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HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Thursday, 20th November 2014

commencing at 10.00 am

(Day 70)

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

1 Thursday, 20th November 2014

2 (10.00 am)

3 WITNESS HIA21 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. May I just
5 remind you to ensure that your mobile phones have been
6 turned off or at the very least placed on
7 silent/vibrate, and that there must be no photography
8 anywhere in the Inquiry chamber or indeed on the
9 premises.

10 MS SMITH: Morning, Chairman, Panel Members, ladies and
11 gentlemen. Our first witness today is HIA21, and he is
12 "HIA21", but before I take him through his evidence
13 I know there is at least one appearance to be announced
14 this morning.

15 MR LOUGHREY: Good morning, Mr Chairman, Members of the
16 Panel. My name is Michael Loughrey and I appear on
17 behalf of this witness. I am instructed by Loughrey
18 Solicitors, and I am attended this morning by Mr Desmond
19 Loughrey.

20 CHAIRMAN: Very well. Thank you, Mr Loughrey.

21 MR STITT: Mr Chairman, might I make an appearance? I have
22 an interest in relation to another HIA number individual
23 who is referred to in a statement from this witness and
24 on that basis I appear instructed by Messrs McAteer &
25 Company.

1 CHAIRMAN: What is the designation of your client?

2 MR STITT: HIA147.

3 CHAIRMAN: Yes. Thank you, Mr Stitt.

4 MS SMITH: HIA21 wishes to affirm, Chairman, and he also
5 wishes to maintain his anonymity.

6 WITNESS HIA21 (affirmed)

7 CHAIRMAN: Thank you. Please sit down.

8 Questions from COUNSEL TO THE INQUIRY

9 MS SMITH: Now, HIA21, just before I come to take you
10 through your evidence I am going let the Panel Members
11 know where certain documents are in our papers.

12 HIA21 has made a statement to the Inquiry which can
13 be found at 83... -- sorry -- 873 to 885. He has also
14 given a short statement in response to that of HIA225,
15 which can be found at RUB5467.

16 The Order's response is found at RUB2512 to 2516
17 with exhibits at RUB2517 to 2547, and there's a further
18 response from the Order at 4767.

19 The Health & Social Care Board have provided
20 a statement at 8180 to 8183 indicating they have no
21 child care records in respect of HIA21.

22 There is a minute of Belfast Welfare Committee of
23 26th September 1972, to which I will be referring to in
24 due course. That can be found at RUB10719.

25 There is some police material. HIA21 made

1 a statement in 2013. He spoke to the police, gave them
2 some details of his time in Rubane, but said he wished
3 to pursue matters through this Inquiry rather than
4 through the criminal justice route, and that was the
5 purport of that statement that he made to police in 2013
6 after an informal conversation with them in
7 a solicitor's office.

8 Now, HIA21, your statement has been brought up here
9 on the screen and it is "The Witness Statement of
10 HIA21", which you are aware is the designation that we
11 have given to protect your identity. If we could just
12 go to the last page of that, please, at 889, can I just
13 ask you to confirm, HIA21, that this is the witness
14 statement that you signed on 1st May 2014?

15 **A. Yes.**

16 Q. And you wish the Inquiry to accept this as your evidence
17 together with anything else you tell us this morning?

18 **A. Yes.**

19 Q. Now it is clear from this witness statement, HIA21, that
20 you spent the early years of your life in Nazareth Lodge
21 and you have things that you wanted the Inquiry to know
22 about your time there, but you know we are not going to
23 deal with that today. I just want you to confirm that
24 you are willing to return on another occasion to speak
25 about that institution?

1 **A. Of course.**

2 Q. Now if we go to paragraph 22 of your witness statement,
3 which is where you start to speak about your time in
4 Rubane, and that is at page 879, we know that you were
5 in Rubane from until and
6 you along with other boys went to Rubane from Nazareth
7 Lodge when you reached . You were among fourteen boys
8 who went that year.

9 Soon after you arrived you describe being given
10 numbers and that that was used for various other
11 purposes, primarily for washing clothes, but also for
12 school and Sunday morning assembly. I take it then as
13 a roll call for assembly you would have been called by
14 your number rather than your name. Is that what you
15 mean by that?

