
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Monday, 3rd November 2014

commencing at 10.00 am

(Day 63)

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

1 Monday, 3rd November 2014

2 (10.00 am)

3 WITNESS HIA34 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. Just before
5 we resume our proceedings may I remind you, as always,
6 when the Inquiry is sitting, please ensure your mobile
7 phones are turned off or at the very least placed on
8 silent/vibrate.

9 I also have to remind everyone that no photography
10 is permitted anywhere on the premises or within the
11 Inquiry chamber.

12 Ms Smith?

13 MS SMITH: Morning, Chairman, Panel Members, ladies and
14 gentlemen. The first witness is to give evidence this
15 morning is HIA34. He is to be known as "HIA34". HIA34
16 wishes to maintain his anonymity and he is happy to take
17 a religious oath, Chairman.

18 WITNESS HIA34 (sworn)

19 CHAIRMAN: Thank you, HIA34. Please sit down.

20 Questions from COUNSEL TO THE INQUIRY

21 MS SMITH: For the benefit of the Panel and those who
22 require the reference numbers, HIA34's statement can be
23 found at RUB468 to 473.

24 The Order's initial response statement is at RUB2686
25 to 2687 with exhibits at 2688 to 2698, and the Order

1 have put in an additional response statement, which can
2 be found at RUB4769 to 4770.

3 The Health & Social Care Board's response is found
4 at RUB8168 to 8170, and it would appear that the Eastern
5 Health & Social Services Board were responsible for
6 HIA34's care, but the Health & Social Care Board no
7 longer have records, and the response statement that
8 they have provided was based on the records provided by
9 the De La Salle Order.

10 There are two police statements in the bundle. The
11 first of these relates to 2011. That's at RUB65177 to
12 65179, and thanks to Mr Napier's efforts we managed to
13 locate a 1995 statement, which is at RUB -- I've lost
14 the reference number; if you just bear with me --
15 RUB68451 to 68452.

16 This applicant makes allegations about BR2. His
17 interview to police can be found at RUB65200 to 65209,
18 and HIA34 also gave evidence in a civil case which was
19 brought by someone else, and the transcript of his
20 evidence and cross-examination can be found at RUB15000
21 to 15094.

22 Finally, BR2's statement at RUB5355 deals with
23 HIA34's allegations at paragraphs 5 to 12.

24 Now the preliminaries over with then, HIA34, if I
25 might now turn to you and your evidence. You have given

1 a statement to the Inquiry. If we could pull that up,
2 please, at RUB6... -- sorry -- 468. Maybe just make
3 that slightly brighter, if possible. You will see,
4 HIA34, here, as I explained to you, instead of "The
5 Witness Statement of HIA..." -- sorry -- instead of your
6 name it says "HIA34", which you are aware is the
7 designation that the Inquiry has given to you to protect
8 your privacy.

9 If we could just go to the last page, please, which
10 is 473, you'll see there, HIA34, that your signature is
11 replaced again by the big black box saying "HIA34", but
12 can I ask you to confirm that this is the statement that
13 you signed, and you signed it on 19th February 2014, for
14 the Inquiry?

15 **A. Yes.**

16 Q. And this is the statement that you wish the Inquiry to
17 take into account together with anything else that you
18 say this morning?

19 **A. Yes.**

20 Q. Now if we just go back to the first page, please, that's
21 468, and the first two paragraphs of that statement set
22 out some of your personal details. We know that from
23 records that we have received that you were in Rubane
24 House for about between five to six months. The records
25 show you were there from 28th February 1974 until 20th

1 May 1974, and it is clear and you would accept that you
2 were put there because you had been truanting and
3 getting into trouble and your parents weren't able to
4 cope. Isn't that correct?

5 **A. Yes.**

6 Q. Now do you remember the records that we have discovered,
7 HIA34, show that you actually went along on 24th
8 February 1974 with your mother and with a social worker,
9 a Miss Dorothy Preston, to visit the home before you
10 were admitted? Do you remember that at all?

11 **A. I don't recall that.**

12 Q. Do you remember the social worker?

13 **A. I vaguely remember the social worker, yes.**

14 Q. And did you remember her name before I gave it to you?

15 **A. I didn't.**

16 Q. If I can just talk generally about what you remember
17 about life in Rubane before coming on to the specific
18 allegations that you make, you say that you stayed in
19 the big house in Rubane and in the house there was one
20 big dormitory and about five or six boys in the room.
21 You remember the chalets around and there was a yard to
22 play in.

23 **A. Yes.**

24 Q. You also say at paragraph 22, if we could just scroll to
25 that paragraph, please, which is at RUB471, paragraph 22

1 there, you say you think you got up about 8 o'clock.

2 You got washed, went down for breakfast.

3 "The accommodation was all right and everybody
4 seemed to be having fun."

5 Can I just ask you what you meant to say by that,
6 HIA34? What do you mean by "having fun"?

7 **A. Just everyone was sort of happy enough. We were there.
8 We had to go by the rules and what have you. So we just
9 got on with it.**

10 Q. You do remember that you had duties. Sometimes you
11 would help out in the canteen. You got the odd chore.
12 You weren't ever asked to do farm work and you think
13 that must only have been certain boys who did the farm
14 work, but you remember helping out in the canteen as
15 your particular chore.

16 **A. Yes.**

17 Q. You said also at paragraph 24 there that Rubane was
18 strict. You got a good slap. If you looked at BR18 --
19 and you are aware that this is one of the Brothers you
20 name, and if I give his name to make it easier for you
21 -- just to ensure that people know that that name is not
22 to be repeated outside of the chamber -- and that would
23 have been BR18 --

24 **A. Yes.**

25 Q. -- you said would have given you a slap if you looked at

1 BR18 or if you didn't do something right.

2 "When I helped out in the canteen in any way, he
3 slapped me across the face. I got slapped by BR18 about
4 twice or three times a week",

5 and you witnessed another Brother, whom you name
6 there, BR6, slapping boys in the yard and that would
7 have been BR2. Again the name is not to be used --
8 sorry -- BR6. I beg your pardon. Again that name is
9 not to be used outside of this chamber.

10 You go on to say in paragraph 25 that:

11 "If you ran away from Rubane, you would have got
12 killed. There was nowhere to run to anyway as it was
13 surrounded by fields. There were a couple of boys who
14 ran away, but they were caught down the field and they
15 were moved to St. Patrick's."

16 Is that what you remember happening to boys who ran
17 away, that they were moved to St. Patrick's, or is there
18 anything else you can say about that?

19 **A. It was only the odd time I think I have seen it.**

20 **I remember a couple of boys do run away. The next thing**
21 **they weren't there when they were caught. So just the**
22 **word was about they were moved on to St. Patrick's**
23 **Training School.**

24 Q. Now you said in your statement you don't remember any
25 visitors coming to the home to see you. I was going ask

1 you particularly you don't have any recollection of
2 a social worker coming to the home. Is that right?

3 **A. I can't remember.**

4 Q. But you do remember your mother and father coming up?

5 **A. Yes.**

6 Q. And you remember at paragraph 19, if we could just
7 scroll back up to that, you talk about:

8 "They came up now and again. Some weeks they didn't
9 bother coming up at all",

10 and you remember they took you and another boy whom
11 you can see -- we have given him a designation as well
12 and I'm simply going to refer to him as **DL 162**

13 **A. Yes.**

14 Q. -- but you will know who we're talking about.

15 **A. Yes.**

16 Q. They took you and **DL 162** down to Cloughey beach.

17 **A. Yes.**

18 Q. The records would show aside from your mother and father
19 coming to visit you in the home you, in fact, went home
20 on a number of occasions at weekends. Do you remember
21 doing that?

22 **A. The odd one I do remember going home, but not very
23 often, like.**

24 Q. Well, what the Order's records would show is that, in
25 fact, you went home -- we know you went in on 28th

1 February and you certainly went home on 13th April,
2 which would have coincided I think with the Easter
3 holidays that year. It seemed to be 11th April was when
4 you left. The Easter Sunday would have been 14th April.
5 Again on the week-end of 27th/28th April you went home.
6 Do you remember that?

7 **A. I don't recall that.**

8 Q. Now if I can just bring you to the specific complaints
9 that you make about your time. Apart from being slapped
10 by BR18 you make two complaints that you were sexually
11 abused in the home, and if we could go to paragraph 6,
12 please, you said that you weren't:

13 "... allowed home for a few weeks after I arrived at
14 Rubane ...",

15 and I am just going to pause there to say the Order
16 would say that would have been normal practice to allow
17 the boys to settle into the home.

18 **A. Right.**

19 Q. You say yourself:

20 "It seemed to be normal procedure. Most boys got
21 home at the weekends. One Saturday I was in the yard
22 with a friend and a Brother called me and asked me to go
23 and help BR2 ...",

24 who -- again I am going to use the name, but again
25 it is not to be used outside this room.

1 **A. Yes.**

2 **Q.** That's BR2.

3 "... in the laundry house. BR2 was in charge of
4 Rubane at the time. The laundry room was in the main
5 house down in the basement. The kitchen, canteen and
6 association room were also off the same corridor as the
7 laundry room. The association room was like a common
8 room which had table tennis and other games and
9 a television.

10 When I was helping BR2 with the laundry, he said
11 that my uniform trousers were a bit tatty. He told me
12 to get another pair. So I got another pair of trousers
13 from the shelf and I was putting them on. He came over
14 and said that the trousers were a bit loose on me.
15 He was fiddling about and he pulled the trousers down
16 and he put his hand inside my pants and he started
17 rubbing my private parts and said, 'You have a very
18 small one there'. I was freaking out and he said, 'It's
19 all right. It's all right'. I said, 'No, no'. He then
20 grabbed my hand and forced it through a hole in the side
21 of his robe and made me put my hand on his penis. He
22 had an erection. He said, 'Just touch it. That's the
23 way it should be. That is the way you'll have it some
24 day. You'll get one of them'. I said, 'No, Brother,
25 no' and he said, 'You'll be all right. You'll be all

1 right'.

2 He then pulled me over a bench in the middle of the
3 room and pulled my pants down. At that stage BR18 came
4 in and he said, 'Oh, is this one being awkward?' and he
5 looked at me and slapped me on the face. I was crying
6 and shaking. I was getting hysterical."

7 If you could scroll down:

8 "BR18 grabbed my arms and held them stretched out on
9 the bench and BR2 came up behind me. I was hanging over
10 the bench. I felt a sharp jag up my backside and BR2
11 bugged me. Then BR18 went behind me and BR2 held my
12 arms on the bench and BR18 bugged me. They said,
13 'You'll be all right. All the boys get this'. I can't
14 recall how long it lasted, but it seemed like forever."

15 You say that they then told you to clean yourself up
16 and go to your room. You stayed there until the Monday.
17 You stayed in your room all week-end. You were on your
18 own as the other boys in your room were away home for
19 the week-end. That's why you believe it was a Saturday.
20 You stayed in your room and saw no-one. The only time
21 you left was to use the toilet. You didn't have any
22 meals and you saw no-one.

23 You go on in the next paragraph to say that a couple
24 of weeks later you were playing with a boy when BR2 came
25 in and asked you to give him a hand in the laundry room.

1 As you walked down the corridor you said, "Brother,
2 please, no, no, no" and he said, "It's okay. You're not
3 getting the same again".

4 "When we were in the laundry room he made me
5 masturbate him. He threatened me and said if I told
6 anybody, I would be in Rubane for a lot longer and I
7 would never get out and no-one would believe me."

8 Those were the only two times you were abused.

9 Now you say in your statement that you heard others
10 talk about being abused in the home. You say that at
11 paragraph 21. If we just scroll to that, you say:

12 "I did hear other boys talking about sexual abuse by
13 the Brothers, but I didn't directly witness it."

14 Can you explain what exactly you heard, **HIA 34**
15 (sic), or what kind of conversations were in the home
16 that you remember?

17 **A. It's just like wee bits in the yard you would have**
18 **heard, like "That bastard" -- am I allowed to curse --**
19 **"was" -- from other boys -- "was fiddling with me",**
20 **things like that there, and I just never took any more**
21 **notice of it, because I thought that was the way things**
22 **were going on.**

23 Q. Now you spoke to police in 1995 and I am going to come
24 back to that shortly. You said that you indicated at
25 that time that you didn't wish to make a statement, but

1 we know and you know that you, in fact, did make
2 a statement in 1995, and I am going to look at that
3 shortly, but you then spoke again to the police in
4 January 2011.

5 As a result of that statement police interviewed
6 BR2. He said in his interview that he didn't remember
7 you. He completely denied the allegations when he was
8 spoken to by the police and also has denied them in the
9 statement that he has made for the Inquiry. So is there
10 anything you want to say about the fact that BR2 has
11 denied this, HIA34?

12 **A. Not really. Well, obviously he's going to deny it, you**
13 **know. So there's not much I can do about that.**

14 Q. You also gave evidence to what we have -- are calling
15 the **DL 324** trial. This was a civil case that was
16 brought by someone else.

17 **A. Yes.**

18 Q. You were asked to be a witness in that case, and you
19 remember giving evidence --

20 **A. Yes.**

21 Q. -- and being cross-examined -- cross-examined by the
22 counsel for the Order at that time.

23 **A. Yes.**

24 Q. You were cross-examined about a number of matters
25 including how long you had been in Rubane, about the

1 fact that you said that BR45 -- BR1 you said in your
2 evidence in that civil case -- you said you remembered
3 him being in Rubane at the time you were there. Yet in
4 your statement to us you have said you remember him
5 being in St. Pat's.

6 **A. I do remember BR1, but the exact -- the same in Rubane**
7 **House. I just -- it was either there or St. Pat's I met**
8 **him. I just can't recall the exact time and when.**

9 Q. But you would accept that when you were giving evidence
10 in the **DL 324** trial, you actually said you remembered
11 him from being in Rubane?

12 **A. Did I? Well, if I did, yes, yes.**

13 Q. But you remember you were cross-examined about that?

14 **A. Oh, yes, yes, yes.**

15 Q. And you were also examined -- cross-examined about the
16 dates you went home and when you were out with your
17 parents. You were asked about the routine in Rubane and
18 about the laundry and provision of clothing, where the
19 laundry was in the house --

20 **A. Yes.**

21 Q. -- and whether the door had been open or closed when you
22 said that you were abused by the Brothers in the
23 laundry, and about how you came to make your statement
24 to the police, and the differences between what you said
25 in your evidence in that civil case were put to you

1 compared to what you had said in your police statement.

2 Do you remember all of that?

3 **A. Bits and pieces of it.**

4 Q. Also it was put to you at that time -- and you maybe
5 remember this better, and I am going to look at it again
6 with you now -- the fact that you did, in fact, make
7 a statement to the police in 1995. You thought you
8 hadn't spoken to them when you gave evidence in the
9 civil case. Is that correct?

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

11 Q. But we have -- we can have a look at that statement,
12 which is at -- sorry. Just get it here. It is 6 --
13 RUB6545 -- sorry -- 68451. This was a statement that
14 was dated 20th February 1995. If we can -- can we try
15 that again, please? 68451. Just check. It was
16 certainly added. We only received this at the week-end.
17 So it may not have actually been put on to the system.

18 CHAIRMAN: Just summarise it.

19 MS SMITH: Yes, I will indeed.

20 I looked at this statement with you this morning,
21 HIA34. It is a very short statement. It was dated, as
22 I say, 20th February 1995, and the police officer who
23 took that statement from you was a Detective Sergeant

24 You said you were the above named
25 person, resided at an address known by police.

1 "In 1974 I got into a bit of trouble around home and
2 the probation officer advised my family to send me to De
3 La Salle in Kircubbin. I went into De La Salle around
4 February 1974 and stayed for about three months."

5 Slightly longer than that, as we know from the
6 records.

7 "During my whole time there I was not physically or
8 sexually abused by any of the staff. I can say that the
9 name ..."

10 You were asked about a priest. Then:

11 "When I was in De La Salle, I was in the main house
12 only. BR2 was in charge at that time. Other members of
13 staff I can remember are BR18 and DL6. I can remember
14 the following boys who were in the dormitory with me."

15 You gave the police names of the boys who were in
16 the dormitory with you. That was essentially the end of
17 the statement that you gave to the police in 1995.

18 You remember you were cross-examined about the fact
19 that when you spoke to police then, you said at that
20 time that you were not sexually or physically abused by
21 any of the staff in the home.

22 **A. Yes.**

23 Q. Now do you remember making that statement or do you
24 remember the police speaking to you in 1995?

25 **A. I remember them speaking to me. They came to my house**

1 and was brought into the kitchen. He asked me there and
2 then, "Were you touched in the home?" and I was just --
3 I says, "No". My partner was next door to this and it
4 was very embarrassing. I said "No, no, no".

5 Q. Now we've talked about you giving evidence in the **DL 324**
6 trial and about this statement being put to you, and at
7 that time you know -- and we spoke about this this
8 morning -- that the evidence that you gave -- you were
9 giving evidence in support of someone else's civil claim
10 and that evidence was not accepted by the judge who
11 heard --

12 **A. Right.**

13 Q. -- the thing and you were told that afterwards. Isn't
14 that correct?

15 **A. Yes.**

16 Q. Is there anything you want to say about any of that to
17 the Inquiry?

18 **A. I have nothing. I have just told the truth at that --
19 at the evidence and I just have let it go at that.**

20 Q. There was also some discussion about a civil claim of
21 your own in the course of that trial. Do you know what
22 the position is with any civil claim you have brought?

23 **A. No.**

24 Q. One other thing that you said in the course of your
25 evidence in that trial was that you said you had spoken

1 to a and she gave you the name of
2 a solicitor.

3 **A. Yes, she did.**

4 Q. She also -- is there anyone else other than her --
5 sorry. I'll come back. You did also tell us at
6 paragraph 17 of your statement, if we could just go back
7 to that, please, which is at page 470 -- you talked
8 about this friend of yours in the home, **DL 162** and you
9 said that you:

10 "... told **DL 162**, a friend of mine in Rubane, about
11 the abuse. He stayed in one of the chalets and we
12 played together in the yard. He said that the same
13 thing happened to him, that he was buggered by BR2 in
14 the laundry."

15 Now can you remember where you were when you told
16 **DL 162** or any of the circumstances about how you come --
17 came to tell him?

18 **A. We were in the yard just playing one day. We were**
19 **sitting talking just. He was the only one I could talk**
20 **to.**

21 Q. But he was spoken to by police -- and we have discussed
22 this -- and he made a statement to police in 2013. If
23 we could have a look at that, please. It is RUB65974.
24 You see this was on 28th June 2013. Now this document
25 has not been redacted and so all of the details in it

1 cannot be published outside this room. It will be
2 redacted before it goes on to the website, but it says
3 here:

4 "During the '70s I was sent to De La Salle,
5 Kircubbin. I have already made a statement to police
6 about my experiences there. Today asked
7 me if I recalled a person called HIA34. I remember
8 a small boy, tan, swarthy skin and curly dark hair
9 called HIA34. If I saw him today, I would know him."

10 Would that be an accurate description of what you
11 were like when you were in Rubane?

12 **A. I would think so, yes.**

13 Q. He goes on to name other boys whom he remembers. If we
14 could just scroll on down, please, he says that:

15 " read part of HIA34's statement to
16 me. I do not recall specifically being in the yard.
17 However we would have been in the yard on occasions.
18 I remember laundry day being a Friday. The laundry was
19 downstairs near the Brothers' quarters in the old part
20 of the building near where the boiler house would have
21 been. I remember having to queue up to get in. There
22 was always a Brother in the laundry room. I also
23 remember a woman there too at one time. Some of the
24 boys worked down in the laundry room and the catering
25 rooms. The boys had chores to do. At no time during my

1 time in Kircubbin did I witness any sexual things taking
2 place. I was regularly hit by the Brothers, but I have
3 detailed that in my other statements to police."

4 Now the point about this is that police asked
5 **DL 162**, "Look, were you ever told about -- this is
6 what HIA34 says about you". He doesn't say, first of
7 all, that he was sexually abused. What he does say is
8 he never witnessed any sexual abuse and he actually says
9 nothing about whether or not you told him about you
10 being sexually abused, but -- he is silent on that, but
11 the suggestion is that if you had told him, he would
12 have told police, "Yes, I remember him telling me that",
13 but what he does say is:

14 "At no time during my time in Kircubbin did
15 I witness any sexual things taking place."

16 He doesn't go on to say whether he heard about them
17 or not.

18 **A. Uh-huh.**

19 Q. Is there anything you want to say about his statement,
20 HIA34?

21 **A. The only thing -- if he can't -- he probably doesn't**
22 **remember or he's embarrassed. That's what I can think**
23 **just.**

24 Q. Apart from **DL 162** and apart from whom
25 you got the name of the solicitor from, is there anybody

1 else you have ever spoken to about what happened to you
2 in Rubane, and the police obviously?

3 **A. Finally over the years I told my partner and my two**
4 **daughters, but didn't go into specific detail about it.**

5 Q. HIA34, that's all I want to ask you about the evidence
6 that's in your statement. Is there anything that you
7 feel that we haven't covered or is there anything else
8 you want to say to the Inquiry? Now is your opportunity
9 to do that.

10 **A. No. I feel that's -- what you've said is true -- what I**
11 **said is true and there's really not much more I can say.**

12 Q. Finally, one question that we ask everyone who comes to
13 speak to us is you will be aware that this Inquiry has
14 to make recommendations to the Northern Ireland
15 Executive about what should happen, whether there should
16 be redress, whether there should be a memorial, and they
17 are interested in knowing -- the Panel Members are
18 interested in knowing what your views are about that,
19 HIA34?

