
21 Youth Club, and at paragraph 21 he said it was the
22 closest thing to aftercare that he got, being sent to
23 the youth club.

24 He goes on then -- if I could read -- scroll down,
25 please, to paragraph 26, where he says that he:

1 "... would like to see the Orders take
2 responsibility for the abuse we suffered in their care
3 and to apologise for it. I also think they should pay
4 compensation to the children who suffered in their care.
5 I hope that no other children have to suffer in care as
6 we did."

7 He has dated and signed his witness statement on the
8 final page of it there. If we just scroll on down,
9 please, it is dated 10th April 2014.

10 There are two police statements, as I have
11 indicated. If we could go to the first of those, which
12 is RUB66392, you can see that in this he does make in
13 essential terms the same three allegations of types of
14 abuse that he suffered, the two types at the hands of
15 BR15, which -- if we could just scroll on down, please
16 -- relating to the abuse that happened while he was
17 lying in bed at night in the dormitory, and then the
18 abuse in the television room at Rubane, and he also
19 repeats the allegation that BR6 -- if we could just
20 scroll on down through that statement -- tried to put
21 his hand he says up the leg of his trousers while he was
22 standing at the desk in the classroom one day.

23 Now clearly there are -- the Order would point out
24 that there are inconsistencies between the accounts
25 given in the police statements and the account that he

1 has given to the Inquiry. However, it is true to say
2 that he essentially relates the same three types of
3 abuse.

4 Then the statement of July 2011, which is RUB66394.
5 Again this is a further statement given to the police,
6 and in that he again repeats the same types of abuse
7 again with differences of details, as it were, but he
8 alleges about the abuse at the back of the television
9 room from BR15. If we can scroll on down, please, he
10 talks about -- I think we could just -- the first
11 page really relates to details about abuse in the
12 television room. If you can scroll on down again, and
13 then he talks about being moved down to the farm and the
14 abuse in the dormitory at night by BR15, and then he
15 relates again an incident in the classroom when he was
16 called up to the desk by BR6.

17 It is fair to say that the details -- there are
18 certainly inconsistencies with regard to the details,
19 but the three types of abuse are consistent.

20 That's essentially the summary of the evidence that
21 would have been adduced from HIA160 had he been able to
22 come to give evidence in the chamber.

23 CHAIRMAN: I see we have RUB3106 and 3107 --

24 MS SMITH: The exhibits.

25 CHAIRMAN: -- which are exhibits, which suggests, if I have

1 interpreted this correctly, that his initial police
2 contact was 6th January 1996, and that he was
3 interviewed in relation to prospective prosecutions in
4 relation to a number of people.

5 MS SMITH: That is correct and that was on 9th January 1997
6 that first statement was recorded.

7 CHAIRMAN: It notes, 3107, in a very brief way the outcomes
8 of those matters at that time.

9 MS SMITH: Yes.

10 CHAIRMAN: Yes.

11 MS SMITH: That concludes, in fact, the week's evidence
12 that's to be presented to the Inquiry, Chairman.

13 CHAIRMAN: Ladies and gentlemen, thank you very much. We
14 will adjourn the public hearings now and we will resume
15 again on Monday, 20th October.

16 (2.17 pm)

17 (Hearing adjourned until 10 o'clock
18 on Monday, 20th October 2014)

19 --ooOoo--

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