16 **A. Yes.**

17 Q. In paragraph 23 you describe what -- what I am going
18 describe as a one-off incident, and that was you arrived
19 on the Sunday afternoon. You were taken to a dormitory
20 on the ground floor. It was prior to you going to bed
21 on the first night, you think about 9.30. You were
22 talking to other boys when a Brother who you name there
23 -- and I am going to use the name, but again that name
24 can't be used outside this chamber -- that was BR3 -- he
25 came in and without any warning he struck out and

1 slapped you very hard across your face, telling you
2 "You're not in Nazareth Lodge now". The blow was so
3 strong it lifted you off your feet. You were astounded.
4 You had only just left Nazareth Lodge and, as you put
5 it, here you thought your days of abuse were over, but
6 you were wrong. It was the only time that this Brother
7 ever struck out at you. It was a one-off, isolated
8 incident. You subsequently struck a mutual
9 understanding and respect from there on in and you never
10 had any problems. You described him as being much liked
11 by other lads and that he was someone you could talk to.

12 Now can I just pause there and say -- confirm you
13 are still friendly with this Brother today. Isn't that
14 right, HIA21?

15 **A. I do indeed.**

16 Q. When you say he was someone could you talk to, what were
17 the kind of things you would have spoken to him about?

18 **A. General things in the home itself, the sports obviously,**
19 **maybe the local news and the troubles, etc, but it was**
20 **somebody you felt you could talk to, because he was**
21 **gentle I felt anyway, and very much approachable and**
22 **I think he was a very good listener.**

23 Q. And certainly you never felt any discomfort being in his
24 company despite this one incident?

25 **A. Well, I take it in isolation, because I think over the**

1 years even after Rubane that BR3 and I have been very
2 good friends and remain to this day. The slap to me was
3 certainly a warning in regard to Rubane itself, but as
4 for the particular Brother, it obviously occurred to me,
5 you know, I think he felt more hurt than I did in what
6 took place and from that we got on like a house on fire.

7 Q. Okay. Can I ask you do you ever remember yourself boys
8 being punished in the home? First of all, maybe
9 I should ask you were you ever punished by any other
10 Brothers?

11 A. Of course. I wasn't always the best pupil. I mean,
12 I was robust at times and challenged them and therefore
13 I would have been punished by being slapped on the hand
14 with a strap. Yes, I would have seen other boys being
15 punished, whether it be for stealing or mitching school
16 or running away. That would have been normal practice.

17 Q. You have -- we have heard from other boys that there was
18 excessive punishment meted out in cases particularly of
19 boys absconding. Do you have any particular
20 recollection of that yourself?

21 A. I vaguely remember an incident in the yard as such, in
22 the old -- there would be railings, and I recall
23 a Brother or Brothers had brought back one or two boys
24 who had absconded, and there was an example made where
25 they were put over a railing and slapped on the

1 **backside. That was probably to reaffirm to us, you**
2 **know, "Be very careful that you don't run away. This**
3 **will happen to you", but other than that I didn't see**
4 **any excessive force in intents and purposes what the**
5 **Inquiry is trying to extrapolate, but I recall a very**
6 **firm discipline code was placed.**

7 Q. Now in paragraphs 24 -- sorry. You describe being
8 attached, first of all, to the main house, but then
9 subsequently you were moved into the purpose-built
10 chalets. You describe the layout there, about three
11 bedrooms, four occupants to each room, along with two
12 single bedrooms. So there were fourteen children housed
13 in what was to be a family environment. You shared with
14 a number of boys whom you name in your statement there,
15 although you longed for a single room, because there was
16 no privacy.

17 You then go on in paragraph 25 to describe your life
18 and what happened to you in chalet . You say your time
19 there was one of great difficulty in many ways. You say
20 that you endured almost years of physical -- sexual
21 and physical abuse by your houseparents. I am going to
22 use the names. Again they are not to be used outside
23 this room, but that was DL134 and DL135. You go on to
24 say you also suffered sexual abuse by other boys, but we
25 will come back to that in due course, but if I can just

1 deal with what you say DL134 did to you, you describe
2 where he was originally from. You say both of these --
3 both DL134 and DL135 were very imposing.