20 **A. Well, yes, if it has to come to anything like that, yes.**
21 **I'm clear. I'm available.**

22 Q. No, I am asking you now what you think --

23 **A. Oh!**

24 Q. -- should happen now, what recommendations you think
25 this Inquiry should make to the government.

1 **A. I think it should just be an apology from the church,**
2 **from the Catholic Church, like.**

3 Q. Well, HIA34, I have no further questions for you, but
4 the Panel Members may want to ask you some things. So
5 I~will hand you over to them.

6 Questions from THE PANEL

7 MR LANE: You mentioned that you had a good slap from the
8 Brothers from time to time like two or three times
9 a week. Was that seen as a fair punishment at the time
10 or did you think it was too harsh or not justified?
11 What did you feel about it then?

12 **A. I thought it was just evil.**

13 Q. Was that the boys' general view about the way they got
14 treated?

15 **A. Yes, as far as I remember, yes.**

16 Q. Thank you.

17 CHAIRMAN: Well, HIA34, that's all we need to ask you this
18 morning. Thank you very much for coming to speak to us.

19 **A. Thank you.**

20 Q. As far as we are concerned you are now free to leave.
21 Thank you.

22 **A. Thank you.**

23 **(Witness withdrew)**

24 MS SMITH: Chairman, the next witness is being taken by
25 Mr Aiken. I am not sure if he is ready to proceed. It

1 **A. Yes.**

2 Q. And you want to adopt its contents as your evidence
3 before the enquiry?

4 **A. I do.**

5 Q. And the reason for the redactions, as you are aware,
6 HIA225, is the anonymity policy of the Inquiry, and you
7 wish to keep your anonymity?

8 **A. Yes.**

9 Q. And for you, Members of the Panel, the De La Salle
10 response statement can be found at 2351 through to 2353
11 and the Health & Social Care Board response can be found
12 at 8162 through to 8166.

13 Now there is, Members of the Panel, a series of
14 documents that are referred to in the Health & Social
15 Care Board response statement which are not as yet in
16 the bundle. As you know, I've given you those in hard
17 copy. They don't have a RUB number at the moment. They
18 will have in due course. We will manage that as best we
19 can this morning.

20 HIA225, as I said to you when we spoke beforehand,
21 I~am going to try to help you through your evidence
22 summarising matters as we go. You were born on

24 **A. Yes.**

25 Q. You are now aged .

1 **A. Uh-huh.**

2 Q. You were one of seven siblings --

3 **A. Yes.**

4 Q. -- including your older brother **DL 136** who was born in
5 January '54. So he was two years older than you or two
6 and a half years older than you, and you are married to
7 . You have been married for 27 and a half years --

8 **A. Yes.**

9 Q. -- and have a daughter who is doing well at university.

10 **A. Yes.**

11 Q. You yourself -- some of this is contained in your
12 statement and we will come to it towards the end --
13 decided to become a social worker --

14 **A. Yes.**

15 Q. -- and have progressed through in your career path. You
16 are now a social work services manager.

17 **A. I am indeed.**

18 Q. Some of the Panel will probably know what that entails,
19 but you manage a series of social work teams --

20 **A. Yes, I manage five social work teams.**

21 Q. -- and a series of children's homes?

22 **A. I manage three children's homes and I looked after
23 children's team and intensive support services team.**

24 Q. So a job relevant to what we're talking about today in
25 terms of children being in care.

1 **A. Yes.**

2 Q. You describe in paragraph 2, if we look at 634, the
3 difficult home circumstances that you came from. You
4 describe difficulties with your father and mother --

5 **A. Yes.**

6 Q. -- and they are outlined. Your mother eventually left.

7 **A. My mother left I think when I was 6 and I haven't seen
8 her since.**

9 Q. We talked about you being taken formally into care via
10 the NSPCC.

11 **A. Uh-huh.**

12 Q. In fact, you relate -- and I will just give to the Panel
13 the references. At 2358 we will find a record of that
14 admission into care formally. The Belfast County
15 Borough Welfare Officer's report of 23rd March 1965 is
16 at RUB20234, and that records, as I discussed with you,
17 that your siblings came in with you to care on 15th
18 March 1965, by which point you would have been 8. So it
19 seems that your mother left when you were 6 and then you
20 continued to live --

21 **A. We lived with my father, yes, tyes.**

22 Q. -- with your father for a period and then the NSPCC
23 became involved.

24 **A. Sorry. My understanding was that, according to records,
25 that I was admitted to care in January 1965, but your**

1 **formal admission refers to me and my siblings being**
2 **subject to formal orders.**

3 Q. Yes. So it may be you entered Nazareth Lodge in
4 January 1965 but it was by March 1965 that the formal
5 coming into care under the Children and Young Person's
6 Act took place.

7 A. **Uh-huh.**

8 Q. Whenever -- you describe in paragraph 4 that in later
9 life --

10 A. **Yes.**

11 Q. -- and a name is appearing on the screen here and his
12 name shouldn't be used beyond the chamber, but you were
13 basically told when you were being taken to Nazareth
14 Lodge that you were just going for a short time?

15 A. **Yes. We were taken -- the three boys, DL 136, myself and**
16 **NL 3-R.**

17 Q. **NL 3-R** is your younger -- youngest brother.

18 A. **My younger brother and he was placed in a nursery. He**
19 **would have been below school age at the time, and DL 136**
20 **and I were placed in Nazareth Lodge, and my four sisters**
21 **were placed in Nazareth House, which is about half**
22 **a mile, three-quarters of the mile up the road.**

23 **DL 506** , who took us into care, told us we were
24 going on holiday for a week and we were going to a nice
25 house that looked like a castle, and at the end of that

1 **week I had my bags and my head packed to leave, but**
2 **I didn't.**

3 Q. Yes. I'm going to ask you just a little about that.
4 HIA225, if I can ask you if you can come forward or
5 bring the microphone towards you and just keep your
6 voice up please --

7 **A. Is that better?**

8 Q. -- as best you can. That's great. You mention
9 an occasion --

10 **A. Uh-huh.**

11 Q. -- in later life --

12 **A. Yes.**

13 Q. -- when you happened to be face-to-face with this man --

14 **A. Uh-huh.**

15 Q. -- who took you into care and who effectively deceived
16 you --

17 **A. Uh-huh. That's right.**

18 Q. -- as to what was going to happen. Can you just recount
19 to the Panel the interaction that took place between you
20 that led to him describing, as you say in your
21 statement, "That's what we did in those days" and how
22 that ended?

23 **A. At the time I was a social work student and in our group**
24 **we would have done what we refer to as visits of**
25 **operation where we would have visited different**

1 agencies, be they voluntary or statutory, and I opted --
2 why I can't really recall -- to visit the NSPCC --
3 perhaps given my circumstances -- and they agreed to
4 meet with me, and I wouldn't have been aware prior to
5 the visit, but it was **DL 506** who met with me.

6 Q. So you came face-to-face --

7 A. Face-to-face.

8 Q. -- with the same guy who had --

9 A. I knew who he was when he told me his name. I bluffed
10 it out, because I was there for a purpose and I had to
11 come back to the group and share what the fundamental
12 issues were with the NSPCC and what did they and what
13 role they had in child protection, etc, and I conducted
14 the visit as a student and I didn't identify myself.

15 A few days later, however, I rang **DL 506** and
16 asked could I see him and then explained to him who
17 I was.

18 Q. And you met with him --

19 A. Yes. I met with him.

20 Q. -- and you discussed --

21 A. Yes.

22 Q. -- what he told you --

23 A. Yes.

24 Q. -- that you were going on holiday, it was a short thing,
25 and the fact that that wasn't what occurred, and he told

1 you that that's what they did in those days in terms of
2 how children were communicated with.

3 **A. Yes. He didn't -- those are in my recollection not**
4 **necessarily the exact words, but what he did suggest is**
5 **that, "We did things that way and we've learned from**
6 **that", but that is a moot point.**

7 Q. You went into Nazareth Lodge aged 8 in 1965.

8 **A. Yes.**

9 Q. As you know, for reasons I've explained to you, we will
10 come back to Nazareth Lodge after Christmas.

11 **A. Yes.**

12 Q. I know you were prepared to deal with this in one go and
13 move on from it. There are a few things from what you
14 mention in your Nazareth Lodge evidence that I just want
15 to highlight, because they are relevant to Rubane.

16 You explain in paragraph 17 at 637 that you were
17 friendly with **HIA 21** and DL95, amongst others, and
18 you mention them specifically in relation to an incident
19 with lemonade.

20 **A. Yes.**

21 Q. I am just highlighting those were two people that were
22 in your year, as it were.

23 **A. Yes. There were a number of us. It wasn't only those**
24 **two. There were a number of us who would have been in**
25 **the same year that we would have moved from Nazareth**

1 **Lodge to Rubane.**

2 Q. Yes. They then feature in your Rubane evidence we are
3 going to come to.

4 **A. Yes.**

5 Q. Equally in paragraph 20 you mention **HIA 132** DL94
6 and **HIA 56** and your involvement with the choir.

7 **A. That's when we were on television. We were singing on**
8 **a programme "Teatime with Tommy".**

9 Q. Again those were individuals who were in your Rubane
10 year --

11 **A. Yes, yes.**

12 Q. -- if I can call it that, who moved with you at 11 and
13 12.

14 You mention in paragraph 24 of your statement at 639
15 that the way the arrangement worked in terms of
16 transferring to Rubane was if you passed the 11 Plus,
17 you didn't go to Rubane. You stayed in Nazareth Lodge
18 and went to grammar school in Belfast.

19 **A. That was my understanding, yes.**

20 Q. But if you didn't get the 11 Plus, you then you went to
21 Rubane.

22 **A. You went to Rubane.**

23 Q. And I was asking you what proportion of your year then
24 from your Nazareth Lodge days stayed in Nazareth Lodge
25 and you said to me nobody stayed.

1 **A. Not as far as I can remember.**

2 Q. Nobody got the 11 Plus and you all went to Rubane.

3 **A. Uh-huh.**

4 Q. I mentioned to you your brother, younger brother **NL 3 - R**

5 --

6 **A. Yes.**

7 Q. -- and how the social work records we have looked at
8 show your desire for him to come to be with you in
9 Rubane, a discussion taking place between BR6 and the
10 social workers about him maybe coming early before he
11 was 11 and, in fact, he never came --

12 **A. No.**

13 Q. -- and that's because he got the 11 Plus.

14 **A. He passed his 11 Plus, yes, and went to grammar school**

15 --

16 Q. He went to grammar school --

17 **A. -- from Nazareth Lodge.**

18 Q. -- and stayed on in Nazareth Lodge?

19 **A. Yes. He left Nazareth Lodge when he was 16.**

20 Q. And your interaction with him then was limited to the
21 visits you made up to Nazareth Lodge --

22 **A. Yes.**

23 Q. -- with the social workers. We will come and touch on
24 that and we will come back to your brother at the end of
25 your evidence.

1 So the context of you going to Rubane then is this
2 not having got the 11 Plus along with the entirety of
3 your group of that year and you went into Rubane on 20th
4 August 1968, aged 11. You were shortly to be 12.

5 **A. Yes.**

6 Q. You stayed there to 17th April 1972, when you were aged
7 15.

8 **A. Uh-huh.**

9 Q. At that point that was still the traditional age for --

10 **A. School leaving, yes.**

11 Q. -- stopping school and moving out into work. You made
12 what's become the normal progression from Rubane to
13 Belfast to begin work and we will look at that at the
14 end.

15 Now just in passing if I can make the Panel aware
16 that your brother **DL 136** had gone to Rubane on 28th
17 August 1965. He had remained there to 23rd April 1969.
18 So there is a period of eight months when you and he
19 overlapped in Rubane --

20 **A. Yes.**

21 Q. -- and the reference for that, Members of the Panel, is
22 RUB2351, paragraph 3. The admission record for HIA225
23 to Rubane is at 2355.

24 Now you describe in your statement, HIA225, in
25 paragraph 27 that when you went to Rubane, you moved

1 into chalet 1.

2 **A. Yes.**

3 Q. And you're arriving in August '68 just when the first of
4 the four new chalets became available to be occupied.

5 **A. Yes, that's my recollection.**

6 Q. You moved in with a group of 14 boys --

7 **A. Uh-huh.**

8 Q. -- in total to chalet 1 and, in fact, a list of those
9 boys, many of whom we have mentioned already, can be
10 found, Members of the Panel, at 2351 at paragraph 4, and
11 we will touch on some of those boys as we go.

12 Chalet 1 was presided over by DL134 and DL135.

13 **A. Yes.**

14 Q. Do you remember BR13 also living in chalet 1?

15 **A. Yes. I had forgotten the name of the Brother, but this
16 Inquiry has been quite helpful in that sense that
17 I~recollect who it was.**

18 Q. He was an older Brother?

19 **A. He was an older Brother.**

20 Q. DL134 and DL135 lived in chalet 1 with you up until they
21 left and I think they left in 1971 --

22 **A. Uh-huh.**

23 Q. -- and were replaced by DL314.

24 **A. Yes.**

25 Q. We will come back to mention them again shortly. Now in

1 order to -- as I indicated to you, HIA225, I am just
2 going to make the Panel aware that of the list of boys
3 that we can see, if we can look, please, at 2351,
4 paragraph 4, DL124 was the complainant in file 20 of 41
5 arising from Operation Overview in 1995. That file
6 itself is at 63418 through to 63607. DL124 -- and we
7 are not going to name him, HIA225, but you know who that
8 is from our discussion beforehand -- he makes
9 allegations of serious sexual offences against four
10 boys, two of which HIA225 also makes allegations
11 against, and I will explain that in greater detail as we
12 go. All four of those individuals denied abusing DL124.
13 They each did claim to be abused themselves and three of
14 them suggested that consensual sexual activity amongst
15 the boys was rife and they participated in it. I am
16 highlighting that to you, Members of the Panel, in the
17 context of the evidence HIA225 is going to give about
18 two of those individuals and I will identify them as we
19 go.

20 BR2, HIA225, as I indicated to you, in his statement
21 to the Inquiry has said something you didn't mention in
22 your statement and that was that he recalled you
23 eventually moving back to the main house out of
24 chalet 1.

25 **A. Yes.**

1 Q. His recollection was that was when you complained about
2 being bullied by DL134. Now just for the reference that
3 is at paragraph 16 of RUB1932, but your recollection is
4 it wasn't --

5 **A. It wasn't DL134.**

6 Q. -- DL134. It was, in fact, DL314.

7 **A. It was the DL314.**

8 Q. Can you just explain to the Panel, because this is not
9 something that's covered in the statement --

10 **A. Okay.**

11 Q. -- how you came to be moving back to the main house out
12 of chalet 1?

13 **A. Yes. There was an occasion where I was at the toilet**
14 **reading a comic, and when I came out, DL 314**
15 **insisted that I had something wrong with my bowel**
16 **movements, either diarrhoea or constipation, and I had**
17 **nothing -- nothing wrong with me.**

18 Q. This was because of how long you had spent --

19 **A. Yes. Obviously I was quite a few minutes, and I advised**
20 **that I had been reading a comic. "Here it is." "No,**
21 **there's something wrong with you. You need to take this**
22 **tablet." I never had taken tablets before. I don't**
23 **take tablets, and she insisted that I do so, and**
24 **I refused to take it, and she and her husband backed me**
25 **into a corner, hit me around the face several times and**

1 forced my mouth open, and they put the tablet in my
2 mouth and closed it. I went to see BR2 and had advised
3 that I was very unhappy about this and wanted to move
4 from this couple's care, and in fairness BR2 very
5 quickly made arrangements for me to move to the house.
6 That's my recollection.

7 Q. What I want to do, because it is important that we get
8 the context of this right --

9 A. Uh-huh.

10 Q. -- in terms of -- because you do make reports about
11 various things that occur.

12 A. Yes.

13 Q. So in 1968 DL134 and DL135 are in charge --

14 A. Yes.

15 Q. -- of chalet 1 when you are living there.

16 A. Yes.

17 Q. That remains the position until 1971 --

18 A. Yes.

19 Q. -- by which time you would have been 14.

20 A. 14, yes.

21 Q. And then the DL314 take over and a short period into
22 their tenure this incident occurs, and you then move
23 back to the main house and you stay in a dormitory --

24 A. I think so, yes.

25 Q. -- in the main house.

1 **A. Yes.**

2 Q. We are going to come to an allegation that you make
3 against another HIA21 --

4 **A. Uh-huh.**

5 Q. -- who will give evidence to the Inquiry in due course.
6 That incident that you describe takes place in the main
7 house --

8 **A. It does.**

9 Q. -- whereas the other matters that we are going to deal
10 with take place in the chalet.

11 **A. Yes. In my bedroom in chalet 1.**

12 Q. Those other matters relate to other boys.

13 **A. Yes.**

14 Q. So we can by that work out the dating roughly of when
15 various matters occurred. One issue that I just -- you
16 felt able by the age of 14 to complain to BR2 about this
17 type of activity by a member of staff.

18 **A. I also recall an incident where -- that's in my
19 statement when BR4 had harmed me and I spoke to my
20 social worker, [REDACTED] DL 527, about it.**

21 Q. Yes. I will come to that.

22 **A. Yes. That was the age I felt I could speak up and in
23 fairness I was listened to at that stage. BR2 did
24 intervene and I realised then I could speak up.**

25 Q. And what I'm highlighting -- and we'll look at with the

1 particular incidents --

2 **A. Uh-huh.**

3 Q. -- that's a progression, that initially you didn't feel
4 able to speak up and then as time goes on, as you get
5 older, you feel able to speak up.

6 **A. I suppose that when one is residing with a large group
7 or a group of other young people that I do recall that
8 anybody who told or spoke up about activities with the
9 boys it could be quite difficult. These were activities
10 with adults. That's where I began to build confidence.
11 If I spoke about that, maybe I could speak up about
12 others.**

13 Q. The first -- I want to break these up into physical
14 allegations and sexual allegations. The first physical
15 allegation you mention in your statement at
16 paragraph 28. If we can go to 640, please. It involves
17 DL135. So this is when you are living --

18 **A. Yes.**

19 Q. -- in the chalet.

20 **A. Yes.**

21 Q. You describe how she took to you with the cane --

22 **A. Yes.**

23 Q. -- and that had been because you had gone upstairs early
24 in the day without putting your slippers on.

25 **A. Yes.**

1 Q. You describe her as someone who was fiery and would fly
2 off the handle easily.

3 **A. Yes.**

4 Q. Can you -- if I can try to summarise it in this way, the
5 use of a cane was not uncommon --

6 **A. No.**

7 Q. -- in Rubane.

8 **A. Not at all. Not at all. Quite common.**

9 Q. While you were not someone who was caned particularly
10 often, what you are describing here is over and above
11 the six of the best that was a common type of caning.

12 **A. I mean, I suppose the difficulty that I had in this**
13 **situation was that I was aware that DL135 was**
14 **particularly clean. She liked everything particularly**
15 **clean and neat and tidy. I did take my shoes off before**
16 **I went upstairs to get something, and when she took me**
17 **into her part where she lived in the chalet, taking your**
18 **trousers down and beating you round the backside and the**
19 **legs wouldn't have been something I would have had**
20 **happen to me before. It would have been out of the**
21 **ordinary, yes.**

22 Q. So you would have seen the caning in the classroom --

23 **A. Oh, yes.**

24 Q. -- with the hitting on the hands or the strap on the
25 hands --

1 **A. Yes.**

2 Q. -- and so on --

3 **A. Yes.**

4 Q. -- but this was beyond that level of --

5 **A. Absolutely.**

6 Q. -- hitting?

7 **A. Absolutely.**

8 Q. That was normal -- whether it is normal or not -- but it
9 was part of normal life in Rubane?

10 **A. Yes.**

11 Q. Did you feel able to tell anybody about that?

12 **A. No. I was frightened to tell anybody at that stage. As**
13 **I got older I wasn't frightened of the DL314, but**
14 **I certainly was frightened to DL135, albeit not all of**
15 **the time. I mean, she held me in regard, as I told you**
16 **previously, and I would have been at her house, etc, but**
17 **this was particularly frightening and, no, I didn't tell**
18 **anybody.**

19 Q. I think, just to put it in context, if I could summarise
20 it this way, HIA225, in many respects you identify to
21 the Inquiry, for instance, this piece of behaviour from
22 her that was unacceptable, but at the same time she had
23 a warmth towards you --

24 **A. Yes.**

25 Q. -- and, in fact, you describe -- the -- there's

1 a welfare record recording her arranging for you to be
2 taken for weekends to her mother's house.

3 **A. Yes, in Bangor.**

4 Q. And I was asking you about that and you indicated that
5 certainly up to a certain point you were quite popular
6 with her.

7 **A. I would say so, yes, yes. Uh-huh.**

8 Q. Do you know why she had that sort of favour towards you
9 initially? Can you remember any particular reason?

10 **A. I don't know, but I -- I mean, I suppose I remember**
11 **writing a composition or an essay suggested like, you**
12 **know, as a competition kind of thing and I had written**
13 **about a day I had spent out and talked about her and**
14 **talked about DL134 and what a great day it had been, and**
15 **she was delighted with that.**

16 Q. So if I summarised it this way, she was a houseparent
17 that you had good times with --

18 **A. Yes.**

19 Q. -- that at times was warm with you --

20 **A. Yes.**

21 Q. -- but she was someone with a very bad temper.

22 **A. She could have. I mean, there were very good times,**
23 **I mean, as I have said, about going to her mother's home**
24 **and it wasn't all difficult, but this shook me. I mean,**
25 **this incident just was certainly disproportionate to**

1 **what I'd done and certainly not something that would be**
2 **tolerated or should have been tolerated, yes.**

3 Q. Just if I make the Panel aware -- and I have to do this
4 in passing as we go on a number of occasions, HIA225,
5 because of some of these matters -- file 17 of 41 of
6 Operation Overview involved allegation against DL134 and
7 DL135 that was investigated. That did include another
8 allegation of assault against DL135. That can be found
9 at 63284 through to 63417. No prosecution was directed
10 in respect of that. The Inquiry has not been able to
11 trace her in order to invite a response, but certainly
12 her husband the Inquiry is aware is deceased, and the
13 Inquiry Panel will be aware and will hear in due course
14 a series of allegations made against her husband, DL134.
15 You have never had any difficulty with DL134?

16 **A. Not to my recollection, no.**

17 Q. Now you then mention in paragraph 29 a particular
18 incident involving BR2.

19 **A. Yes.**

20 Q. You describe how -- two boys running away and how he put
21 them over a railing and beat them really hard on the
22 backside with a bamboo cane.

23 **A. Yes.**

24 Q. Do you remember who they were?

25 **A. No. It wasn't -- I think it was shortly after I came to**

1 **Rubane, but I don't recollect who they were, no.**

2 Q. BR2 has provided a response to the Inquiry about that.

3 If we can look, please, at 1931 and paragraph 14, he
4 says the allegation isn't true. He never put boys over
5 a railing and beat them in this way. He then refers to
6 an entry in the diary about two boys receiving corporal
7 punishment for setting bales of straw on fire. That's
8 not the incident --

9 **A. No.**

10 Q. -- you are referring to?

11 **A. No. The incident that I recollect was well before this
12 and shortly after I came to Rubane.**

13 Q. And it was to do with absconding?

14 **A. That's my understanding, yes.**

15 Q. They had run off. Can you remember where the railings
16 were?

17 **A. Yes. There were some outhouses and initially would have
18 been where the clothes store was, a room where movies
19 were shown, and then the clothes store became
20 a billiard/snooker room, and there were railings across
21 from there. That's where the beating took place.**

22 Q. Did you just happen to see this taking place --

23 **A. No.**

24 Q. -- or were you meant to see it?

25 **A. I was meant to see it. The boys were all told to**

1 **line up and keep quiet, which we did, and then**

2 **I witnessed this incident.**

3 Q. So on the subject of absconding the Inquiry has heard
4 other evidence about this, but was it a particular issue
5 that boys were brought together and an example made of
6 the person who had run off? Was that your experience or
7 was this just one isolated incident that you recall?

8 **A. This was an isolated incident I recall, but there was**
9 **a lot of emphasis placed on managing boys who had run**
10 **away, but this didn't appear to be as far as I'm aware**
11 **something that happened on a common basis.**

12 Q. And you were not someone who ever ran away?

13 **A. I never ran away.**

14 Q. So you weren't part of it. Obviously BR2 will give
15 evidence to the Inquiry.

16 **A. That's fine.**

17 Q. What he is saying is that is not true. That didn't
18 occur.

19 **A. That's okay.**

20 Q. That's not your recollection.

21 **A. No. I would stand over what I say, but BR2 has a view**
22 **that he wishes to present to the Inquiry. I'm okay with**
23 **that. That's up to him.**

24 Q. I want to ask you just in the context of that, because
25 you mentioned to me when we were talking about this

1 earlier, you have positive memories of BR2.

2 **A. Absolutely.**

3 Q. We will come to those at the end as well.

4 **A. Yes.**

5 Q. You also made the point about the likes of BR6 that you
6 had positive memories about him --

7 **A. Yes.**

8 Q. -- but yet you could point to examples of similar types
9 --

10 **A. Of course. Of course.**

11 Q. Do you want to just explain about that? What did BR6 do
12 that you remember?

13 **A. BR6 used to the challenge us to table tennis matches and**
14 **we could win a few pence for that, and sometimes he gave**
15 **us five or ten points up and then, as we got better, we**
16 **gave him five points or so, but I recall an incident in**
17 **a classroom where a boy had pointed out that he had**
18 **spelt a word wrong on the blackboard and BR6 turned and**
19 **hit him across the face with the pointer, the bamboo.**

20 Q. Again you have positive memories of your interaction --

21 **A. Yes.**

22 Q. -- with the likes of BR6, but then you remember --

23 **A. Yes.**

24 Q. -- a particular incident --

25 **A. Yes.**

1 Q. -- that occurred. In this case it was in the school.

2 A. Yes.

3 Q. But you never had any difficulty with him?

4 A. No, I don't recall him -- well, apart from being caned
5 in class or whatever or when you were punished during
6 reward/punishment time, but I had good -- I thought
7 I had good relationships with most of the Brothers.
8 I would have had a good relationship with BR2, who
9 taught me how to play hurling. He was a good hurler, if
10 I recollect correctly.

11 Q. Is that how you characterise generally your
12 relationships with the Brothers, that you had a good
13 relationship with them?

14 A. Yes.

15 Q. You had positive interaction with them, but whether it
16 was done to you or others, you had -- you have memory or
17 recollection --

18 A. Yes.

19 Q. -- of specific incidents where things have gone over the
20 top?

21 A. Yes. This is the way it was. I mean, that's -- that's
22 what we grew up with either in Rubane or in Nazareth
23 Lodge, but in Rubane, yes, there was painful memories
24 but there are also positive experiences as well, to be
25 fair.

1 Q. You then mention in -- if we go back, please, to
2 paragraph 32 at 641, BR4.

3 **A. Yes.**

4 Q. Now he is BR4 and we have not looked at him before. So
5 if I could just give the Panel this information. He
6 arrived from St. Patrick's in August of 1962, aged 31,
7 and was there until September '64, and then BR2 replaced
8 him in 1964 when BR2 first came to Rubane. That's at
9 11823. He later returned during HIA225's time for
10 another six-year spell between 1970, when he was aged 39
11 -- that's at 11833 -- and 1976, when he was 45 -- that's
12 at 11844 -- when he moved back to St. Pat's. In fact,
13 on 1st September '73, which is after HIA225 has left, he
14 became the principal of the Rubane school when BR2, who
15 had taken over from BR6 in July '71, had taken over what
16 was the dual role at that stage of being the person in
17 charge of the home and principal. Those roles were
18 separated, and when they were separated in '73, then BR4
19 became the principal. He died in September of 1996.

20 So you recount in paragraph 32, HIA225, a particular
21 incident of being strapped. Do you just want to explain
22 that in your own words, precisely what happened?

23 **A. Yes. We were in class and BR4 was pacing up and down**
24 **and he said to me to stop copying and I said "Brother,**
25 **I'm not copying. I don't copy" and he --**

1 Q. If I just pause, you have a particular reason for saying
2 that to do with something that happened in Nazareth
3 Lodge.

4 A. I have, yes, yes. I will share it with you, yes. There
5 was an occasion when I was in I think it was Primary 7
6 when I was in Nazareth Lodge and there was a teacher
7 and he put a problem on the blackboard
8 and asked the class to solve the problem individually
9 and he would be back in a few minutes. He left the
10 class and we got to it, and I had my answer for it
11 relatively quickly. Others were querying, "Well, what
12 was your answer?" and they had one answer and I had
13 another, and I rubbed my answer out and put the answer
14 the group had, and when solved the problem as
15 you're about -- what happened, the answer I had was the
16 correct answer, and he when the class left asked me to
17 remain behind and said, "Why didn't you get that?" and
18 I said -- he asked for my jotter and saw that I had
19 rubbed out. He asked me, "What was the answer?" and
20 I gave him the answer. He said, "That was the correct
21 answer" and he caned me.

22 Q. So what --

23 A. So I learned a massive lesson then. I don't copy.

24 Q. -- had happened, you tried to change your answer, run
25 with the crowd.

1 **A. Yes.**

2 Q. He caught on and gave you six of the best for doing
3 that.

4 **A. For doing that. That was a lesson I learned. I didn't**
5 **ever copy again or run with crowds.**

6 Q. Whenever this was arising then with BR4, your context
7 was a lesson you already learned about not copying.

8 **A. Absolutely, absolutely, yes.**

9 Q. He accuses you of copying and you say you haven't. Then
10 what happens then?

11 **A. He had a strap coiled up and had in his pocket either**
12 **sometimes here or sometimes here.**

13 Q. Can I just pause you there? The Order have said the
14 strap couldn't be coiled up. It wasn't something
15 that -- other people have talked about the coiled strap.

16 **A. Yes.**

17 Q. But what do you say about the suggestion that you
18 couldn't coil this strap?

19 **A. That's not my understanding and my vision was that this**
20 **was coiled up like this and taken out, and how BR4 would**
21 **have strapped you wasn't like this. He would have**
22 **brought -- uncoiled it and brought the strap back. Then**
23 **he would come down, depending on what you had done as to**
24 **how severe it would be, but he strapped me several**
25 **times.**

1 Q. Where did he keep the strap?

2 A. In his pocket. Sometimes here. He had a pocket here,
3 if I remember rightly, and sometimes there was a pocket
4 here.

5 Q. So he's not accepted your explanation and you describe
6 him --

7 A. That's okay.

8 Q. -- hitting you several times on the hand.

9 A. That's correct, yes.

10 Q. You were right-handed. Is that right?

11 A. I am right-handed, yes.

12 Q. This strapping was on the right hand?

13 A. Right hand, yes.

14 Q. The issue that arose then was you, because of the pain
15 of that strapping, couldn't then write.

16 A. I couldn't lift a pencil. My hand was numb. He came
17 back again and told me to get on with my work and
18 I says, "Brother, I can't hold the pencil", and he hit
19 me across my left ear, knocking me off my chair. The
20 strapping, as I say, was part and parcel, but the
21 hitting me on my ear, you know, I hadn't been beaten
22 round the head at that stage, and I have a perforated
23 left eardrum. That became apparent when I was 18.
24 I don't know whether it caused it or not, but certainly
25 it didn't do my eardrum any good.

1 Q. You mention then in 33 that you decided that you had had
2 enough. You told your social worker --

3 **A. Yes.**

4 Q. -- **DL 527**. Now I was able to help you today
5 date when that occurred.

6 **A. Yes.**

7 Q. If I could ask, Members of the Panel, if you can turn in
8 the hard copy, because I can't bring it up on the
9 screen, to an entry of March 1971 in the records that we
10 have from the Health & Social Care Board. So at this
11 point you would have been 14 and a half effectively.
12 You were born in

13 **A. Yes.**

14 Q. This is March '71.

15 **A. Yes.**

16 Q. So 14 and a half.

17 **A. Sure I wouldn't recall the age I was, but certainly
18 I recall the incident.**

19 Q. I am just going to read it out, HIA225. I read it to
20 you this morning --

21 **A. Okay.**

22 Q. -- but just so it is there for the record. This is
23 an entry from **DL 527** or it is initialled **DL 527**
24 but it says:

25 "Visited HIA225 in De La Salle and we went for

1 a walk round the grounds. HIA225 was much freer in his
2 conversation and enjoyed pointing out the new gymnasium
3 and various recent additions to the building. He told
4 me that a week ago while in class" -- so we can see that
5 it is a March '71 incident -- "a week ago whilst in
6 class he had looked round once. BR4 had accused him of
7 copying and had hit him on the ear. HIA225 denies that
8 he was copying and told me that his ear had been painful
9 since the incident."

10 Then it says this:

11 "As this was the only occasion when BR4 had 'picked
12 on him', I advised HIA225 to ignore the incident unless
13 BR4 continued to punish him unjustly, whereupon he
14 should discuss the situation with BR6",

15 who would have at that point still been the
16 principal. BR2 took over in September '71:

17 "... unjustly, whereupon he should discuss the
18 situation with BR6. This plan seemed to satisfy him.
19 HIA225 was up at Nazareth Sunday a week ago playing the
20 accordion in a concert and saw **NL 3-R** while he was there.
21 He was up in Belfast yesterday and also saw **NHB 21**. The
22 family still remain very close knit."

23 It says slightly further down, HIA225, in an entry
24 in April:

25 "HIA225 has been in no more trouble with BR4 and

1 continues to be content in Kircubbin."

2 So what that suggests is a number of matters that
3 I want to raise with you. You felt able by this point
4 to disclose to your social worker in terms of physical
5 abuse --

6 **A. Yes.**

7 Q. -- what had occurred with BR4. I am going to ask you
8 that's not what occurs over the sexual abuse.

9 **A. No.**

10 Q. Why did you feel able to talk -- we now -- we have
11 mentioned DL314, which would have been around about the
12 same age, and this incident with BR4, which you then
13 tell the social worker about. You told BR2 about the
14 DL314. Why did you feel able to talk about this type of
15 activity and not then about the sexual activity?

16 **A. I suppose there were a number of reasons at the time.**
17 **It is difficult to contextualise as to what I did then.**
18 **These were adults who had hurt me in a physical sense.**
19 **So I wasn't telling on anyone. I was complaining about**
20 **how I was being looked after. In terms of telling about**
21 **anything in Rubane, there was a code. No-one ever**
22 **mentioned the term code, but you didn't tell on your**
23 **peers no matter what happened, but there was also shame**
24 **as well. I mean, it's not something you go round**
25 **saying, "Somebody did this to me. Somebody did that to**

1 me". I had had enough on one occasion when I woke up
2 and the person was harming. I said, "I will tell BR2 if
3 you don't go away", and that wouldn't have been very
4 long after the incident with the DL314, where in
5 fairness, as I said about BR2 earlier, when I did
6 complain about what I felt to be harmful, he acted and
7 had me moved to the house. So I then could see things
8 could happen.

9 Q. So whether it was a conscious decision of yours --

10 A. I don't know.

11 Q. -- you were able to disclose these physical --

12 A. Yes.

13 Q. -- pieces of abuse --

14 A. Yes.

15 Q. -- but not the sexual. We will come to the sexual
16 material.

17 A. But the thing about the sexual material is that this was
18 going on all over. There were boys involved with boys
19 and, as I explained here earlier, I didn't know what was
20 wrong and what was right half the time.

21 Q. Do you remember -- obviously I have refreshed your
22 memory by reading out to you what **DL 527** had
23 recorded. Do you now remember her dealing with it in
24 that way of saying to you, "Well, let's see if there's
25 any more, and if there is, tell BR6 about it"?

1 **A. That's not quite my recollection of the conversation.**

2 **My recollection of the conversation is she asked me what**
3 **did I want her to do about it. I said I just didn't**
4 **want it to happen again.**

5 Q. It may be then that there was a "Let's wait and see --
6 watch and see what happens" --

7 **A. It could very well be, yes.**

8 Q. -- approach that seems to have been taken.

9 **A. And it is 40 plus years ago. So yes.**

10 Q. But you are not aware of her, for instance -- she
11 doesn't appear from her record to have either spoken to
12 BR4 or spoken to BR6 about it. Are you aware of her --

13 **A. No. It is interesting it never happened again, but**
14 **I did ask her to make sure it didn't happen and I didn't**
15 **wish any further action other than that. I assumed she**
16 **had spoken to either BR6 or BR4, but I don't know.**

17 Q. But it doesn't -- certainly from the record it doesn't
18 appear --

19 **A. No, no.**

20 Q. Because it didn't happen again, that was your assumption
21 as to what had taken place?

22 **A. Yes.**

23 Q. But BR4 never again went beyond the normal level --

24 **A. No, no.**

25 Q. -- of strapping --

1 **A. No.**

2 Q. -- as he used it? The Health & Social Care Board have
3 acknowledged in paragraph 6 at 8163 that you did report
4 this incident --

5 **A. Uh-huh.**

6 Q. -- and that is a matter that the Inquiry will take into
7 account as to how this was dealt with --

8 **A. Okay.**

9 Q. -- whether that's indicative of how it was dealt with at
10 that point in time.

11 You mention in paragraph 34 then of your statement
12 DL6, the [REDACTED] teacher.

13 **A. Yes.**

14 Q. Again his name, like all the other names I'm mentioning
15 to you, for the purposes of the media should not be used
16 beyond the chamber. You talk in paragraph 34 about him
17 throwing things. Again this is something that the Panel
18 have heard some other evidence about, but you, like
19 others, would describe him as a very good teacher. He
20 was very skilled in [REDACTED].

21 **A. He was a very skilled [REDACTED], but in terms of**
22 **teaching he was very good at teaching you how to do**
23 **[REDACTED], but in terms of other roles of a teacher, in**
24 **terms of looking out for you, how you are doing, how you**
25 **are managing I maybe wouldn't agree. He threw things.**

1 He would boast about how good he was at throwing.

2 Q. You used a particular phrase to me earlier about how he
3 could hit a fly --

4 A. He used to tell us he could hit a fly between the eyes
5 on the wall, yes. When he threw something, generally
6 speaking he hit what he threw. You know, mats or
7 dusters or T-squares could go flying very quickly.

8 Q. Can you -- there has been some material the Inquiry is
9 aware of suggesting that he was often provoked by boys.

10 A. Yes, yes.

11 Q. Can you remember that being the case?

12 A. Yes. Sometimes some of the boys would provoke him.
13 I mean, they would provoke anybody who would react to
14 them, be that the youngsters, not the Brothers or those
15 who could manage that, if you could say, but yes,
16 I would have seen them provoke him.

17 Q. You describe how -- essentially how he dealt with you on
18 this particular occasion with a steel ruler and caused
19 you to lose a nail.

20 A. Yes. He used to like putting your hands behind your
21 back and hitting you on your nails or on your fingers.
22 On this occasion he had a steel ruler that he turned
23 sideways and hit me on the nail. Now I lost a nail
24 after that now, this nail.

25 Q. Can you remember was that at a -- you don't suggest, for

1 instance, and I can't find any reference to it in the
2 material from the Social Services that we have --

3 **A. I didn't report that.**

4 Q. You didn't report that incident?

5 **A. No, no.**

6 Q. Were you at a younger age when that happened?

7 **A. Yes.**

8 Q. Then, HIA225, what I want to do is look at the series of
9 sexual incidents that you describe.

10 **A. Uh-huh.**

11 Q. The first is in paragraph 35 and you talk about BR15.

12 **A. Yes.**

13 Q. You say he was in charge of the clothes. One of your
14 jobs, you were required to help him --

15 **A. At one stage, yes.**

16 Q. -- with the clothes. You describe him essentially
17 touching you.

18 **A. Yes. He would touch on occasions as in passing, or if
19 you were going up the stairs or he was behind you, he
20 would have touched my bottom. He would have touched my
21 penis. Never inside clothes, only outside clothes.**

22 Q. How long did you stay in that role of helping with the
23 clothes?

24 **A. Well, I didn't want to stay. I can't recall how long,
25 but I certainly didn't make a point of being on my own**

1 with BR15, and I didn't stay very long, if I recollect
2 correctly.

3 Q. How open was he -- you describe in your statement as
4 "notorious". How open was he about this activity?

5 A. Well, we knew -- we knew what was going on. I mean,
6 some of the boys knew he was doing this. He wouldn't
7 have done it outside or in groups, but it certainly
8 wouldn't have been that private. It wouldn't always
9 have been in a room with doors closed, for example. It
10 could have been upstairs, as I say, or coming down
11 whenever there was other people milling about outside.

12 Q. So it wasn't -- he wasn't trying to secrete it away, as
13 you say, behind closed doors?

14 A. I can only tell what I -- what I experienced. I didn't
15 see that it was something done, you know, secreted by --
16 at times, yes, it would have been in a room. Other
17 times it would have been somewhere else.

18 Q. But yourself can't say whether any of the other Brothers
19 would have known whether he was actually doing this?

20 A. No, I can't say that.

21 Q. As I indicated, and you found it helpful, the Order have
22 acknowledged that he did abuse boys and in your case
23 they accept the account that you are describing.

24 A. I appreciate that.

25 Q. That is at paragraph 12, 2352.

1 You then describe abuse in paragraph 36, if we
2 scroll down, please, involving DL95, and the Inquiry
3 Panel will -- the Panel will know and I am just passing
4 them a note as to who that is, and we are not going to
5 use his name --

6 **A. Yes.**

7 Q. -- HIA225, but you had known this boy from Nazareth.

8 **A. Yes.**

9 Q. He was the same age as you.

10 **A. Yes.**

11 Q. You describe how on two occasions he tried to have anal
12 sex with you --

13 **A. Yes.**

14 Q. -- when you were in your room.

15 **A. Yes.**

16 Q. Now this, HIA225, was in chalet 1 --

17 **A. Yes.**

18 Q. -- and the point that the Order has made is this other
19 boy was in chalet 2. He had no reason to be in chalet
20 1. You can't say why he came into chalet 1?

21 **A. I can't say. I could look at that in two ways. I agree**
22 **with what the Brothers are saying, but then I also agree**
23 **he had a reason to be in chalet 1, and at that stage**
24 **I would have shared a room for a period of time, and**
25 **then on these occasions was when I was on my own in**

1 **a room.**

2 Q. So you still might have --

3 **A. So it was late at night. Sorry.**

4 Q. I was going to say you mentioned to me -- and if I just
5 try to summarise it in this way -- you describe him as
6 being fairly openly in a relationship --

7 **A. Yes.**

8 Q. -- with another boy.

9 **A. Yes.**

10 Q. The Inquiry will have his interview with the police in
11 1995 when he sets out there what might have been
12 occurring. I am not sure he describes it as clearly as
13 you do --

14 **A. No.**

15 Q. -- but on this occasion he has come in during the night
16 --

17 **A. Yes.**

18 Q. -- to a room that you might have been sharing with
19 another boy.

20 **A. No, I was on my own in the room at the time. I had
21 previously shared a room, but there was a period when
22 I was on my own.**

23 Q. Was that in a single room or might it have been
24 a two-person room --

25 **A. No, it was a two-person room, but I was on my own.**

1 Q. -- but the other person wasn't there at the time.

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

3 Q. The Inquiry has a response, as I said to you, from that
4 individual, DL95, if we just look, please, at 1927, and
5 he says that no sexual abuse occurred, ie he denies this
6 incident at all. We can see at the top the reference to
7 your name and then he is saying no sexual abuse
8 occurred. That's what he has had to say to the Inquiry.
9 Is there anything else you want to say about that?