4 You recall one Saturday evening about 6 o'clock
5 after teatime he brought you into his private quarters,
6 which were attached to the chalet when you were about
7 or . You were wary, thought he was creepy and unsure
8 of his purpose. There was just something about him. He
9 pushed you against the wall. You pushed him away. You
10 weren't sure what he was doing or going on, because you
11 hadn't a clue. You say you had never received any sex
12 education either in Nazareth Lodge nor Rubane. That
13 caused further confusion as to what was happening. You
14 couldn't make any sense of what he was doing or trying
15 to do, but you knew it wasn't right. You were -- you
16 say it was not your place to raise such a taboo subject
17 in fear of embarrassment or not being believed in
18 respect of the clergy, but you were fearful of how he
19 might react if you did report his inappropriate
20 behaviour.

21 You go on to say how he got you to sit down on the
22 seat opposite him and asked you, "Do you know what your
23 penis is for?" You said you had never heard the word
24 "penis" and didn't know what he was talking about. He
25 added, "Do you know what comes out of it?" You said you

1 hadn't a clue what he was talking about. You said the
2 whole episode was embarrassing. You felt awkward. You
3 never felt so uncomfortable. Your heart was racing and
4 you were nervous and at your wits' end. You got up from
5 your seat. You told him you were nervous and
6 uncomfortable, and you sensed that he was going to do
7 something sexual to you. You had never been in his
8 private quarters before, but you couldn't wait for him
9 to tell you you could go. He told you to stay and he
10 pulled you down on to your seat. You again were
11 frightened.

12 So you ran to the door and at that very moment
13 a Brother came to the door, and you name him, and that
14 was BR13. You say it was a huge relief, and he asked
15 DL134 if everything was all right, and his response was
16 that he was just talking to you, and you didn't have the
17 courage to explain to BR13 what you had to endure prior
18 to his interruption, and you kept that to yourself for
19 many years, and it still lives with you every day of
20 your life.

21 Now you also in paragraph 31 describe another
22 occasion when he came near. You say he never came near
23 you from that day until another Saturday evening. You
24 are not sure, but you think it might have been late ,
25 and Saturday nights were the boys -- the boys went to

1 have a bath or shower. In chalet that process was
2 supervised by DL134. He would get all the boys lined up
3 in the corridor with only a bath towel covering from the
4 waist down. It was your turn to go in and you said to
5 him you wanted a shower. The process was one person at
6 a time. So if someone wanted a bath or shower, they
7 were on their own with the exception of DL134, who
8 stayed in the bathroom area. When it was your turn, the
9 door closed. You asked him if he was leaving. He was
10 dismissive, pulled the towel off, pushed you into the
11 shower unit and you could see that he took pleasure in
12 seeing you naked. It was embarrassing. You kept your
13 head down and cried. There was no privacy and any
14 privacy you wanted was taken away, and he said to you,
15 "We're all men. It's nothing I haven't seen before".

16 Now just to be clear, HIA21, what you have described
17 is a situation where you were in fear of something
18 happening to you -- is that correct -- rather than him
19 actually doing anything to you?

20 **A. Yes, very much so. It is an experience I still recall**
21 **to this day. DL134 to me as a young lad going through**
22 **Rubane would be very much feared particularly in**
23 **isolation, and when I was brought to his quarters,**
24 **I knew something would not be right in the sense that he**
25 **didn't bring me in for one particular purpose but**

1 obviously had a particular purpose in mind. The fact we
2 had no sexual education in any shape or form, I was
3 totally unable to work out what was the purpose of him
4 having a one-to-one talk with me, and as a young lad it
5 was just so scary and intimidating. The fact he got and
6 asked me about my genitals and the performance of it in
7 that sense, to me then it was very, very scary, and for
8 BR13 to be at the door was definitely a huge relief.
9 I think he could even see in my eyes that I was
10 certainly frightened, and it was him who had asked
11 DL134, "Is everything okay?" and DL134 just as usual
12 said, "We were just talking".

13 Q. Now in paragraph 30 of your statement, HIA21, you talk
14 about an incident where -- you describe the sleeping
15 quarters, the ^{DL 134 & DL 135} sleeping quarters being adjacent to
16 the boys, and you remember you hear the dividing door
17 opening in the early hours of the morning, around 2.00
18 or 3.00 or maybe later. The dormitory that you were in
19 was the first room beside the dividing door. On one
20 occasion you recall that DL134 came into your room. You
21 were aged about 11 or 12. You knew he was "coming for
22 me". You say:

23 "I just knew because of his shallow ..."