10 **A. He can say what he wishes. I mean, I am not surprised**
11 **that he denies it. I mean, people do, but I know what**
12 **he did or tried to do.**

13 Q. And in fairness to you there are allegations made by
14 others in relation to DL95 that the Panel have and will
15 consider, and in fairness to you the Order has also said
16 to the Inquiry that members of the Order had suspicions,
17 as they describe it, about this particular boy and what
18 he might have been doing.

19 **A. Uh-huh.**

20 Q. They do raise this point, as I made to you, about
21 chalet 2 and chalet 1. Were the doors locked between
22 the chalets?

23 **A. I don't know. I mean, the buildings were adjacent to**
24 **one another, but I can't say whether the doors --**
25 **I don't believe that the doors were locked, but this**

1 person did come into my room and did do or try to do
2 these things.

3 Q. Yes. You don't really care how he managed to come about
4 getting there.

5 A. No. It is not for me -- not for me to decide how that
6 happened -- could have happened.

7 Q. But you are clear that's what he did?

8 A. Absolutely.

9 Q. Why did you not feel able to tell anybody about that?

10 A. That's a difficult question. I tried to answer it
11 previously. I mean, there was, as I said --

12 Q. You mentioned fear.

13 A. Well, this gentleman -- sorry -- this person would have
14 been reputed to be the best fighter in the home. Whilst
15 he may have been around the same age as me, I wasn't
16 a big person. I am still not a big person. Nor was
17 I a fighter. I am still not, but he was much stronger
18 than me, and if I told -- I did say earlier about this
19 -- if you tell, things get much worse and you do get
20 hurt. So you didn't tell.

21 Q. And, in fact, you describe later in paragraph 36, if we
22 go back to 642, please, an altercation that does occur
23 --

24 A. Yes.

25 Q. -- between you --

1 **A. Uh-huh.**

2 Q. -- and him and another boy --

3 **A. Yes, yes.**

4 Q. -- who he was close to --

5 **A. Yes.**

6 Q. -- not in the chalets --

7 **A. No.**

8 Q. -- but in the outhouses --

9 **A. Yes.**

10 Q. -- as you come down a set of stairs.

11 **A. Yes.**

12 Q. This is an incident where you say BR2 saw what happened
13 and didn't intervene. DL95 has said to the Inquiry that
14 you are mistaken. It was BR12, not BR2 --

15 **A. Uh-huh.**

16 Q. -- that pulled him off you as he was -- I think you
17 described it to me earlier as he was giving you
18 a beating, but you are clear your recollection is it was
19 BR2 who saw what happened?

20 **A. All I can recollect is I can't say for certain whether**
21 **he saw it or deduced from the conversation we had that**
22 **he had done so, but to put this in context, both these**
23 **boys took delight in trailing me down this set of stairs**
24 **and hurting my middle back and I saw red and went to hit**
25 **the other person.**

1 Q. Not DL95?

2 A. Oh, absolutely not. You wouldn't hit him.

3 Q. But you managed --

4 A. I managed to hit him and he gave me a beating and
5 I wouldn't stay down, and I don't know who pulled him
6 away. I can't recall that.

7 Q. That could have been BR12?

8 A. It could very well have been. I do recall BR2 speaking
9 to the two of us in his office and asking me what had
10 happened. Well, I wasn't for saying what happened --
11 you didn't do that -- and we both got caned.
12 Interestingly, though, anybody previously who would have
13 been giving me a tough time stopped. I'm not sure what
14 connection that has to it, but I certainly wasn't for
15 telling.

16 Q. And BR2 has denied to the Inquiry that he watched
17 a fight and didn't intervene. He says that in
18 paragraph 16 at 1931, but you have -- that's your --

19 A. That's my view. I can't -- I'm not suggesting that BR2
20 has been anything but giving his version, but certainly
21 I recollect the conversation we had, and if he didn't
22 see it, he knew about it, and I felt I was twice
23 victimised. I got a pasting. I kept my mouth shut and
24 then I got caned as well.

25 Q. You then describe in paragraph 37, HIA225, another boy

1 --

2 **A. Yes.**

3 Q. -- DL94, and again I am going to give the Panel the
4 identity of that person.

5 **A. Yes.**

6 Q. Can you just hand that up, please? Again this is
7 an individual who the Inquiry has endeavoured to contact
8 and we haven't been able to do that, haven't been able
9 to trace him --

10 **A. Uh-huh.**

11 Q. -- but the Inquiry has, as I indicated earlier, other
12 material that the Panel will consider relating to him
13 and allegations that he faced and what he had to say
14 about sexual activity generally in the home and his
15 participation in it.

16 **A. Yes.**

17 Q. But whatever he's saying about consensual activity, you
18 are describing something that for you was not
19 consensual.

20 **A. Absolutely not.**

21 Q. You didn't ever engage in --

22 **A. Absolutely not. I didn't consent. I didn't engage in**
23 **any of these activities, nor did I wish anybody to**
24 **engage in them with me.**

25 Q. What you describe is him coming twice into your room.

1 Again this was in the chalet.

2 **A. Uh-huh.**

3 Q. So pre-1971. You are 14 or under.

4 **A. Uh-huh.**

5 Q. And this is again at night-time.

6 **A. Yes.**

7 Q. This boy did share the chalet with you.

8 **A. Yes.**

9 Q. The Inquiry will be able to consider the other matters
10 that --

11 **A. Could I -- if the Panel didn't object, I have never
12 spoken about these incidents ever --**

13 Q. Yes. You --

14 **A. -- until this Inquiry came about, and I had my life
15 sorted until the publicity of this came out, and then
16 I -- my own demons came back, and my rationale for being
17 here is not for revenge or anything. It's to help me
18 with my experiences. That's -- just if I put that in
19 context. My wife doesn't even know about these
20 incidents.**

21 Q. I will be coming to it at the end. You have never
22 spoken to the police even after they tried to contact
23 you.

24 **A. No.**

25 Q. You never brought a civil claim against the Order.

1 **A. No, no.**

2 Q. Even with your family you have not disclosed --

3 **A. No.**

4 Q. -- what the Inquiry is hearing about today.

5 **A. No. I mean, there is shame attached to this as well.**

6 **You don't talk about these things.**

7 Q. But you felt the need -- even though, as you described
8 it, life sorted with a good job, family and so on --

9 **A. Yes.**

10 Q. -- you needed to come and say what you are saying.

11 **A. Absolutely.**

12 Q. You describe then in paragraph 37 an incident involving
13 --

14 **A. Yes.**

15 Q. -- HIA21.

16 **A. Yes.**

17 Q. I am just handing his name. He is going to give
18 evidence to the Inquiry as well. At this stage, to put
19 it in context, this is not in the chalet.

20 **A. No, this is in the house.**

21 Q. So this is after the --

22 **A. Yes.**

23 Q. -- issue with the DL314 and you have been moved to the
24 main house.

25 **A. Yes.**

1 Q. You are in a dorm --

2 **A. Yes.**

3 Q. -- and you describe basically waking up and finding this
4 boy at your bed, and you describe his hand under the
5 covers trying to touch you.

6 **A. He was on the edge of my bed. I woke up and his hands
7 were down my pyjamas or whatever I was wearing, and
8 I told him to stop, and I suggested to him that if he
9 didn't stop, I would tell BR2. I had enough at that
10 stage. I didn't want anything more to happen to me in
11 there.**

12 Q. Well, can I ask you this question: what was different
13 about this boy? You have mentioned fear and shame.

14 **A. I wasn't afraid of him.**

15 Q. You weren't afraid of him?

16 **A. No.**

17 Q. And that's why you threatened him --

18 **A. Yes.**

19 Q. -- with you would speak to BR2 about him?

20 **A. Yes.**

21 Q. You didn't --

22 **A. No.**

23 Q. -- speak to BR2.

24 **A. No. He stopped and he left and he never did it again.**

25 **So that was done.**

1 Q. He has said to the Inquiry that -- if we look at his
2 response just at 8210, please, he wasn't clear as to
3 whether it was being said this happened in the chalet or
4 in the dorm. He says -- sorry. I have got the wrong
5 ... We will just leave that for a moment while my
6 trustee assistant gets me ...

7 **A. Okay.**

8 Q. She should be able to get that pretty quickly and we
9 will return to that. You go on to mention, if we look,
10 please, at paragraph 39 at 642, then DL141. The Panel
11 will be aware again who you were talking about. You
12 describe being allowed to go to his house for the
13 week-end and how the abuse happened over a number of
14 weekends.

15 Now, as you know, I was explaining to you this
16 morning from the records that are available what looks
17 to have happened when you say his house, he was in digs
18 or with a landlord, and the records, if I summarise them
19 in this way, HIA225, recount you being friendly with
20 him, being unhappy where you were living in University
21 Street, and suggesting you could go and live with the
22 landlord, whose name is in the material, and the Social
23 Services saying, "Well, we have got to check out if
24 that's suitable or not" --

25 **A. Uh-huh.**

1 Q. -- and on one occasion telling you off for having gone
2 to stay a week-end without their permission before they
3 checked out the location, but in the context of this
4 individual that you mention, DL141, how did that -- he
5 was an older boy who had stayed in Rubane.

6 A. He'd have been a past resident of Rubane.

7 Q. How did the relationship between you and him strike up?

8 A. My recollection is he would have visited Rubane. He
9 would have had brothers. I think there were four
10 brothers -- sorry -- himself and three brothers --

11 Q. Yes.

12 A. -- and his youngest brother, if my memory is right, was
13 either a year or may have been a year older than me, and
14 I would have met this person whilst he visited Rubane.
15 I do recall going to his home whilst I was in Rubane.
16 What I can't recollect is when the abuse started.
17 I shared that with you. I thought it had started whilst
18 I was in Rubane, but it might very well have been the
19 same year or so. Why I recall going to Rubane -- and
20 whether it is in social work records or not is not
21 an issue for me -- is that I would have played cards and
22 come back to Rubane with money and would have had more
23 money than anybody else, and I recollect playing cards
24 and going back to Rubane.

25 Q. Now you now reflecting with the knowledge that you have

1 --

2 **A. Yes.**

3 Q. -- from your work recognise --

4 **A. Yes.**

5 Q. -- the grooming behaviour, if I can describe it in that
6 way.

7 **A. Well, you described it as that, but I can -- yes.**

8 Q. Where a relationship is struck up with you.

9 **A. A relationship, money, whatever, drink. Having a beer
10 at 15, you're a hero. Those kind of things.**

11 Q. So to try and get the chronology of this right, your
12 recollection is that there were times when you are older
13 in Rubane but you are allowed out for the week-end --

14 **A. Yes.**

15 Q. -- and you stay with this guy --

16 **A. Yes.**

17 Q. -- who you had got to know --

18 **A. Yes.**

19 Q. -- but the abuse itself is likely to have taken place
20 when you stayed with him after you had left Rubane --

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

22 Q. -- and were beginning that process of aftercare work and
23 the places you were unhappy in, the digs in University
24 Street --

25 **A. Yes.**

1 Q. -- which I think you described as a -- you had
2 a particular word I think maybe for the University
3 Street accommodation.

4 A. I can't remember. It was a bit of a hole, yes.

5 Q. It wasn't a -- it wasn't a great place as you saw it.

6 A. No. It would have had a number of past residents, and
7 certainly there was another gentleman or person who had
8 harmed me when I was there. I suppose it is fair to say
9 that I was very unhappy going to University Street, and
10 I have been very fortunate in my life that I have met
11 people who have been very helpful to me, but at the time
12 I was earmarked for Kincora --

13 Q. Yes.

14 A. -- and my brother **DL 136** was in Kincora at the time, and
15 I didn't go, and the explanation that **DL 527**
16 had given me was that there was a tartan gang or
17 a loyalist kind of gang who was in Kincora and I wasn't
18 to go there. So I was extremely unhappy. I didn't know
19 obviously what I do now --

20 Q. Yes.

21 A. -- what we all know, and as far as I was concerned
22 that's where I was to go. That was my one chance, again
23 another chance of living with one of my siblings. So
24 I went. I was placed in University -- and there were no
25 aftercare services in them days. We do have them now,

1 of course, but the aftercare service I had was a social
2 worker who visited me and said, "This is how much money
3 you have to live on. Live on it".

4 Q. In fairness in the records --

5 A. **Sorry.**

6 Q. -- there is a lot of discussion about that, about you
7 not spending your money in the right ways --

8 A. **Yes.**

9 Q. -- they determine it should be --

10 A. **Uh-huh. Uh-huh.**

11 Q. -- and so on.

12 A. **Yes.**

13 Q. In fact, DL141 performed --

14 A. **He did, yes.**

15 Q. -- again his name shouldn't be mentioned -- he performed
16 a function for you of keeping your savings book and
17 recording --

18 A. **Yes. I thought this was a great guy. I didn't know
19 about all these things.**

20 Q. Yes. If we just can return to -- if we try 5467 and --
21 yes. If we just scroll down to the bottom, HIA21 says
22 of this incident in the dorm as you are describing it --

23 A. **Uh-huh.**

24 Q. -- where he puts his hand down your pyjamas that -- he
25 is saying that never happened and what he says is if you

1 make the allegation that the incident took place in a
2 communal room, because he wasn't sure whether it was
3 being said it happened in the chalets or in a communal
4 room, he would equally deny that as being an incident.
5 It wouldn't have taken place in a communal room. Is
6 there anything else you want to say about that?

7 **A. He is perfectly entitled to his opinion, but this was**
8 **late hours of night/morning, and whether people are in a**
9 **communal room or not, people were sleeping, and I woke**
10 **to what this person was doing to me. There wasn't any**
11 **great noise. I didn't scream and shout out. I told him**
12 **to stop it and go away.**

13 Q. And it never happened again?

14 **A. It never happened again.**

15 Q. We have dealt with DL141 in terms of what he did and the
16 Inquiry --

17 **A. I am getting mixed up with the numbers. I was going**
18 **okay there, but now we're --**

19 Q. Yes. Well, that's my fault. We had a problem with
20 a reference that has gone awry.

21 **A. Okay.**

22 Q. We will get back on track.

23 **A. Okay.**

24 Q. We have moved out of Rubane to the abuse that took place
25 in Belfast --

1 **A. Right. Okay.**

2 Q. -- and we have dealt with --

3 **A. Yes.**

4 Q. -- DL141 and what he did, having become your friend, as
5 it were, and the Panel has the opportunity to read the
6 detail of that, which I don't intend to go into with you
7 unless you want to say anything more about the nature of
8 the abuse, but you never reported him --

9 **A. No.**

10 Q. -- to anybody.

11 **A. No.**

12 Q. If I were to say at that point you were a bit older --

13 **A. Yes.**

14 Q. -- not an adult by any means -- you were 15 probably at
15 best --

16 **A. Uh-huh. Uh-huh.**

17 Q. -- why did you feel unable to talk about that to
18 someone? Is it the same reasons or can you think is
19 there anything else about him that --

20 **A. Well, I hadn't been afraid of him at the time, but I was**
21 **afraid when these things were going on. Who do you**
22 **tell? I mean, who was there I could tell? I could tell**
23 **a social worker, yes. What happens then? Equally this**
24 **was way beyond what had happened to me before and**
25 **I didn't want anybody to know or tell anybody. Again**

1 **this is the first time I have spoke about -- not the**
2 **first time. I apologise. When the Inquiry came out,**
3 **these are the first occasions. I never spoke about**
4 **these.**

5 Q. Yes. You have never talked to anyone other than the
6 Inquiry about this.

7 A. **I've never talked to anybody about -- I mean, this is**
8 **how I survived. I compartmentalised everything and**
9 **boxed it away.**

10 Q. You go on, HIA225, if we look at paragraph 40 on 643 in
11 your statement, to refer to DL137 --

12 A. **Yes.**

13 Q. -- and that is ... Again this was a boy that you had
14 known in Nazareth Lodge.

15 A. **Yes.**

16 Q. You had known him in Rubane.

17 A. **He was older than me, this person, yes.**

18 Q. He was older than you --

19 A. **Yes.**

20 Q. -- but you had known him in Rubane.

21 A. **Yes.**

22 Q. You never had any issue with him there.

23 A. **No.**

24 Q. But when you went into the University Street digs,
25 that's when he --

1 **A. Yes.**

2 Q. -- interfered with you.

3 **A. Yes.**

4 Q. You describe him holding you down --

5 **A. Yes.**

6 Q. -- and what he tried to do in paragraph 40, and as
7 I mentioned to the Panel earlier, he -- this boy was the
8 subject of allegations in file 20 of 41 by another boy
9 in the same chalet as HIA225 was while in Rubane, and he
10 has provided a response to that in that 1995 set of
11 papers. He is also the subject of file 38B of 41 of
12 Operation Overview in 1995 arising out of abuse he says
13 he suffered. That's at 64104 through to 64126, but he
14 went on to become and I am going to say he was
15 in St. Patrick's. That piece of information
16 shouldn't be disclosed beyond the Inquiry chamber.
17 During that role he in December 1985 was convicted of
18 sexual offences against boys in St. Patrick's. That
19 formed case 17.

20 If you recall, when I was explaining Operation
21 Overview, there were 29 cases. Case 29 was Rubane and
22 that produced 41 files. Well, case 17 of the 29 cases
23 of Operation Overview was about this individual, and you
24 will be able to find that at 64187 through to 64199.
25 That individual has since died.

1 So just so you are aware, HIA225, if I can summarise
2 it in this way, you are not the only person who has made
3 allegations about that individual. I appreciate you
4 didn't know --

5 **A. No.**

6 Q. -- other people had made allegations --

7 **A. No.**

8 Q. -- about him and that he was subsequently convicted of
9 abusing children.

10 What I want to ask you, HIA225 -- I notice the time,
11 Chairman, Members of the Panel, but if I may, if I could
12 continue with HIA225 and not have him stopping over
13 lunch, if we take a late lunch, if that's permissible.

14 CHAIRMAN: Yes.

15 MR AIKEN: You talked about BR15 being notorious. You
16 talked about the activity of the other boys. What
17 I~wanted to ask you about, if you can try and take your
18 mind back, how was sexual activity dealt with? Was it
19 ever talked about in Rubane by the Brothers to you or --

20 **A. Do you mean sex education?**

21 Q. Yes.

22 **A. No. I mean, I'm a reasonably intelligent man and at age**
23 **13 I hadn't a clue about anything of that nature and**
24 **I would suggest that would be the same for all. We**
25 **didn't have any education in that sense in respect of**

1 **from Nazareth Lodge or through to Rubane.**

2 Q. And you mentioned to me, and we touched on it in the
3 evidence, about you being aware of other boys --

4 **A. Oh, yes.**

5 Q. -- engaging in activity --

6 **A. Yes.**

7 Q. -- and the need to -- you dealt with that by avoiding
8 them.

9 **A. Yes.**

10 Q. Were you aware of places in Rubane that this activity
11 went on?

12 **A. Yes. There was lots of places. I mean, some, as you**
13 **have heard from me and my experiences in my bedroom, in**
14 **bedrooms. There are woods. There were lots of**
15 **outbuildings. There were --**

16 Q. And were you aware of discussions amongst the boys about
17 the fact that activity did take place in those places?

18 **A. Oh, yes. I would be aware of when Brothers became aware**
19 **of it, became a conversation that they would have with**
20 **the boys.**

21 Q. Can you remember any of those conversations?

22 **A. They would have talked about erections and ejaculation,**
23 **but that's not the language that was used. The language**
24 **I would have heard was terminology -- do you want me to**
25 **quote what I had heard?**

1 Q. Well, if this is a Brother speaking then --

2 **A. It's crude. Yes. You do?**

3 Q. Or do you want to write it down if that's --

4 **A. No. Things like, "Was your cock stiff? Did you cum?",**
5 **those kind of things, and we would have talked about**
6 **that as boys and giggled, if you could say that.**

7 Q. That's the discussion that took place between boys?

8 **A. Yes.**

9 Q. Was there discussion with the Brothers about it?

10 **A. No, that was a Brother to the boy asking --**

11 Q. So that is a conversation --

12 **A. -- asking the boys about what had gone on. That's what**
13 **the talk would have been.**

14 Q. So you are aware at the time that the Brothers are aware

15 --

16 **A. Yes.**

17 Q. -- or some of them are aware --

18 **A. Yes.**

19 Q. -- of some form of activity going on between the boys?

20 **A. Yes.**

21 Q. Do you recall any steps being taken to then talk about
22 that with you --

23 **A. No.**

24 Q. -- as to what that meant and how it should be done or
25 not be done --

1 **A. No.**

2 Q. -- or ...? There was no discussion. How widespread was
3 the problem to the extent that you can try and give
4 an idea of how widespread it was?

5 **A. Well, I described to you being in Rubane was like being**
6 **in "Lord of the Flies". I mean, there was the Brothers**
7 **and the staff did manage behaviour, but in terms of**
8 **people -- two people who hurt me in terms of when I got**
9 **the pasting were openly involved in a relationship and**
10 **others would have been -- you knew who to stay away**
11 **from.**

12 Q. And to what extent -- I think the Brothers have
13 acknowledged to the Inquiry that they were aware of
14 activity, but they would be saying to the Inquiry that
15 they weren't aware of the extent of it that now is
16 coming out as part of the Inquiry. Have you a view
17 about how much would have been known?

18 **A. No, I couldn't comment on that.**

19 Q. You don't know?

20 **A. No, no.**

21 Q. You mentioned and have mentioned a number of times --
22 I am just going to summarise it in this way, HIA225 --
23 in terms of positive experiences you have good memories.

24 **A. Absolutely. Absolutely.**

25 Q. You played -- learned to play the accordion well and you

1 kept pets, rabbits.

2 **A. I did, yes, and was encouraged to do so.**

3 Q. You were a Wolves fan. I am not sure that's a --

4 **A. That's a bit of a story. I mean, most of the group**
5 **preferred Liverpool or Manchester United. I was**
6 **a closet Manchester United supporter, but --**

7 Q. Well, I'm not going to --

8 **A. -- chose Wolves so I wouldn't be part of the crowd.**

9 Q. We are not going to hold that against you.

10 **A. That's okay. Many do.**

11 Q. The Wolverhampton Wanderers was because of a Northern
12 Ireland man who played for them?

13 **A. Well, it was coincidence, but it was -- I lined up a lot**
14 **of football cards and did "Eeny, meeny, miny, moe" and**
15 **happened to be the moe. So publicly**
16 **I supported Wolves, but privately I still liked**
17 **Manchester United, but that was just my personality.**

18 Q. You talked about, you know, people having a positive
19 view of you.

20 **A. Yes, yes.**

21 Q. You were put forward to present the bouquet of flowers
22 to the visiting Mrs Callaghan, as she then was --

23 **A. Yes.**

24 Q. -- the wife of the British Home Secretary.

25 **A. Yes, Ian (sic) Callaghan at the time, yes.**

1 Q. That was in the summer of '69. That's --

2 A. Yes.

3 Q. -- the reference for that is at 11830.

4 A. I was also put forward to make a presentation to other
5 visiting dignitaries on it may have been a later date
6 when the school was rebuilt, Mayor of Newtownards and
7 others. So I wouldn't want anybody to feel that some of
8 the adults who cared for us didn't try to promote
9 a sense of well-being, because that certainly did my
10 confidence a lot of good, doing those things.

11 Q. And you talk in your statement in paragraph 40 and 41 at
12 643 about a lack of preparation for leaving.

13 A. Uh-huh.

14 Q. Now, as I made you aware, the Inquiry has the Social
15 Services records --

16 A. Yes.

17 Q. -- that show a lot of interaction going on between the
18 social workers who were there and you in terms of
19 getting you the placement and places to stay and so on
20 and so forth.

21 A. Yes.

22 Q. Is your issue more about how that was done as opposed to
23 whether it was done or not done?

24 A. I mean, what many people don't really appreciate, being
25 in care is the easy bit if you are in long-term care.

1 It has its traumas and is very, very difficult, but at
2 15 leaving care and in place in digs where the support
3 you had was from a social worker who didn't see eye to
4 eye with you, and where you had two changes of clothing
5 -- that was your lot -- and where you were told to
6 manage 4 pound, 10 shillings a week, and the majority of
7 that was on your rent ...

8 When I was beginning to leave Dhu Varren -- sorry --
9 whilst beginning to leave Rubane there was some
10 preparation, yes. I had a job, a training course to go
11 to at a government training centre. I had digs.
12 I initially went to work from Rubane for a few days, if
13 I recollect correctly, but in terms of what I now am
14 aware of that the services are available now, there's no
15 comparison. That was you. You left at 15 and you were
16 on your own.

17 Q. Another positive aspect that you describe that you are
18 thankful for is your involvement with the .

19 **A. Yes.**

20 Q. You talk about them in paragraph 19 at 638, but your
21 involvement with them spanned --

22 **A. Yes. Their lifetime and most of mine.**

23 Q. Their lifetime?

24 **A. Yes. When I was first in Nazareth Lodge, they were**
25 **introduced to me as befrienders, and I stayed Christmas**

1 with them. I stayed Christmas with them for the
2 duration of my being in care. My understanding -- and
3 I can't talk about social work records -- is I am aware
4 they had adopted four children from St. Joseph's, which
5 was the baby home connected to the nursery which was
6 connected to Nazareth Lodge, and had a child of their
7 own, and they wished to adopt or foster me. My father
8 or whoever declined. So we remained friends until they
9 died. They were both at my wedding, at my child's
10 christening and we -- it was **NL 61** who encouraged
11 me not to think about working with hands but to work
12 with my brain, because he felt I had one. He was the
13 first person to challenge me as I always said "Yes" and
14 encouraged me to say "No".

15 Q. They were a constant source of encouragement to you --

16 A. Always.

17 Q. -- and a great memory that you have of those people.

18 A. Absolutely. I would never have met them if I hadn't
19 been in care. So I am very grateful to that.

20 Q. There is a record, if we can bring it up, of
21 December 1970. RUB2374. It seems to involve Miss
22 Sherrard of the Welfare looking at the possibility of,
23 as you say, fostering out or potentially adopting.
24 There is another at 2377.

25 You then -- having moved out into the digs and tried

1 the various work, you decided you were going to be
2 a social worker, and you had spoken to a particular
3 Trust about working --

4 **A. Yes.**

5 Q. -- and they said you needed a year's experience.

6 **A. Yes.**

7 Q. I know this is one of your positive reflections of BR2.

8 **A. Yes.**

9 Q. You got in touch with him --

10 **A. Yes.**

11 Q. -- and he invited you back --

12 **A. Absolutely.**

13 Q. -- to work in Rubane.

14 **A. Yes.**

15 Q. You worked at weekends.

16 **A. Alternate weekends in I think it was chalet 3.**

17 I suppose, to be fair, my thoughts of social work really
18 began after the incident with BR4 when I thought that,
19 "This isn't the way it should be", and then I forgot
20 about that, as I told you earlier, and I had began
21 training to be a diesel mechanic and became allergic to
22 diesel, as can happen, and at 17, 18 went back to
23 college and night school and got five 'O' levels, which
24 I'm very proud of.

25 Then when I was 21, I saw an advertisement in the

1 paper for a trainee social worker, and I applied for it,
2 and the Chair of the Panel also suggested -- sorry.
3 After that I got the letter saying "Disappointed", etc.
4 "Would you come and see me?", and I went up to our
5 County Hall and had a conversation with Stephanie
6 Ermine. I am happy to name the person. She said,
7 "Look, you were pipped by somebody having more
8 qualifications and experience. Go and get the
9 experience and come back and see us".

10 I tried to work out, "How can I do this?" and in
11 fairness I did ring BR2 and the Order was extremely
12 helpful in inviting me down, and I worked with her at
13 weekends for a period of time. Then I did some youth
14 work, and then saw an advertisement in the paper for
15 an assistant houseparent in a children's home and
16 applied for it and got that job, and my career started
17 from there.

18 Q. You have progressed to a high level, and you look back
19 at BR2's decision to facilitate you --

20 A. Absolutely. Absolutely.

21 Q. -- as something very positive.

22 A. I'm extremely grateful. I mean, if I hadn't got that,
23 I don't know how I would have got the experience. I was
24 a 21-year-old with literally no experience in working
25 with people. He very helpfully made that opportunity

1 **avail and I am very, very grateful for that.**

2 Q. HIA225, I know that there's -- we ask two questions at
3 the end of everybody's evidence. One is about
4 recommendations that the Panel has to make to -- at the
5 end of its work to the Northern Ireland Executive about
6 some form of apology, some form of memorial or some
7 other form of redress, and then the second question we
8 ask is whether there's anything else that anyone wants
9 to say.

10 I know, if we can maybe look at paragraph 44 of your
11 statement at 644, that you do want to say something
12 about you and in the context of your siblings.

13 **A. Yes.**

14 Q. I appreciate when we spoke earlier about this this was
15 difficult for you, but it was something you wanted to
16 do. So if we can bring up 644, please, then moving into
17 645, you describe for the Panel the outcome for the
18 seven members of your family --

19 **A. Uh-huh.**

20 Q. -- and how in many respects that has been extremely
21 tragic.

22 **A. Yes. I suppose that, to answer the first question,**
23 **I feel that an apology is needed, but I don't only**
24 **believe it's an apology from the De La Salle Brothers**
25 **who looked after me. I feel there's been apology been**

1 given by the statutory agents, given that were these
2 things to happen now, any one of the incidents I have
3 mentioned that -- where I was harmed by an adult would
4 have been -- those people would have been subjected to
5 supreme investigation and likely suspended, and I do
6 believe that my family and those other young people in
7 Rubane were let down by the statutory agents as well.

8 As to whether there should be a memorial, I think
9 that my memory is in my head, and I might not have got
10 everything 100% accurate, but I've got close to it from
11 my perspective.

12 The next thing I want to say I still struggle, and
13 if I do, I want to apologise.

14 Q. I said to you before there is absolutely no difficulty
15 with that. I know it is something that you want to do.
16 So you take your time and say what you want to say.

17 A. We were a very close family. We lived in a two up, two
18 down house. Goodness knows you wouldn't be allowed to
19 do it these days. There was probably seven in
20 a bedroom. When -- I came across my father setting the
21 house on fire and we stayed in neighbours' and we were
22 then placed in care, dispersed. We always remained
23 close. My holy grail was that we would be together
24 again some day.

25 I suppose people think I have done very well. Yes,

1 I have done extremely well. I am successful. I have my
2 own house. I have a successful marriage. I have
3 a daughter who is in a PhD, but that doesn't take away
4 what my life has been like in my head.

5 My eldest sister, whom you haven't mentioned, was
6 probably the brightest of all of us. She has
7 schizophrenia and was recently diagnosed as being
8 bipolar. I haven't seen her in nine years.

9 My elder brother was a habitual thief and I don't
10 know what has happened to him. I do recall a social
11 worker -- and I don't mind naming the social workers --
12 Inez Nichol and Liz Frost, who are the only two I felt
13 confident about taking me to see him in what was
14 Millisle Borstal. I don't know what happened to him.
15 I haven't seen him for 41 years.

16 I have a -- my next sister, who I haven't seen in
17 23, 24 years, maybe even more than that, is an alcoholic
18 and an anorexic. She was very bright.

19 My next sister is a depressive and has recurring
20 mental health issues. Her grandchildren were taken into
21 care. My -- I haven't seen her in ten years.

22 My sister next to her committed suicide when she was
23 42. One of the memories I have of her was when
24 I established contact with her, they had to restrain her
25 while a doctor took her baby off her because she was

1 schizophrenic as well. Her children were adopted. One
2 was fostered.

3 The one I have most guilt about is my youngest
4 brother. He was the one who passed his 11 Plus and he
5 committed suicide. He was 26. That's the way it is.
6 Sorry.

7 Q. You describe yourself as the one who survived.

8 A. I am a survivor, yes. People tell me that. You tell me
9 that, but what I haven't got now that I have lost I can
10 never have again. So I owe it to my children or my
11 child -- I have one child -- that she has never wanted,
12 and I couldn't be more proud of her. She has finished
13 a degree in Queen's and is now doing a paid PhD in
14 psychology, and she's the one who has broke the mould,
15 not me.

16 Q. What you are articulating, **HIA 225** if I can summarise it
17 in this way, is the consequences --

18 A. Yes.

19 Q. -- of a life in care and the break-up that occurs of
20 people going to different places and the outcome --

21 A. Yes.

22 Q. -- that, for instance, in your case has been so tragic.

23 A. I can -- I can't begin to understand what it is like for
24 anybody else or what it was like for mine. I can just
25 share with you my experience. I didn't come here for

1 children's homes that I manage I ensure that looked
2 after views take place, as looked after views should be
3 care planning, and endeavour not to permit drift. In
4 one establishment I manage it is an intensive support
5 service. It is meant to be used to prevent long-term
6 admission and I drive care plans through to ensure that
7 as far as possible children will return home. I think
8 we take bigger risks in this day and age. I don't mean
9 that we are complacent with it. To all intents and
10 purposes removing children from their home isn't the
11 answer or isn't always the answer and yet we still do
12 that. When we do separate siblings, we now have
13 assessment tools that we use to determine would it be in
14 that child's best interests. I would challenge that.
15 From my experience even had that been well thought
16 through, we had a close family unit and they separated
17 a close family unit and have devastating effects, as you
18 have seen today. So, yes, I take a lot of what I have
19 and try to ensure that we put that into practice.

20 I have a zero tolerance for anybody who harms
21 children. I have no hesitation whatsoever that if
22 anybody intentionally harms a child under my watch, that
23 I would give due consideration whether disciplinary
24 would be required, and all of those who work for me
25 appreciate that, because I'm only one of many. That's

1 and gentlemen. The first witness this afternoon is
2 HIA94. This is HIA94, who has given evidence on
3 a previous occasion about his time in Termonbacca in
4 Module 1. In the circumstances, Chairman, I am not sure
5 whether you wish him to be sworn in again.

6 CHAIRMAN: No, it is not necessary. You are still bound by
7 the oath or affirmation you made on that occasion,
8 HIA94. So we don't need to go through that again.

9 Questions from COUNSEL TO THE INQUIRY

10 MS SMITH: HIA94 has -- was afforded anonymity by the
11 Inquiry on the last occasion. He did speak to the
12 press, but he felt that was something not particularly
13 of his own making, and he would wish to reinstate the
14 anonymity order. So therefore his name cannot be used
15 outside the chamber unless he specifically consents to
16 that, and I have made him aware of the position with
17 regard to that.

18 Can I just confirm with you, first of all, there's
19 a number of documents which the Inquiry will want to
20 have regard to. His statement is, first of all, found
21 at RUB560 to 566. HIA94 made an addendum statement
22 which is found at 557 to 559.

23 The Order's response statement is at RUB3077 to 3079
24 with exhibits at 3080 to 3096, and then lately we
25 received a further response statement, which is found at

1

20

21

(Lunch break)

22 (2.10 pm)

23

WITNESS HIA94 (called)

24

CHAIRMAN: Yes, Ms Smith.

25

MS SMITH: Good afternoon, Chairman, Panel Members, ladies

1 and gentlemen. The first witness this afternoon is
2 HIA94. This is HIA94, who has given evidence on
3 a previous occasion about his time in Termonbacca in
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9 Questions from COUNSEL TO THE INQUIRY

10 MS SMITH: HIA94 has -- was afforded anonymity by the
11 Inquiry on the last occasion. He did speak to the
12 press, but he felt that was something not particularly
13 of his own making, and he would wish to reinstate the
14 anonymity order. So therefore his name cannot be used
15 outside the chamber unless he specifically consents to
16 that, and I have made him aware of the position with
17 regard to that.

18 Can I just confirm with you, first of all, there's
19 a number of documents which the Inquiry will want to
20 have regard to. His statement is, first of all, found
21 at RUB560 to 566. HIA94 made an addendum statement
22 which is found at 557 to 559.

23 The Order's response statement is at RUB3077 to 3079
24 with exhibits at 3080 to 3096, and then lately we
25 received a further response statement, which is found at

1 RUB4767.

2 The Health & Social Care Board response statement is
3 found at RUB8176 to 8178, and we have received a number
4 of papers from the Health & Social Care Board, which can
5 be found at RUB30163 to 30224, and you will see from
6 those -- and I will be opening some of those papers to
7 you -- that Tyrone County Welfare Committee had care of
8 HIA94 from a certain date.

9 There are several statements that HIA94 has made to
10 the police, but the relevant one for this module is
11 RUB66232 to 66233, and he's made individual statements
12 relating to his time in different homes during his
13 childhood.

14 HIA94, we have already spoken and you have spoken to
15 the Inquiry about your time in Termonbacca on an earlier
16 occasion, and I've spoken to you today and you know that
17 all we are dealing with today is your time in Rubane.
18 I know you want to speak about the other homes you were
19 in, but you are willing to come back on another occasion
20 to talk about those. Isn't that right?

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

22 Q. Then if we could just turn to your statement, first of
23 all, you will see here, HIA94, that the -- instead of
24 your name it says "The witness statement of HIA94",
25 which is in order to protect your privacy, and until you

1 tell someone that you want your name out in the public
2 domain you will be known as HIA94 in documents that we
3 put up after today.

4 If you just go to the last page, please, of your
5 statement, which is 566, and I'll just ask you to
6 confirm again that this statement was signed on
7 22nd July 2013. Do you remember signing the statement
8 for the Inquiry?

9 **A. I do, aye.**

10 Q. Your signature -- where it says "HIA94" there in a big
11 black box your signature is actually on the original
12 statement underneath there, HIA94. Then there is
13 a second statement that you made, and if we could go to
14 that. That's 557. This was a short statement that you
15 wanted to clarify some matters about what you had said
16 in your first statement to us. If we can just go to the
17 last page of that, please, which is 559, again you
18 signed that, and you signed that in March of this year,
19 HIA94. Isn't that correct?

20 **A. I did.**

21 Q. Can I just confirm that what you say in those statements
22 about your time in Rubane is what you want the Inquiry
23 to listen to today, to have regard to today as well as
24 anything you say to us this afternoon?

25 **A. No problem.**

1 Q. If we could go back, please, to the first statement,
2 paragraph 15, which is page 562, now you say here,
3 HIA94, in your statement that you went to Rubane on 4th
4 October 1972 when you were 13 and you think you were
5 there for about six months.

6 "I don't know why I was moved from Termonbacca.
7 Rubane was frightening. It was very big and there were
8 about 100 boys there and I had to learn to defend
9 myself."

10 Now we have had discussions and I have shown you
11 some documents that the Inquiry were able to obtain in
12 relation to what happened to you and why you were moved
13 from Termonbacca and you know that I am going to open
14 those documents up now to the Inquiry.

15 **A. Oh, yes.**

16 Q. The first of those that I want the Inquiry to have
17 a look at is the report of an educational psychologist,
18 which is RUB30165. If we go to the last sentence in the
19 first paragraph there:

20 "The Sisters feel they can no longer control him and
21 his influence on the other children is disrupting the
22 life of the home."

23 The third paragraph begins:

24 "The only suggestion that I could make to the
25 Sisters was to have him transferred to the De La Salle

1 Boys' Home, Kircubbin. I rang BR4, who agreed to take
2 the boy if he was placed in his care by the appropriate
3 welfare authorities. In the past they have taken over
4 cases like HIA94 without needing to have them placed in
5 care by welfare authorities, but now the Ministry have
6 taken over all other voluntary cases and have requested
7 them not to take in any more voluntary cases. I wonder
8 therefore if your authority could now officially take
9 HIA94 into care and have him placed in Kircubbin. Both
10 the Sisters in Termonbacca and BR4 in Kircubbin would be
11 agreeable to this."

12 We see then that there is -- that is exactly what
13 happened, HIA94. You were taken into the care of Tyrone
14 County Welfare. If we look at 3083, and this is
15 a letter from the Children's Officer of Tyrone County
16 Welfare written to BR2 in De La Salle Home on
17 3rd October 1972. It says:

18 "Further to my telephone conversation with BR4 on
19 Monday, I would be grateful if you would kindly arrange
20 accommodation for above-named boy at your home on
21 Wednesday, 4th instant. Mr Vance, Divisional Welfare
22 Officer, will collect HIA94 at St. Joseph's Home on
23 Wednesday morning", and I think that should be, "He and
24 Mr Johnston will transport him to Kircubbin after
25 lunch."

1 It would appear from documents that I am not going
2 to go into that, in fact, you were picked up, HIA94, at
3 Termonbacca and you were taken to another home,
4 Coneywarren, where they gave you lunch and then drove
5 you on to Kircubbin.

6 **A. I don't know. I can't remember, no.**

7 Q. You remember nothing of this. Isn't that correct?

8 **A. No, no.**

9 Q. You are aware that this is -- this is documentation we
10 have got and I am just showing you what we've learned
11 from the documentation.

12 Now if we could look, please, at 30169, you will see
13 here that this is just the process by which you were
14 taken into care, the care of the Welfare Committee.
15 Initially it was Londonderry County Welfare Committee:

16 "I shall place the facts before the Children's
17 Committee on 2nd October and recommend that **HIA 94**
18 should be accepted into our care under section 103 of
19 the Children and Young Persons Act 1968. I shall advise
20 Mother Superior, Mr Campbell and you of the committee's
21 decision next week."

22 Then if we could go to the next page, please, which
23 is 3170 (sic), and again this is -- this is a memo,
24 a confidential memo of Tyrone County Welfare, which
25 basically says that:

1 "Further approval for HIA94's transfer on a date to
2 be arranged to De La Salle Boys' Home."

3 It gives some details about your mother there,
4 basically that they were aware she was now married and
5 living in England and her name and address was unknown,
6 but they knew she had originally come from County Omagh
7 (sic). That is the reason, because of where your mother
8 came from, that you actually went into the care of
9 Tyrone County Welfare rather than Londonderry County
10 Welfare.

11 If we could just scroll down to the next page,
12 please, you see there that it says you were accepted
13 into care and arrangements were made for your admission
14 to De La Salle by the Children's Officer of Tyrone
15 County Welfare Committee.

16 Now you think, and would seem to be the case, HIA94,
17 that you spent about six months in total in Rubane.

18 **A. About that, aye.**

19 Q. We know you arrived there on 28th -- sorry -- on 4th
20 October 1972 and you stayed there until 28th March 1973.
21 Now there is a document which again I have discussed
22 with you and I am going to show this to the Inquiry
23 Panel. That's RUB30188. This is a Tyrone County
24 Welfare Committee case report. It may be that it
25 actually starts on the preceding page, which I am pretty

1 sure it does. Yes. It sets out there a short history
2 of your referral to the Tyrone County Welfare Committee,
3 details about your mother and your early history in
4 Termonbacca, about you being taken into care.