24 I'm not quite clear. Maybe there is a word missing
25 there:

1 "He took my bedclothes off and I said to him, 'If
2 you fucking touch me, I'll kill you. If you come at me,
3 I'm coming for you'."

4 You say he realised that you had become strong, not
5 in the physical sense but strong in mind, and you were
6 not under any circumstances letting him violate your
7 person, and as a result you became more aggressive, as
8 you learned from your time in homes if you didn't stand
9 up for yourself, no-one would.

10 "He left and I think he went to another room."

11 So this was another occasion where he approached
12 you?

13 **A. Yes. The dividing door, which would be the quarters for**
14 **the houseparents, and obviously the three main communal**
15 **dormitories and two single rooms, you would actually**
16 **hear the dividing door open, because it had a squeaky**
17 **noise. So you knew there was somebody on the prowl as**
18 **such, and, of course, I was a very light sleeper, and**
19 **the door had opened and I saw this shallow silhouette,**
20 **and I knew it wasn't one of the boys, because it was**
21 **a tall figure, a mature person, and obviously the**
22 **bedclothes were removed, and within a matter of seconds**
23 **I had got up and I told him where to -- I don't want to**
24 **use the expletives, but you can understand where I'm**
25 **coming from, that if he did touch me, that I would kill**

1 him. Now, firstly, I could not do it, but I done it
2 just to let him realise I wasn't prepared to be accepted
3 as a lamb to the slaughter as such.

4 From that the shower incident was weeks, maybe
5 months, later, where there was a normal practice at
6 6 o'clock after tea that we would go for a shower or
7 bath and we would line up in a corridor, everybody
8 undressed, with the exception of a towel round your
9 waist, and it would be your turn to go for a bath or
10 a shower. DL134 supervised the bath or the showers.
11 I found that very uncomfortable. I didn't see
12 a necessity for that, but being 11 and 12, who was I to
13 be robust and challenge that? He whipped the towel off
14 me. It was a frightening experience, because I didn't
15 know what was going to happen next. Now I didn't make
16 any approaches to sexually assault me, but the fact is
17 I felt he had some sort of gratification in seeing me
18 naked. Hence I broke down and cried and I had to shower
19 for ten, fifteen minutes and went out and got dressed.

20 Q. Now you are aware, HIA21, that other boys have spoken to
21 the Inquiry, and I am going to use some names, which
22 again are not to be repeated outside the chamber. One
23 of those was [REDACTED] HIA 36, who I know you are
24 friendly with. He told the Inquiry that you, [REDACTED] HIA 56
25 [REDACTED] HIA 56 and [REDACTED] HIA 132 talked to him about being abused

1 by DL134. Now he was in a different chalet. Isn't that
2 right?

3 A. HIA 36 was chalet , and HIA 132 and HIA 56 were chalet with
4 me.

5 Q. You and HIA 56 and HIA 132 would have come from Nazareth
6 Lodge and would have been friendly?

7 A. And HIA 36

8 Q. And HIA 36. Do you recall talking to HIA 36 about DL134 and
9 about what was happening?

10 A. Well, that doesn't really stick in my mind, to be
11 honest, because it was such a long time, but it
12 wouldn't -- it wouldn't be out of the norm if I did.
13 I expect we probably did do it.

14 Q. And do you remember the other boys telling you that they
15 were abused by DL134?

16 A. To be honest, no. I only learned in respect to HIA 132,
17 whom I'm very friendly with and keep in touch with on
18 a regular basis, that he had told me he was abused by
19 DL134. Now it didn't come as a surprise to me, but
20 I didn't know until recent time that HIA 132 had told me,
21 but at the time in Rubane I wasn't aware of it.

22 Q. So it wasn't the case that, because you knew that DL134
23 was interfering with other boys, that that made you more
24 scared of him or anything?

25 A. No. The fact is my one-to-one meeting in the quarters

1 with him was a warning sign for me and on that basis
2 only. I certainly would have confided to HIA 132 and the
3 other two boys that DL134 did have a one-to-one liaison
4 with me in his private quarters which was very
5 uncomfortable.