5 If we can just scroll on down, please, to the next
6 page, and it says that -- if we can just go to the -- on
7 down to where it says "Present behaviour":

8 "HIA94 settled into his new environment very well
9 causing no concern in the first months. In fact, he was
10 being considered as a model boy. He was placed into
11 a small group home",

12 which is what the -- the chalets were known as.

13 "Prior to the Christmas holidays HIA94 asked to
14 return for a short stay at his former home. Upon
15 consultation the Sisters at St. Joseph's felt that it
16 would not be in HIA94's or the home's interests for to
17 allow a short stay.

18 Subsequently BR2 of the De La Salle home observed
19 a deterioration in HIA94's behaviour, consisting of
20 attempting abscondment, being difficult and
21 uncooperative and non-responsive to reprimanding. This
22 behaviour resulted in HIA94 being taken out of the group
23 home situation and placed in the main home."

24 The report concludes thatBR2 BR2 felt that if your
25 behaviour became uncontrollable, then they would have to

1 seek to place you in St. Patrick's Training School.

2 So from that document, HIA94, we can see that when
3 you first are transferred to Rubane, you behave yourself
4 --

5 **A. Uh-huh.**

6 Q. -- and you behave yourself very well. You wanted to go
7 back to Termonbacca to spend Christmas. Can I just
8 confirm with you you had gone into Fahan as a baby.
9 Isn't that right?

10 **A. Fahan, aye.**

11 Q. And then were transferred from there to Termonbacca. So
12 Termonbacca was the only home you had known until you
13 were transferred to Rubane.

14 **A. That's right.**

15 Q. After you were told that you couldn't go back there to
16 spend Christmas with the nuns, that's when your
17 behaviour deteriorates and you start misbehaving in
18 Rubane. I know from talking to you that you don't
19 remember any of that, but you can see that is what this
20 document is telling us.

21 I am going pause there to give another piece of
22 information to the Inquiry Panel, which is when Tyrone
23 County Welfare became involved as a result of what had
24 happened in Derry, they tried to make contact with your
25 natural mother, and the documents show -- and I am not

1 going to open those, but they are in the bundle I have
2 referred the Panel to -- that the Welfare Committee in
3 Tyrone carried out discreet inquiries to try to locate
4 your mother. They spoke to your maternal grandmother,
5 who told them that she was married and in England, and
6 your maternal grandmother led them to believe, in fact,
7 your mother -- your mother's husband knew about your
8 existence, and when social workers contacted her in
9 England, that turned out not to be the case. Your
10 mother was surprised to be contacted by Social Services.
11 She believed that you had been adopted years before.

12 If we could just look at RUB30185, without going
13 into all of the details, the officer -- the social
14 worker from Lancashire County Council who spoke to your
15 mother said that she wasn't -- her husband wasn't aware
16 of your existence and she felt that could ruin her
17 marriage.

18 "She was most distressed, as she thought HIA 94 was
19 adopted many years ago. She left Ireland in or
20 ."

21 Now sadly I know from talking to you this morning,
22 HIA94, that you learned two weeks ago that your mother
23 has passed away --

24 **A. Uh-huh.**

25 **Q.** -- and that's -- that is something that has upset you

1 recently, but certainly at this -- when she gave you up
2 to the nuns, she thought you were going to be adopted,
3 and that seems to be what she has told the social
4 workers who contacted her in England.

5 If I might come back to your witness statement at
6 paragraph 16, 562, RUB562, I am just coming on to what
7 you told us about your time in Rubane in your statement.
8 At paragraph 16 you say:

9 "One brother constantly beat me. He was tall and
10 skinny, but I don't remember his name. He beat me with
11 his cane. Sometimes he would make me drop my trousers
12 and cane me on my backside. One day I stood up to him
13 and they took me out of the chalet I was in. I think
14 I~was in chalet 1. They moved me into the big house.
15 I was also beaten there by the Brothers. I can't
16 remember any of their names."

17 You -- that's all that you have told the Inquiry in
18 your statement about the beatings you say you got from
19 the Brothers, but you gave the police more details in
20 a statement you made to them. We are going to look at
21 that now, HIA94, which is RUB66232. This was a
22 statement you made in 2011. Again although this
23 document -- I am pulling up documents that have not been
24 redacted. They will be redacted before they are put on
25 the website and none of the names can be used outside

1 the chamber. You say:

2 "I used to get hit in chalet 4 by a Brother."

3 I am going to pause there, because the second
4 statement you made to the Inquiry you corrected the fact
5 that you were in -- the first statement you said you
6 were in chalet 1, but, in fact, it was chalet 4 and that
7 was an error and you corrected that error in your second
8 statement, HIA94:

9 "I used to get hit in chalet 4 by a Brother. I do
10 not know his name. He was skinny and big. I do not
11 know his name. They moved me into the big house after
12 that. He hit me with a strap or a bamboo stick. He hit
13 you on the hand, or on the bum. Take your trousers
14 down. Whack! You had no choice. You took your own
15 trousers down. It happened a few times. On the arse no
16 marks. On the hands marks there and then, but they go
17 away. He was a Brother. I do not know why he did this.
18 So they moved me to the big house. So in the big house
19 I got beat up a couple of times by Brothers in there.
20 I~would run away from there as well. In the big house
21 a Brother -- I do not know his name. I think you called
22 him 'BR6' or something like that. It could have been
23 a nickname. The solicitor has photos of him. I don't
24 know how to describe him. I couldn't describe him.
25 I~don't know his age then. He was in charge of the big

1 house. He beat me up a few times and he put me in
2 a room one night with a pair of trunks and you had to
3 sleep in an empty bath, no blankets or nothing. The
4 bath was in the big house. He would hit you with a fist
5 or a cane or anything that came handy. One time he hit
6 me on the chest with a fist. He would hit you in the
7 hands with a cane. It is so long ago. I did not have
8 any marks that I know of or as a child would remember."

9 You go on then:

10 "I don't remember too much about De La Salle.
11 I went to St. Pat's after that."

12 You thought there was one boy who would have been in
13 the house at the same time as you, but you don't know if
14 anyone else saw anything, but you thought he might have.

15 Now, HIA94, that's a bit more detailed than what you
16 told the Inquiry about what you said the Brothers did to
17 you. Is that what you remember?

18 **A. That's what I remember, yes.**

19 Q. Now a couple of things. You know from talking to me
20 that we have asked the Order about what -- the
21 allegations that you have made. They say that you were
22 in SR57's chalet. Do you remember SR57 at all?

23 **A. Not really, no.**

24 Q. They also say that you were moved to the big house
25 because you were hard to control and because you knocked

1 over a BR22 and that the Brothers moved you because they
2 could keep an eye on you in the big house. There was
3 closer supervision there. Do you remember a BR22 at
4 all?

5 **A. Not really, no.**

6 Q. Just the tall, skinny --

7 **A. Tall and skinny.**

8 Q. Now we know from the documents that we have received
9 that you were moved from Rubane on foot of a Training
10 School Order. I am going to have another look at
11 another document here, which is RUB30203. If we can
12 just -- this you will see was a case report, but it is:

13 "An application for a Training School Order in
14 respect of the above-named is due to be heard at
15 Newtownards Juvenile Court on 24th April 1973."

16 If we can just scroll down through that, it gives
17 details of your birth and your mother and your early
18 history, and again scrolling on down, again it repeats
19 the fact that you had settled well into the new
20 environment initially in Rubane before your behaviour
21 deteriorated, and if we can scroll on down then, please,
22 it says that:

23 "On 28th March 1973 HIA94 was removed on this date
24 under section 99 of the Children and Young Persons Act
25 (Northern Ireland) 1968 to St. Patrick's Training School

1 prior to appearing before the Juvenile Court."

2 The conclusions read:

3 "Tyrone County Welfare authority have had a very
4 little involvement in respect of this boy, but the
5 impression he has given is that of totally lacking in
6 interest, difficulty in communicating and he would
7 appear to have his heart set on returning to the
8 Londonderry area which he knows best and talks a little
9 of.

10 I feel that having been involved with the boy and
11 discussing his problems with those who have had charge
12 of his care, I would respectfully submit that the boy be
13 placed in a training school."

14 So although you don't remember why you were taken
15 from Rubane and placed in St. Pat's, it would appear
16 that there was a legal process that was gone through to
17 put you there.

18 **A. I know now, but I didn't know.**

19 Q. Until I presented this document to you you had no
20 knowledge of that --

21 **A. No.**

22 Q. **HIA 94** Isn't that correct?

23 **A. Nothing.**

24 Q. Now in the course of preparing these papers for the
25 hearing in the Juvenile Court the Order contacted your

1 mother again. We can see that at 30206. It is
2 indicated she did not intend to attend the Juvenile
3 Court proceedings and she was advised to write to you
4 giving the reasons for non-attendance.

5 If we go to the next page, which is 207, this is
6 a letter that your mother wrote to the Children's
7 Welfare Officer in England I think -- sorry -- in
8 Tyrone, which says:

9 "I am writing in reply to the letter I received
10 about going to Ireland for the case of my son HIA94. As
11 I have already explained to you, my husband did not know
12 anything about **HIA 94** until all this came up. I did not
13 know either as I always thought he had been adopted.
14 There has been a lot of upset in our house since my
15 husband found out. He says I must not go to Ireland or
16 he will leave me. I do not want this to happen as
17 I love my husband very much.

18 So I am afraid I will not be able to go. I can
19 never offer **HIA 94** a home, as I will not have a home if I
20 go against my husband.

21 You have my permission to do whatever you think best
22 for **HIA 94** I am sorry I can't do anything, but after
23 nearly 13 years of not hearing anything it is a very
24 long time",

25 and your mother signed that. We discussed this and

1 I know that you found this information upsetting, HIA94,
2 but you understand the position that she was in at the
3 time. You subsequently I know made contact with your
4 mother -- isn't that correct -- in later years?

5 **A. I think I was about 17, 18 roughly first time I met her.**

6 Q. That was after you had left the various places that you
7 were in. Isn't that right?

8 **A. Institutions, aye.**

9 Q. Did you manage to keep in touch with her over the years?

10 **A. Not really, no.**

11 Q. You also had some contact with her mother, your maternal
12 grandmother. Isn't that right?

13 **A. Oh, her mother, aye. She threatened the police with me.**

14 Q. I am just going to go back to why there was a Training
15 School Order sought in respect of you, HIA94. The Order
16 would say that this was again as a result of a number of
17 episodes of misbehaviour after Christmas in 20... --
18 sorry -- 1973.

19 If we can look at a document here, if I can just
20 find the right page for it. Sorry. Bear with me.
21 I thought I had the number written down. It is 3085.
22 This is a document that the Order prepared in respect of
23 your conduct and behaviour before the Training School
24 Order was sought. If I can just scroll down through
25 that, please, to -- it says:

1 "HIA94 was admitted to De La Salle on
2 4th October 1972. He was placed in SR57's chalet.
3 Initially very quiet, he found it difficult to adjust.
4 He showed signs of great stubbornness and on the whole
5 was cooperative and respectful.

6 ... his conduct began to deteriorate seriously ...",
7 and there must be -- I think it is:

8 "After Christmas", if I can read correctly -- it is
9 typed over other words -- "his conduct began to
10 deteriorate seriously. He had to be removed from the
11 chalet due to the fact that he was getting out of
12 control. He was then placed in the main house where he
13 could be supervised more closely. He continued to
14 regress and the following is a brief log of his
15 misdemeanours."

16 Thereafter is set out with the dates of things that
17 you did while in the home. I am just going to read
18 through those or most of them.

19 You will see there were attempts to abscond.
20 Brought back from Kircubbin. Another attempt -- sorry.
21 Just if you could go back up slightly, please. 24th
22 January '73, attempts to abscond. Brought back by BR18
23 at 2 o'clock. Then you attempted to abscond again later
24 that day at 7 o'clock and you were bought back from
25 Belfast on the following morning.

1 Do you remember running away from Rubane at all,
2 HIA94?

3 **A. Now and again.**

4 Q. Again if we can scroll down, another few days later
5 again you tempted to abscond with two other boys and you
6 were caught in Kircubbin by the police.

7 You were changed to a new class because of your
8 conduct.

9 Another two times when you absconded.

10 You were accused -- it is recorded you were shouting
11 around the school and should have been in class.

12 You broke windows and you let a bullock out from the
13 farmyard.

14 You got up with another boy and you stole food from
15 the store.

16 You stole keys of cars on the way into Kircubbin and
17 got caught with another boy.

18 Then there are another couple of entries there.

19 Basically what it is showing is that your behaviour
20 was such that the Brothers then asked for you to be
21 removed and taken to St. Pat's. That's all after
22 Christmas 1972.

23 Now do you have much memory --

24 **A. No.**

25 Q. -- of that time and what was happening at that time or

1 why you were behaving in this way at all, HIA94? Do you
2 know why?

3 **A. God knows. I don't know.**

4 Q. One of the other things that you said in your statement
5 at paragraph 17 was that you said you didn't tell
6 anybody about the abuse that you got in Rubane. If we
7 can just go back to that. It is page 563, please. You
8 hadn't anyone to tell. You had no family. You had no
9 visitors. You said it annoyed you that boys got out at
10 weekends and you didn't get to go anywhere and you
11 thought that was wrong. You didn't get out at holiday
12 times either.

13 **A. No.**

14 Q. Do you remember boys going out of Rubane --

15 **A. I do, I do, aye.**

16 Q. -- and going to a home or to other people?

17 **A. Uh-huh.**

18 Q. You said:

19 "School was on site and it was tough enough with the
20 Brothers. I still had problems with my hearing and
21 I didn't learn anything."

22 Now the Order would say that they didn't know
23 anything about your hearing problems. You had had those
24 for quite a number of years. Isn't that right?

25 **A. I have, aye.**

1 Q. Do you ever remember seeing a doctor when you were in
2 Rubane?

3 **A. No.**

4 Q. Before you went to Rubane --

5 **A. No.**

6 Q. -- do you -- you have no memory of any of that, HIA94?

7 **A. No.**

8 Q. On the last day that you were here you talked to us
9 about the fact that you were on medication when you were
10 in Termonbacca --

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

12 Q. -- and I think the medication was Largactil.

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

14 Q. Do you know did you get any medication when you were in
15 Rubane?

16 **A. I think so.**

17 Q. The other thing you said is at paragraph 19 you said you
18 thought you were moved because you fought back against
19 the Brothers in Rubane. You know, obviously the Order
20 would say that wasn't the case. The reason you were
21 moved for the reasons that were set out in the document
22 I just pulled up on the screen there a moment ago. Is
23 there anything that you want to say about -- we are
24 dealing now with Rubane and your time there, but I know
25 that you wanted to say something about your entire time

1 in care and how you felt you ought not to have been put
2 into certain homes. Isn't that right?

3 **A. I did indeed. I don't think I should have been in, you**
4 **know. With the abuse going on in one place or another**
5 **I shouldn't have been shifted into them, you know, and**
6 **I don't -- I think -- I would say I probably had ADHD,**
7 **you know.**

8 Q. This is some... --

9 **A. This wasn't fit for them kind of places at all.**
10 **I wasn't, you know.**

11 Q. ADHD is what's -- Attention Deficit Hyperactivity
12 Disorder.

13 **A. Oh, definitely.**

14 Q. That's a condition that some children suffer from.

15 **A. And I definitely think when somebody said something to**
16 **me it wasn't registering. Most of my education now in**
17 **the last number of years I would say is soaps on TV has**
18 **actually educated me. I have had no education at all,**
19 **so I haven't.**

20 Q. And I know from talking to you, HIA94, and I don't want
21 to put words into your mouth at all, but you feel if you
22 had had the kind of attention that some of the children
23 who suffer from that kind of condition nowadays would
24 get that your life might have been different. Is that
25 right?

1 **A. Oh, it definitely would have been different, definitely.**

2 Q. HIA94, that's all I've got to ask you. Is there
3 anything else you want to say today? I know we will
4 come back to talk about your time in other homes after
5 this, but is there anything you want to say to the
6 Inquiry? Now is the opportunity to say what you want to
7 say.

8 **A. No.**

9 Q. The Panel Members may have some questions for you.

10 CHAIRMAN: Well, HIA94, thank you very much for coming to
11 see us again. We don't have any further questions for
12 you. Sorry that you had to come back, but unfortunately
13 it is simply too complicated for us to deal with all of
14 the homes some people were in all on the same occasion.
15 As you will appreciate from the amount of information we
16 have, we simply can't cope, but thank you and we may
17 need to see you again, but if we do, we'll let you know.
18 Thank you very much indeed.

19 **A. Right. Thank you.**

20 MS SMITH: Thank you, HIA94.

21 (Witness withdrew)

22 Q. The next witness is being taken by Mr Aiken. I am not
23 sure if he is ready to proceed. It might be appropriate
24 to take a short break, Chairman.

25 CHAIRMAN: Well, we will rise until we are ready with this

1 other witness.

2 (2.53 pm)

3 (Short break)

4

1 other witness.

2 (2.53 pm)

3 (Short break)

4 (3.35 pm)

5 WITNESS HIA36 (called)

6 MR AIKEN: Chairman, Members of the Panel, the next witness
7 is HIA36, "HIA36". HIA36 is going to take the oath,
8 Chairman, when you are ...

9 WITNESS HIA36 (sworn)

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

11 Questions from COUNSEL TO THE INQUIRY

12 MR AIKEN: Bring up, please, RUB474. HIA36, you are softly
13 spoken. So if you keep your voice towards the
14 microphone so it picks up what you are saying.

15 **A. Okay.**

16 Q. What you will see coming up on the screen is hopefully
17 the first page of your statement, RUB474. I just want
18 you to check that it matches the hard copy that you've
19 got, that you can see under the black marks, so we make
20 sure it is the same document.

21 **A. Yes.**

22 Q. If we look, please, at the last page at 483, the one on
23 the screen has a black mark over the signature, but
24 I just want you to confirm that is your statement and
25 you have signed it?

1 **A. Yes.**

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

4 **A. Yes.**

5 Q. And the black marks are for the Inquiry's anonymity
6 policy and you want to keep your anonymity?

7 **A. Yes.**

8 Q. So your name shouldn't be reported or anything that
9 could identify you in relation to the account that you
10 give.

11 Just for the Panel the response statement from the
12 Order can be found at 2582 through to 2585 and from
13 the Health & Social Care Board at 8172 through to 8174.

14 As you know, HIA36, I am going to summarise a lot of
15 the material as we go and hopefully that will assist
16 getting through. I know it is an experience you would
17 rather not have to go through.

18 You were born on _____ and you are now
19 aged 57. You went in as a baby to St. Joseph's Baby
20 Home and then moved to Nazareth Lodge at 4 until August
21 of 1968 when you were 11. You know that we will look at
22 Nazareth Lodge after Christmas.

23 **A. Yes.**

24 Q. You went to Rubane on 20th August 1968, aged 11, as part
25 of the annual transfer of boys from Nazareth Lodge to

1 Rubane --

2 **A. Uh-huh.**

3 Q. -- and you were there until 9th May 1972, aged 15, and
4 the admission record for the Panel is at 2587.

5 Now you mention in paragraph 1 of your statement, if
6 we go back to 474 -- 474, please, that you thought you
7 were made what you describe as a ward of court and you
8 know from the discussions we have had that that's not
9 quite what happened.

10 **A. Uh-huh.**

11 Q. That you were what has become known before the Inquiry
12 as a voluntary case. You went into the Nazareth homes
13 on a voluntary basis --

14 **A. Uh-huh.**

15 Q. -- through a private placement. In your case that
16 remained the position until 1st June 1972, when you were
17 15, and that was about a month after you had already
18 left Rubane.

19 **A. Uh-huh.**

20 Q. I was explaining to you the importance of the
21 arrangement that you were caught up in for the Inquiry's
22 work. If we look briefly at 10733, please, we can see
23 the history of what appears to have occurred. If we can
24 just maximise that and scroll down to the bottom of the
25 page, we can see that:

1 "Further to a resolution of the Association of
2 Welfare Committees from February '72 ..."

3 at which point you would still have been in Rubane.
4 You were there until May '72:

5 "... in respect of boys who are accommodated in De
6 La Salle and for whom no contributions are being paid
7 the matter of maintenance of the boys be considered by
8 the Welfare Committee in whose area the boys would
9 appear to have ordinary residence qualifications; to
10 submit applications from the home to accept the
11 following boys into care from 1st June 1972."

12 This is Belfast Welfare where is the area you hailed
13 from and it is considering this recommendation from
14 February.

15 If we just scroll on to the next page, the
16 Children's Officer, amongst other names, lists out and
17 you will see that you are named there and it is
18 recording already you are living with DL283 on the
19 Road.

20 **A. Uh-huh.**

21 Q. So that is a decision that's in train in relation to not
22 only you but a series of other boys who were already in
23 on a voluntary basis in Nazareth and then subsequently
24 in Rubane.

25 That decision is ratified if we look at 10719,

1 please. Just you can see, if we scroll down again, this
2 is the decision-making of 26th September 1972. Just
3 scroll down. It repeats the same recommendation we have
4 just looked at. You can see:

5 "The committee adopted the recommendation."

6 Again Mr Bunting, who at that stage was working in
7 the Belfast Welfare, then writes to BR2 on 14th November
8 '72. If we can look, please, at 10736, you can see:

9 "Dear BR2,

10 Our committee has accepted financial responsibility
11 for the following boys with effect from 1st June."

12 There you can see your name as the eighth boy down
13 on the list.

14 If we scroll quickly through to the next page, we
15 will see that that's a letter written by -- just keep
16 going, please -- by Mr Bunting, Children's Officer from
17 Belfast.

18 So what seems to have happened is a group of
19 voluntary boys, of which you were one, were taken into
20 care legally speaking in '72, in your case shortly after
21 you left Rubane, and that was to bring effectively
22 everyone who was in Rubane --

23 **A. Uh-huh.**

24 Q. -- as a maintained boy, as it were, from that point on.

25 So not a ward of court as such but coming into care at

1 15 --

2 **A. Uh-huh.**

3 Q. -- in that way. Interestingly for the Inquiry while you
4 weren't in care during your period of time in Rubane in
5 the legal sense, you were still visited by a social
6 worker --

7 **A. Uh-huh.**

8 Q. -- and that was Rosemary Sherrard.

9 **A. Yes.**

10 Q. She was working for Down Welfare, and I will just give
11 the Panel the reference. At paragraph 3 of the response
12 statement from the HSCB at 8173 they draw attention to
13 the fact that a social worker had been assigned to visit
14 and work with the voluntary boys who were in Rubane and,
15 in fact, there is two statements from Rosemary Sherrard
16 that record her involvement. Just for the record if
17 I give those. Those are at 1910 and 1911. Then
18 a further statement at 1996.

19 So you mention in your statement your involvement
20 with Miss Sherrard. We will come to that. It seems she
21 was involving herself with you as a social worker, but
22 your time in Rubane before you are taken into care. So
23 that was --

24 **A. Uh-huh.**

25 Q. -- an arrangement outwith her role within the Welfare

1 Authority.

2 You mention in paragraph 8, if we can go to 475,
3 please, that -- and this is a sort of summary point that
4 you make, HIA36 -- that most of the time in the places
5 that you were was good and most of the people that were
6 involved with you -- if we just scroll down, please, to
7 paragraph 8 -- most of the people you were involved with
8 were good people, and you say here you feel a sense of
9 betrayal at saying anything bad about the places that
10 tried to look after you --

11 **A. Uh-huh.**

12 Q. -- but the point that you make is the truth must be told
13 in order that other children are protected.

14 **A. Yes.**

15 Q. So you, if I'm being -- summarising it fairly, you are
16 sort of caught between your loyalty to the brothers on
17 one hand --

18 **A. Uh-huh.**

19 Q. -- who you have a lot of time for and wanting to say the
20 truth about what occurred for you.

21 **A. Yes.**

22 Q. Is that fair?

23 **A. Yes.**

24 Q. So it is in that context I want to talk to you about the
25 sexual abuse you describe. You are aware that you

1 reporting the abuse of BR15 is something that's
2 important to the Inquiry's work.

3 **A. Uh-huh.**

4 Q. If we look at paragraph 18 at 477, please, the Inquiry
5 is aware there are a series of allegations that have
6 been made against Brother BR15 and, as you know from my
7 discussions with you, the Order has accepted that BR15
8 did abuse children in Rubane. You make the point in
9 paragraph 18 that it was within a couple of days of you
10 moving into Rubane he began to interfere with you.

11 **A. Yes.**

12 Q. What I just want to do is clarify you were in the main
13 house at the time?

14 **A. Yes.**

15 Q. You weren't part of the two groups who filled the first
16 two chalets --

17 **A. No.**

18 Q. -- in August/September '68, but you moved into chalet 4
19 of 3 and 4 --

20 **A. Uh-huh.**

21 Q. -- in March '69?

22 **A. Yes.**

23 Q. So there's about six months when you're living in the
24 main house --

25 **A. Uh-huh.**

1 Q. -- in a dormitory, and BR15's bedroom is next to the
2 dormitory?

3 **A. Yes.**

4 Q. I was asking you earlier BR6's bedroom is directly
5 opposite BR15's bedroom.

6 **A. It was across the hall.**

7 Q. Across the hall. The hall went up by two sets of
8 stairs. Isn't that right?

9 **A. Yes. He would have been on the right.**

10 Q. The abuse that BR15 engages in is taking you out of your
11 dormitory bedroom --

12 **A. Uh-huh.**

13 Q. -- and taking you into his bedroom and you describe --
14 I~am not going to go into it here -- you describe what
15 he did in the statement and the Panel are aware of that.

16 **A. Uh-huh.**

17 Q. You say this went on for about four to five months.
18 Essentially it stopped when you moved into the chalet --

19 **A. Moved to chalet 4.**

20 Q. -- with DL115.

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

22 Q. Isn't that who looked after you in chalet 4? One thing
23 I do want to ask you about, HIA36. You describe here
24 how BR15 didn't on occasions just bring you into his
25 room but brought another boy with you.

1 **A. Yes.**

2 Q. And this was at night-time?

3 **A. Uh-huh.**

4 Q. He's taken you from your bed, and the boy in the bed
5 next to you was a boy called DL271 --

6 **A. Yes.**

7 Q. -- and it was he that he brought with you --

8 **A. Uh-huh.**

9 Q. -- into his bedroom, and DL271's name shouldn't be used
10 outside the chamber. The two of you were made undress
11 and lie on BR15's bed.

12 **A. Yes.**

13 Q. You won't know this. That's DL271 the Panel can see,
14 page 23 of the designation list. He was in the home in
15 the same period, August 1968 through to March 1972, and
16 he was just a few months older than you were. He was
17 a boy from .

18 **A. Uh-huh.**

19 Q. I want to just bring up -- can we go, please, to RUB528,
20 paragraph 32? This is the statement of HIA56 to the
21 Inquiry. Unfortunately something has gone wrong with
22 the redaction, which Miss Turley will investigate and
23 resolve for us, please. The references that are there,
24 it is:

25 "One day BR15 promised me cigarettes. So I went to

1 his room in the main house and opened the door. He was
2 standing up and a boy called DL271, who came from ,
3 was lying on BR15's bed. Both had their trousers down."

4 So it appears that this is another person the
5 Inquiry will hear from describing the same boy that
6 HIA36 is referring to being walked in on in BR15's
7 bedroom.

8 Did you and he ever talk about what was going on?

9 **A. No.**

10 Q. But what we do know, and the Inquiry has already looked
11 to some extent at material relating to this, that you
12 did report eventually, not at the time --

13 **A. Uh-huh.**

14 Q. -- it was happening, but subsequently, what occurred.

15 You say in paragraph 19 of your statement, if we go
16 to 477, please, that DL 140 knew what was going on
17 and other boys had reported incidents to him, but you,
18 in fact, told your mum what occurred. If we can look at
19 2622, please, this is from the record when a settlement
20 was arranged between you and the Order. Can we just
21 scroll down, please? You can see:

22 "One Sunday while at home ..."

23 This is at the point where the cursor is just now:

24 "One Sunday while at home he confided in his
25 mother."

1 The point you were making to me earlier, HIA36, was
2 your mother would quite often have gone to visit you or
3 you would have gone to Belfast to visit her on a Sunday.

4 **A. Yes.**

5 Q. Can you remember what allowed you eventually to be in
6 a position to tell her what happened?

7 **A. I just needed to tell somebody and she was the only**
8 **person I could think of like, you know. I knew she**
9 **wouldn't kind of believe -- believe me -- believe it,**
10 **like. It was -- just didn't think she would believe it,**
11 **you know, but I did just eventually pluck up the courage**
12 **and told her.**

13 Q. I was asking earlier, as you know, why did you say that?
14 You were saying this was an era when kids tended not to
15 be believed --

16 **A. Oh, aye.**

17 Q. -- and Brothers tended to be held in --

18 **A. High regard.**

19 Q. -- very high regard.

20 **A. Uh-huh.**

21 Q. She must have believed you sufficiently to start
22 speaking to DL 140 and BR6 about it.

23 **A. Yes.**

24 Q. But you mention here -- BR6 on this record is BR6 -- BR6
25 accused you of making up stories --

1 **A. Uh-huh.**

2 Q. -- and you were caned.

3 **A. Uh-huh.**

4 Q. Can you remember -- obviously it seems that either your
5 mum or DL 140 talked to BR6 about it and then he
6 then spoke to you about it.

7 **A. Uh-huh.**

8 Q. Can you remember where you were when he accused you of
9 telling lies and caned you?

10 **A. In his room.**

11 Q. In his room. In the school or in the home?

12 **A. In the home.**

13 Q. In the home?

14 **A. Uh-huh.**

15 Q. How did it make you feel that you were caned for having
16 told your mum what had happened?

17 **A. Well, I was reluctant to tell anybody else about it and
18 I just -- I thought nobody believed me, you know, and
19 I thought, you know, that they really did believe that
20 I was making it up, you know, you know, trying to
21 sensationalise it or something, you know.**

22 Q. It looks like they might have suggested to your mum you
23 weren't to be believed either.

24 **A. Uh-huh.**

25 Q. You are aware of the record I am talking about.

1 **A. Yes.**

2 Q. Rosemary Sherrard went to see your mum a year later
3 about you going to live with her --

4 **A. I know.**

5 Q. -- and your mum saying, "You couldn't believe what HIA36
6 tells you" --

7 **A. I know.**

8 Q. -- and referring back to you having got her into trouble
9 over things you had alleged before. I wonder whether --
10 we will never know now, because your mother isn't around
11 and BR6 isn't around, whether that's a reference to this
12 interaction.

13 **A. Uh-huh.**

14 Q. Are you aware of -- did you ever make other allegations
15 to your mum that got you into trouble?

16 **A. Not really. I don't recall making any other allegations**
17 **like, but ... I just always remember being in trouble,**
18 **you know. My mother would have -- she would have been**
19 **looking a report, you know, how I was kind of behaving,**
20 **you know, and they were pretty blunt about it, like, you**
21 **know. The Brothers would have said -- like, told her**
22 **what way I was behaving or -- and I would be -- I would**
23 **be kind of punished by her not coming to visit me, you**
24 **know, if she didn't believe me or if I was doing**
25 **something, you know, that type of way, but ...**

1 Q. And you record that DL 140 told you -- you mention
2 this in your statement in paragraph 19 -- DL 140
3 told you that BR15 was ill.

4 **A. Uh-huh.**

5 Q. He would be getting treatment and he would be moving on.

6 **A. Uh-huh.**

7 Q. But you make the point in your statement that it was
8 then quite some time before he moved on.

9 **A. Yes.**

10 Q. It seems he moved on end of January/start of
11 February 1971. We will look at that shortly. The
12 meeting that takes place between BR6 and your mum seems
13 to be November 1970, which is about 18 months after you
14 move into the chalet --

15 **A. Uh-huh.**

16 Q. -- and it is at that point that the abuse stopped.

17 **A. Yes.**

18 Q. So is it the case that it was at some point during your
19 time living in the chalet that you told your mum what
20 had happened?

21 **A. Uh-huh.**

22 Q. Is that the -- it wasn't while you were still in the
23 main dorm that you told her?

24 **A. No, it was after I had left the dormitory and moved into**
25 **the chalet, and I just -- I was unhappy at the time and**

1 I remember, you know, going to visit my mother on
2 Sundays and I just told her one Sunday. I just --
3 I just broke down and I just told her and I just said,
4 "This is happening" and she just says, "You'd better not
5 be telling lies", you know, and I wasn't telling lies,
6 you know.

7 Q. I should make it clear, as you know, that the Order
8 accepts your account --

9 A. Uh-huh.

10 Q. -- and accepts you weren't telling lies. How it was
11 dealt with is a matter for the Panel to look at.

12 A. I never knew the Order accepted only until recently,
13 like. I mean, I lived all them years knowing that that
14 happened to me and everybody believing that I was a liar
15 and, you know, it was all made up, you know.

16 Q. Well, to the extent that it helps at all, the Order are
17 saying publicly that they accept your account --

18 A. I am glad to hear that.

19 Q. -- and they accept what you say occurred.

20 A. Uh-huh.

21 Q. What seems to have happened -- this is important for the
22 Panel's work, so just bear with me while I go through
23 the chronology of it. The Inquiry has been given BR2's
24 diaries. There is an entry of 18th November 1970. If
25 we can look briefly at 6255, please, we will see

1 handwriting, but if can see -- just after you can see
2 "11.15" on the left-hand side:

3 "Phone call from hospital. BR6 goes to Belfast --
4 meeting with Mrs ."

5 18th November was three days after a meeting -- the
6 Provincial used to come from Dublin in November for
7 a three-day visit. That visit is recorded. At this
8 stage the Provincial was BP 3 . If we look,
9 please, at 6253 at the bottom of the diary entry for
10 13th to 15th November, you can see:

11 "BR6 and BR15 in with Visitor."

12 That was the other name for the Provincial. We will
13 be able to ask BR2 in due course what references mean,
14 but you will see the very last entry:

15 "BR6 still worried."

16 So it seems this meeting is taking place with BR6,
17 BR15 and BP 3 , the Irish Provincial or
18 the Brother Visitor. Then BR6 goes to see
19 Mrs .

20 There is then another reference on 26th
21 January 1971. If we look at 6281 in BR2's diaries, BR6
22 is summonsed to see -- just scroll down a little,
23 please -- you can see just where the cursor is --BR6 is
24 to visit Downpatrick. Sorry. Four lines from the top
25 BR6 goes to Downpatrick to see BP 3 at 4.45.

1 Then three days later BR15 is moved to Dublin. We can
2 see the reference to that at 6282. Scroll down a little
3 for me, please. Yes. You can see:

4 "Sunday, 31st. BR6 informs BR15 after breakfast.
5 Away at 1.30."

6 Then on the next page you can see:

7 " BR 22 comes to my office. Asks advice on
8 his accompanying BR 15 to Finglass."

9 If we scroll down a little further, you can see:

10 "First day without BR15"
11 on Tuesday, 2nd.

12 Now what I wanted to ask you, HIA36 -- we were
13 talking about this beforehand -- you mentioned abuse on
14 -- him abusing other boys and it being known he was
15 doing that --

16 **A. Uh-huh.**

17 Q. -- and that is beyond DL271 that you know, because you
18 were there.

19 **A. Yes.**

20 Q. You mention in paragraph 23 of your statement being
21 teased by other boys about, "BR15 got you" and so on.

22 **A. Uh-huh.**

23 Q. The question I then asked you was, "Did the Brothers
24 know what BR15 was doing?" Your reaction to that was
25 you don't think they knew.

1 **A. I don't believe they knew, you know.**

2 Q. Why do you say that?

3 **A. Well, I just -- I just don't think they had any**
4 **knowledge of it, like, you know.**

5 Q. And could BR15 have carried on what he was doing to the
6 likes of you and DL271 and others without the likes of
7 BR6, who was on the same landing as him --

8 **A. Easily enough.**

9 Q. Why do you say it was easy enough? What was it
10 possible --

11 **A. Because it was a big place and there was plenty of rooms**
12 **in it and, you know -- everything was behind closed**
13 **doors, you know.**

14 Q. He was doing this at night-time --

15 **A. It was night-time.**

16 Q. -- in your case?

17 **A. Uh-huh.**

18 Q. But you mention in paragraph 21, if we look at 478,
19 please -- you say that everyone in the home, by which
20 I presume you mean boys -- just back up to 21, please:

21 "It was a known fact and everyone in the home knew
22 this Brother had me in his room."

23 **A. Uh-huh.**

24 Q. So if the other boys knew, that why do you feel that the
25 Brothers didn't know it?

1 **A.** I just didn't believe that they did know. Other boys
2 knew because they were able to see you had been taken
3 out of your bed like, you know. Other boys in the room
4 would have knew, because people used to pull -- when
5 they heard the Brother coming, they would have pulled
6 the blanket, you know, over their head, like, so that --
7 hoping he didn't come for them, you know.

8 **Q.** Now the Inquiry is aware already BR6 was interviewed in
9 1995 and he explained -- sorry -- in 1996 -- how he came
10 to deal with this. I just give the reference again for
11 the Panel. It is at RUB61834. He says he had him
12 removed. It looks like something like that.

13 **A.** Uh-huh.

14 **Q.** That seems to have happened despite him saying to you
15 you were making up stories.

16 **A.** I think they really did believe me, but it's because
17 I kind of told somebody outside the home it brought it
18 all to a head, you know. They couldn't sort of
19 really -- he couldn't really cover it up, you know. He
20 had to deal with it, and the fact that I had told my
21 mother about it, you know, meant that he had to deal
22 with it in some way, you know.

23 **Q.** You made that point to me earlier and I asked you about
24 was it about not talking out of school and by that
25 I mean not talking beyond --

1 **A. Beyond the walls.**

2 Q. -- beyond the walls. Is that what you mean in that you

3 --

4 **A. Yes.**

5 Q. -- talked beyond the walls?

6 **A. Because I had talked outside the home, it was kind of,**
7 **you know, as if I was blaspheming them or, you know --**
8 **you know, degrading them in some way, you know.**

9 Q. And you mention in the terms of settlement as well as
10 talking about how BR6 accused you of making up stories

11 --

12 **A. Uh-huh.**

13 Q. -- in fact, BR15 approached you and said, "You have been
14 telling stories about me".

15 **A. Yes.**

16 Q. How did that make you feel whenever he spoke to you
17 about it?

18 **A. After I had moved into the chalet, I didn't really have**
19 **anything more to do with BR15, only at the times when**
20 **maybe, you know, we are at school and everybody had**
21 **a communal dining room and BR15 was kind of in charge of**
22 **the dining room, you know, and you would kind of queue**
23 **up going in, and he just -- he just said to me one --**
24 **one day -- he kind of let six in and then you had to**
25 **stand, you know, and then I was right at the front of**

1 the queue and he had said -- he said to me, "You've been
2 telling stories about me" and, you know, you kind of way
3 run a gauntlet with him then every day, and I kept
4 thinking -- waiting on him, but he didn't really have
5 anything more to do with me after that. You know,
6 I didn't really ever see him.

7 Q. Because you were living in a chalet?

8 A. I was living in a chalet and I felt more protected in
9 a chalet.

10 Q. He, as you know, is now dead. He was spoken to by
11 police in 1996. I just give the Panel the reference.
12 It is at 61533. What BR6 claimed to have happened, ie
13 him saying you had this allegation arranging for him to
14 be moved, he didn't he didn't know anything about that.
15 Of course, if your description is right that he accused
16 you of telling tales, then he must have known something
17 about it --

18 A. Uh-huh.

19 Q. -- but he says he was moved without knowing what
20 happened, and he himself -- that's for the record at
21 61599 to 61601 as well as 61604 and 5 -- and he claimed
22 that he never sexually abused anybody. Now the Order
23 has since taken a different view, but that's the
24 position he maintained, and that can be found at 61622.

25 You mentioned to me that one of the boys you had

1 lived with passed away and you, having a good
2 relationship with the Brothers, brought some of them to
3 the funeral.

4 **A. Yes.**

5 Q. It was during that conversation in the car --

6 **A. Uh-huh.**

7 Q. -- that you explained to them what had happened --

8 **A. Uh-huh.**

9 Q. -- and that began an exchange between you and the Order
10 thereafter --

11 **A. Yes.**

12 Q. -- your friend, HIA21, and you talking to the Order
13 about what occurred, but you made a statement on behalf
14 or in support of the Order --

15 **A. Yes.**

16 Q. -- in 1997. If we can just look at that at 2589.
17 That's of 11th August 1997. This was at a time whenever
18 three brothers in particular, BR6, BR3 and BR1 --
19 although he was not there in your time; BR6 and BR3 were
20 -- whenever they were being accused, and you make the
21 point in the second paragraph here:

22 "I now find it difficult to believe allegations made
23 against certain Brothers."

24 **A. Uh-huh.**

25 Q. "I found BR6 and BR3 to be very hardworking ...",

1 and so on. You don't make any mention of the abuse
2 by BR15 in this statement.

3 **A. No.**

4 Q. Why did you not feel comfortable including that in this
5 statement?

6 **A. Because I didn't want to bring any sort of -- the**
7 **Brothers were -- you know, I found them more or less --**
8 **they were all pretty good like, you know, and I didn't**
9 **want to tarnish their name more so.**

10 Q. Just on that subject, the two mentioned here, BR6 and
11 BR3 --

12 **A. Uh-huh.**

13 Q. -- the other main Brother who was there in your time was
14 BR2. You had a good relationship with all of those?

15 **A. Yes.**

16 Q. But I want to ask you -- you recounted to me you had
17 a good relationship, for instance, with BR6 --

18 **A. Uh-huh.**

19 Q. -- but yet there were times whenever he did things that
20 were -- went too far. Is that --

21 **A. He was very strict, you know. He was a no nonsense sort**
22 **of a person, like. He didn't take any -- he didn't take**
23 **fools lightly like, you know. He was a straight talking**
24 **sort of a man like, you know, and -- to him most of that**
25 **would have been all nonsense. "That's nonsense, you**

1 know. These things didn't happen and you're making it
2 up." They did happen, you know. It's hard to -- it's
3 hard to explain till somebody in his position, you know,
4 somebody that's abusing you and it's somebody that's
5 part of his congregation and I'm sullyng their name
6 like, you know, by making up stories about them, like.

7 Q. But beyond that your experience of those three in
8 particular --

9 A. Uh-huh.

10 Q. -- you had nothing bad to say about them?

11 A. I don't have anything bad to say. Honestly they are --
12 I found them all very fair.

13 Q. You got the normal six of the best at times?

14 A. Of course I did. That was the normal, like, you know --
15 it was -- you broke the rules. You got punished for it,
16 you know, but ...

17 Q. We will come to mention one particular incident, but
18 just on the subject of this abuse with BR15 --

19 A. Uh-huh.

20 Q. -- you describe in your statement that you eventually
21 spoke to DL115 about it --

22 A. Uh-huh.

23 Q. -- who was in charge of the chalet.

24 A. Yes.

25 Q. You moved in there, as we said, in March '69 when you

1 were 12, and that was after you had been in Rubane for
2 seven months. This is paragraph 22 at 478. She told
3 you to forget about it. He wasn't there now and was
4 getting treatment. Now if that conversation is about he
5 wasn't there now --

6 **A. Uh-huh.**

7 Q. -- he left in '71. So that conversation would be after
8 February/March '71.

9 **A. Uh-huh.**

10 Q. But you make the point he hadn't quite left until
11 February '71. Can you remember when you were talking to
12 her had BR15 already gone?

13 **A. Well, I mean, he was gone out of my -- he was out of my**
14 **life, because he wasn't anything to do with the chalet**
15 **I was in and it was a different brother in that chalet.**
16 **BR15 wouldn't have had anything to do with me other than**
17 **at dinner time, you know, for school meals.**

18 Q. How did you tell her? How did telling her come about?

19 **A. Telling?**

20 Q. DL115 about it. How did the conversation come round?

21 **A. I think DL115 all -- knew all along there was something**
22 **troubling me, that I was difficult and I didn't sort of,**
23 **you know, go with the flow of everybody. I was**
24 **probably --**

25 Q. Harder work.

1 **A. I was a troublemaker, you know.**

2 Q. You recall in your statement the visits of Mrs Sherrard

3 --

4 **A. Uh-huh.**

5 Q. -- and it is at paragraph 29 on 480. We touched on how
6 she came to be interacting with you and others. Why did
7 you feel you couldn't tell her?

8 **A. Because she was a woman, and it's just something that I
9 just couldn't bring myself to talk to her about like.
10 I didn't think she deserved to hear something like that,
11 you know.**

12 Q. I think the point you made to me earlier was this was at
13 a time whenever discussion about sex, sexual matters --

14 **A. Uh-huh.**

15 Q. -- were seen in a very different light from they might
16 be today.

17 **A. Yes. Well, you just wouldn't have talked till a woman
18 about something like that, you know, at that stage
19 anyway. It was -- I couldn't have spoke to a woman
20 about it at that stage, you know. I just couldn't have.
21 She was -- like I can remember Miss Sherrard coming to
22 visit, you know, and I just -- I just know it would have
23 been hurtful for her to hear something like that, you
24 know. I just didn't want to tell her.**

25 Q. We talked before about how there's a record of her

1 visiting your mum in October '71.

2 **A. Uh-huh.**

3 Q. So that's a year after BR6 has seen your mum --

4 **A. Uh-huh.**

5 Q. -- and there's been this discussion.

6 **A. But I would say it's probably my mother has been**
7 **speaking to BR6 about it or -- and they have got**
8 **involved with Mrs Sheridan, and she's known the story of**
9 **what happened, but I never ever once discussed it with**
10 **her or told her anything about it, you know. When she**
11 **came to visit the home, I always kind of was positive --**

12 Q. Yes.

13 **A. -- you know, in portraying -- I never wanted a repeat**
14 **of, you know, making a complaint about -- it is all**
15 **about talking outside the four walls to anybody like**
16 **a stranger type of thing, you know.**

17 Q. Well, the record that exists from '71 -- that's at 2591
18 for the record -- is your mum -- Mrs Sherrard talking
19 about you maybe going back to live with your mum, and
20 your mum recounts how, "You couldn't believe anything
21 HIA36 says" --

22 **A. Yes.**

23 Q. -- and describing some previous incident where you'd
24 said something.

25 **A. Uh-huh.**

1 Q. It may be -- who knows whether that is the same issue
2 over BR6 and your mum or something else.

3 You mention in your statement in paragraph 24 at 478
4 how three of your friends described to you being abused
5 by the gentleman DL 134 , who ran one of the chalets,
6 and his wife. Was that at the time they told you about
7 that or was that subsequent to leaving Rubane you found
8 out about that?

9 **A. I never knew about DL 134 's abuse really, you know,**
10 **until --**

11 Q. Later.

12 **A. -- like a long time afterwards like, you know. I didn't**
13 **believe it.**

14 Q. Boys as adults have talked to you about that --

15 **A. Uh-huh.**

16 Q. -- having occurred. You describe in paragraph 19 at
17 478, if we can scroll up, please, that there was
18 a lot -- just stop there -- there was a lot of
19 discussion. Boys frequently talked about things of
20 a sexual nature.

21 **A. Uh-huh.**

22 Q. You say in paragraph 31 at 480 that older boys in the
23 dorms in the steward's house, you knew to avoid them.
24 You described their behaviour as predatory.

25 **A. Uh-huh.**

1 Q. What was it you knew of that had you knowing to avoid
2 these boys?

3 **A. Just control they seemed to have over people, you know.**
4 **They always tried to get you on your own, you know, in**
5 **a vulnerable situation, like.**

6 Q. And is it fair to say -- and I appreciate you didn't
7 want to go into this, so if I just summarise it in this
8 way --

9 **A. Uh-huh.**

10 Q. -- that you know there was what you might describe as
11 experimentation going on between the boys --

12 **A. Uh-huh.**

13 Q. -- and on some occasions some of the older boys took
14 advantage of some of the younger boys.

15 **A. Yes.**

16 Q. How prevalent was that type of activity? How often was
17 that going on?

18 **A. That was regular, you know. It depends on the situation**
19 **really or where -- where you were at the time, you know,**
20 **but it would have been pretty common, you know.**

21 Q. And you didn't want to include this in your Inquiry
22 statement --

23 **A. Uh-huh.**

24 Q. -- but you happened to be here this morning when you
25 heard evidence being given --

1 **A. Uh-huh.**

2 Q. -- and the context of you talking about older boys --

3 **A. Yes.**

4 Q. -- and predatory boys, you went to live after you left
5 Rubane with --

6 **A. I lived in DL283's house for a while, but I didn't**
7 **really get on with DL283, and it was a big house and**
8 **it was like six to each room, you know. It was all**
9 **these bunk beds, but anyway I ended up moving out of it,**
10 **and I think she might have put me out of it really, you**
11 **know, and I ended up staying in with an older**
12 **boy that was -- had left the home long, long ago before**
13 **me, and he asked me to come and stay with him and ...**

14 Q. And you heard his name mentioned this morning?

15 **A. That was -- DL141 you called him, you know.**

16 Q. His name --

17 **A. I ended up staying in his house for a while.**

18 Q. He was staying with a Mrs in ?

19 **A. Yes.**

20 Q. And he interfered with you?

21 **A. (Nods.)**

22 Q. That's not something you have been able to talk about
23 before?

24 **A. No. I never really talked about it, because, well,**
25 **I had nobody to talk to about it really, you know, and**

1 any time I mentioned abuse or anything that happened to
2 me, there was always something bad happened to me. You
3 know, it was me that was punished for it or I had to
4 deal with it, you know. It was just terrible, you know.
5 It was like, you know ...

6 Q. Well, you heard that evidence being given this morning
7 --

8 A. Uh-huh.

9 Q. -- and you felt the courage to reveal --

10 A. He's not on -- he wasn't on his own. You know, he
11 definitely wasn't on his own, because -- he had
12 an influence because he was a lot older and you are
13 supposed to look up to him, you know, and he's supposed
14 to be kind of looking after you because you were a lot
15 younger than him, you know, but you had nowhere to go.
16 I mean, if I didn't -- I was in -- if I didn't do what
17 he wanted me to do, I was out on the street type of
18 thing and I had nobody to turn to.

19 Q. He was a past resident and, in fact, you know his
20 brothers who also went to Rubane --

21 A. Uh-huh.

22 Q. -- and his name shouldn't be identified beyond the
23 chamber.

24 A. Uh-huh.

25 Q. You mention in your statement, HIA36, in terms of

1 physical abuse you don't raise any issue about the
2 general level of caning --

3 **A. Uh-huh.**

4 Q. -- and so on that went on, but you make the point that
5 when you broke the rules -- and in particular absconders
6 you mention in paragraph 28 at 479.

7 **A. Uh-huh.**

8 Q. You mention in particular two brothers that --

9 **A. Uh-huh.**

10 Q. -- were involved, and the reference to the end of one of
11 their lives shouldn't be mentioned beyond the chamber,
12 but you recall the absconders -- if I summarise it in
13 this way: an example was made of them.

14 **A. Uh-huh.**

15 Q. These are the two you particularly remember.

16 **A. Yes.**

17 Q. Can you just describe for the Panel how were -- how was
18 that display arranged? How did you come to see their
19 punishment?

20 **A. Because they used to have a sort of like a -- you know,
21 like an assembly in the morning, you know, like
22 an assembly where everybody gathered in the gym or --**

23 Q. Yes.

24 **A. -- and these -- they were brought into the gym, you
25 know, and they were -- because they had run away, they**

1 were getting punished, because they were run... -- you
2 know, they had run away, but everybody was present when
3 it happened, like. I mean, everybody was there.

4 Q. You say they were stripped, HIA36.

5 A. Uh-huh.

6 Q. Does that mean down to their underwear?

7 A. They were naked. They were completely naked.

8 Q. Can you remember now who did the caning of them?

9 A. I -- as far as I can remember it was BR6.

10 Q. He was in charge of the home at the time?

11 A. He was the main man, you know. Now having said that,
12 I'm not 100% sure it was BR6, like, but it was mostly
13 BR6 would have dealt with discipline matters like, you
14 know.

15 Q. Well, the Order has said to the Inquiry that this type
16 of, you know, however one characterises it, displaying
17 of punishing people who ran away --

18 A. Yes.

19 Q. -- that didn't happen. What do you say about that?

20 A. Well, it did happen, you know, and, I mean, I'm not the
21 only one that will be telling you this, like. I would
22 say there'd be other boys would have said the exact
23 same, you know. I was there when it happened and, like,
24 it was pretty horrific, you know, and it definitely
25 happened, like, you know.

1 Q. What was the point of it? What was the point of you
2 seeing it?

3 A. So that you didn't step out of line. It put the fear of
4 God into you I would say more.

5 Q. Other people who have given evidence to the Inquiry have
6 talked about, you know, a line you didn't cross in the
7 playground. Do you have any memory of a line you
8 weren't to cross?

9 A. I remember the line in the -- in the playground, but it
10 was never really in force when I was there, you know.
11 I remember that line. I remember people, older boys
12 saying, you know, if you cross that line, you were in
13 real trouble, but it was more of a relaxed kind of
14 regime when I was there, you know, although there was
15 times when, you know, it could be pretty strict, like.

16 Q. And you say to the Inquiry that you have a series of
17 positive experiences that you want to also reflect.

18 A. Most of it was positive. Most of it. That's God's
19 honest truth. It wasn't -- you know, I know yous are
20 more or less dealing with the sexual -- sexual nature of
21 this here, but it wasn't all based round that,k you
22 know. There was positive times and there was good times
23 and ...

24 Q. And you mention in paragraph 42 at 482 that you are
25 thankful for what they did. There were things that went

1 on in the home which shouldn't have happened and have
2 been suppressed.

3 **A. Well, I'm sure every home has its regrets and, you know,**
4 **parents have their regrets in what way they dealt with**
5 **their kids. I mean, there's very few men looking after**
6 **like an awful lot of people, you know, and that's the**
7 **way they dealt with -- that's the only way they can sort**
8 **of discipline people was to use -- use a bit of force,**
9 **like, but it wasn't -- at times it was excessive, like,**
10 **and unnecessary, but that's the way they done -- that's**
11 **just the way they done things, you know. It's just the**
12 **way they ruled the place.**

13 Q. You make the point in paragraph 32 of your statement at
14 480 that you had better facilities than most other
15 children.

16 **A. The best of facilities. We had up-to-date facilities.**
17 **Everything was -- we had everything. It was -- it was**
18 **like a hotel.**

19 Q. You make the point here:

20 "I don't know anyone who had a swimming pool in
21 their house, two tennis courts and a football pitch and
22 a snooker table."

23 So, you know, the amenities that were available for
24 you to use --

25 **A. Uh-huh.**

1 Q. -- are something you remember as being a very positive
2 thing?

3 **A. Definitely.**

4 Q. You recount in both paragraph 26 at 479 two different
5 families that you were -- had the opportunity to live
6 with. One was in --

7 **A. Uh-huh.**

8 Q. -- and then another one, and you went with HIA 132
9 --

10 **A. Uh-huh.**

11 Q. -- who the Inquiry has heard from already, to live at
12 times in .

13 **A. Yes.**

14 Q. Those were very positive relationships that --

15 **A. Still are. Still positive. You know, although
16 I wouldn't see them that often, I would still keep in
17 touch with -- with them, you know, with the families,
18 like.**

19 Q. And you mention -- and just for the record there's
20 a reference to the placement, the Welfare
21 Officer arranging the summer placement, at 2612, 2613.
22 You mention you continued to visit and have
23 a relationship with the Brothers after you left --

24 **A. Yes.**

25 Q. -- and you say at paragraph 33 that it was the home that

1 you knew.

2 **A. I didn't blame the Brothers for the abuse, like. It was**
3 **only one individual, you know. The Brothers might have**
4 **been a wee bit heavy-handed in what way -- in the way**
5 **they dealt with it, but the majority of the brothers**
6 **were 100%. That one Brother spoilt it for the rest of**
7 **them really and, I mean, I think if -- if it had been**
8 **nipped in the bud, you know, a long time ago, it**
9 **wouldn't have festered in the -- what it has festered**
10 **into, and we wouldn't be sitting here today talking**
11 **about it, you know.**

12 **Q. You talk in your statement in paragraph 34 at 480 about**
13 **not really being well prepared for leaving as**
14 **a 15-year-old --**

15 **A. Uh-huh.**

16 **Q. -- to try and start life beyond Rubane. You talk about**
17 **the boarding house we have mentioned on the Road**
18 **--**

19 **A. Uh-huh.**

20 **Q. -- and the -- that wasn't a positive start to try to**
21 **live beyond the home --**

22 **A. No.**

23 **Q. -- and --**

24 **A. Well, I mean, I grew up in -- it was like a sheltered --**
25 **the place was sheltered. Like I was well sheltered from**

1 any trouble and, I mean, when I left Kircubbin, all
2 I can remember is moving into the war zone.

3 Q. Yes.

4 A. You know, buses burning right outside the door, the
5 lodging house they put me into. There was rioting every
6 night and gun fire and it was just unreal.

7 Q. You describe in paragraphs 35 through to 37 at 481 some
8 of the consequences for you of difficult --

9 A. I think I was like everybody at that time. You ended
10 up -- you were bored out of your mind and there was
11 nothing to do and you ended up in maybe bad company or
12 you ended up out on the street, you know, rioting at
13 night-time. You were just looking something to occupy,
14 but I ended up in jail anyway and spent six and a half
15 years there.

16 Q. You describe then difficulty with -- as a result of your
17 experiences difficulties with forming relationships and
18 intimate relationships and a hidden secret within you
19 that you didn't feel --

20 A. It's always been in me and it's always been there and
21 you live with it. You have to live with it, because it
22 just won't go away, you know. It's constant and it's --
23 you know, I did blank it out, you know. I did blank it
24 out a good bit. I sort of learned to deal with it
25 myself and I know loads of people that went through

1 similar situations in different places and, you know ...

2 Q. You now describe you volunteer to try and assist other
3 people.

4 A. I do. I volunteer for a company . It's
5 a food network for, like, all the hostels and stuff, you
6 know, for people that aren't working, or have no money,
7 or nowhere to live, you know, and just supply them with
8 food and that.

9 Q. I think you describe you are doing that now. You had
10 a bus for a long time, but then suffered --

11 A. I had setbacks and, you know, rather than do nothing
12 it's been a positive thing for me doing something
13 somebody else is getting benefit out of, you know.

14 Q. And you never went to the police until after the -- they
15 got in touch with you after the Inquiry began.

16 A. I never ever went to the police. It was the police that
17 came to me, you know.

18 Q. And the --

19 A. I never really wanted to talk to the police about it,
20 because I knew BR15 was dead, you know, and it was like
21 raking up the past. You know, what good was it going to
22 do, you know? The only thing, you know -- when you live
23 with that abuse all your life and people are telling you
24 it didn't happen, and then you have realised there was
25 so many people that went through the same thing and

1 a lot them didn't talk about it for years and years
2 later, you know, and it's -- you know, I feel as if,
3 like, when I talked about it in 1969 or '68, like, that
4 was my contribution. I did make it public then, you
5 know, and I made it known, you know. It wasn't
6 something that I made up in the year 2000 or, you know,
7 even in the last 20 years. That was always there and it
8 was always on record. I already knew that it was always
9 on record, and even though I didn't speak to the police
10 about it or anything -- you know, I didn't have a good
11 working relationship with the police really, to be
12 honest with you, you know, and I always felt that the
13 police were, you know, wanting you to give a graphic
14 detail of something that happened in order to, you know,
15 make it look bad, you know, for the Brothers and make it
16 look really worse than really what it was when it was
17 one man that carried out all this, you know, abuse and
18 the rest of them were all tarnished with the same brush.

19 Q. I think they would probably say that's part of --
20 they've got to thoroughly investigate something like
21 that. As it turns out --

22 A. As I say, I don't believe for one minute there was
23 anybody -- like that's my own personal view. Maybe --
24 everybody has their own story, but I believe, like, you
25 know, it was -- it was isolated, you know. Most of the

1 **abuse that they talk about was mostly amongst other**
2 **boys, you know.**

3 Q. You -- the Inquiry is aware, having looked at it
4 previously -- and we have touched on this today -- that
5 the Order came to an arrangement with you to try and
6 make some reparation for what had occurred.

7 **A. Uh-huh.**

8 Q. Those terms to reflect that arrangement are before the
9 Panel --

10 **A. Uh-huh.**

11 Q. -- and they can consider them.

12 The two questions, HIA36, that we ask every witness
13 towards the end of their evidence is whether -- the
14 Panel at the end of its work has to make some
15 recommendations to the Northern Ireland Executive
16 whether there should be some form of apology, some form
17 of memorial, perhaps some other form of reparation, and
18 we ask each witness whether there's anything they want
19 to say to the Panel about what recommendations they
20 might consider making. Some people want to say
21 something. Other people don't. Is there anything you
22 want to say about that?

23 **A. I'm not really one that I can give the Panel any advice.**
24 **I'm sure they'll hear enough stories and come to their**
25 **own conclusions, you know. I just hope that they're**

1 **happy with what I have told them and it's -- it benefits**
2 **in some way and, you know, hopefully these things will**
3 **never happen again, you know, and safeguard.**

4 Q. HIA36, we are going to have to ask you back to talk to
5 us about what occurred in Nazareth Lodge --

6 A. **Uh-huh.**

7 Q. -- but at this point is there anything else about your
8 time in Rubane that you think I haven't covered in
9 enough detail, or haven't covered at all, or just
10 something you want to say to the Panel? Now is the time
11 to do that if there's anything else that you'd like to
12 say.

13 A. **I can't really add anything else, you know. I mean,**
14 **we'll be here all night talking about it. All I can do**
15 **is read my statement and that's -- that's the truth and**
16 **the whole truth and I haven't exaggerated it or blew it**
17 **out of any proportion. That's the truth, you know.**
18 **That's all I can really say to you.**

19 Q. HIA36, I am not going to ask you anything more. If you
20 just remain where you are for a moment, it may be the
21 Panel Members want to ask you something. So just bear
22 with us for a short ...

23 Questions from COUNSEL TO THE INQUIRY

24 MS DOHERTY: HIA36, thanks very much. That has been really
25 very, very helpful. Can I just ask when you and DL271

1 were brought together into BR15's room, were you
2 asked -- did he ask you to do things to each other, or
3 did you observe, or --

4 **A.** It was mostly -- I think he just got some sort of kick
5 out of seeing you naked, you know, and it was -- it was
6 playacting more. He wanted more sort of for us to touch
7 him and ...

8 **Q.** Rather than to touch each other. It was more about --

9 **A.** No. You know, it wasn't like that, you know. I wasn't
10 really aware of any sexual matters at that stage, like,
11 you know, but I just knew that it was wrong, that what
12 he was doing was unethical, like, you know. It wasn't
13 like -- it wasn't right, you know, and, you know ...
14 I just feel bad more so for the rest of the Brothers
15 that were -- you know, they are old men now and they
16 have put up with an awful lot, and they are still going
17 through it, and I just want to see it come to
18 a conclusion and that they are not all -- they weren't
19 all bad. There was far -- far more good done than there
20 was bad like.

21 **Q.** Thanks very much. You really made that point today.

22 **A.** Okay.

23 **CHAIRMAN:** Well, HIA36, thank you very much for coming to
24 speak to us today. I am sure you will be relieved to
25 hear that's all we need to ask you today, but we will be

1 seeing you again on another occasion. Thank you very
2 much.

3 **A. Fair enough. Thank you.**

4 **(Witness withdrew)**

5 MR AIKEN: Chairman, Members of the Panel, that concludes
6 the oral evidence today. We will meet again tomorrow.

7 CHAIRMAN: I see that we -- we will only have one witness
8 tomorrow morning. Is that right?

9 MR AIKEN: That's I believe the position.

10 CHAIRMAN: Well, since that witness is scheduled to be the
11 second witness, is there any point in starting at our
12 usual time?

13 MR AIKEN: It depends what time that second individual is
14 supposed to attend first thing, but maybe if we said a
15 10.30 start, if that would ...

16 CHAIRMAN: Very well. We will sit again tomorrow at 10.30,
17 ladies and gentlemen.

18 (4.38 pm)

19 --ooOoo--

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