6 Q. And I know from your statement at paragraph 46 that
7 years later, when you were in your s, you and another
8 boy went to confront DL134 -- both DL134 and DL135 about
9 their treatment of you in Rubane. You say she was very
10 distant and DL134 wasn't there at the time. He has
11 since passed away.

12 A. Well, the guy who came down with me I have already
13 mentioned. It was HIA 132. I went down with him because
14 HIA 132 knew he had lived in and I thought, "Well,
15 this is an opportunity. I'll go down with him and
16 hopefully meet DL134 and tell him how I feel in regard
17 to what took place in Rubane", and DL135 opened the
18 door. It was a wet evening, Saturday evening, the rain
19 coming down and no chance of us getting in. She kept
20 the door ajar and just said DL134 wasn't in. We
21 actually thought she would invite us in for a cup of tea
22 to wait for DL134, but it wasn't a warm welcome, and we
23 left within a matter of minutes.

24 Q. We know that DL134 and DL135 were
25 from the home and we will come back to talk about that

1 in due course, but if I can move back to your statement
2 at page 881, at paragraph 29 you describe there that it
3 was an unwritten rule that boys would interfere with
4 each other. It was a common theme. Wait until it comes
5 up on the screen. Paragraph 29 there. You say this was
6 primarily because you were all going through
7 adolescence. You didn't have a clue as your bodies were
8 changing. If what you were doing was right or wrong was
9 ever more confusing and it happened to you. You could
10 accept it to a certain extent, because you thought was
11 harmless and it was all part of growing up, but it was
12 also embarrassing. The boys who came from Nazareth
13 meant that you were more exposed to boys who came to
14 Rubane through the justice or welfare systems.

15 I know that you go on to describe later that you
16 felt this mix of children who had come from Nazareth
17 Lodge and from a voluntary welfare background, their
18 experiences of life was very different to those in --
19 coming from the criminal justice system --

20 **A. Yes.**

21 Q. -- into Rubane or from homes, from family homes coming
22 into the system. I will talk about that a little bit in
23 due course.

24 What you are describing in paragraph 29, you say it
25 was essentially what I would describe or use the words

1 peer experimentation, if I can use it that way.

2 **A. Yes.**

3 Q. But that was the sort of normal behaviour by the boys,
4 who didn't know any different, but you make
5 a distinction between that and what you say occurred to
6 you at the hands of other boys at paragraph 37.

7 **A. Yes.**

8 Q. If we can just go to that now, please, which is on page
9 883.

10 **A. Christine, I am sorry. Could I go back to this --**

11 Q. Sorry. Yes.

12 **A. -- just to speak on this? I feel very strongly this is**
13 **an aspect of our childhood, that there was a common**
14 **theme that abuse amongst the boys was common. Now while**
15 **it may be embarrassing, you know, I will be honest and**
16 **say it is embarrassing but it did take place, and**
17 **I couldn't deny that, and to say that the Brothers were**
18 **aware of that, it would be very hard to suggest that.**
19 **They may have an inkling that may taken -- occurred, but**
20 **certainly the boys amongst themselves it was common**
21 **practice. We are here to be honest and I feel very**
22 **strongly that that should be advocated, that this was**
23 **a common theme. It wasn't unusual. It wasn't abuse.**
24 **Experimentation, whatever you want to call it, but it**
25 **was something -- a part of growing up, and I think in**

1 **any institution, be it borstal or youth centres, it is**
2 **common.**

3 Q. And what you are -- but you take make the point that
4 that was completely different --

5 **A. Yes.**

6 Q. -- to this other incident --

7 **A. Yes.**

8 Q. -- that I am just moving on to talk about, which you do
9 consider to have been abuse.

10 **A. Oh, very much so.**

11 Q. That is at paragraph 37. There you say that when you
12 were about years old, you were buggered by two other
13 boys. That took place in a derelict house outside the
14 boundaries of Rubane. There were two older boys. You
15 suspect they were about at the time. You name
16 one boy there who -- I am just going use his name as
17 HIA147 -- was one of the culprits. You think the other
18 may be deceased. He held you down while HIA147 buggered
19 you.

20 **A. Yes.**

21 Q. You say you lived with this each and every day. You go
22 on to describe what you believe about HIA147, and you
23 say that he had also been in Nazareth Lodge, that you
24 hadn't seen him for a number of years, and in 2011 you
25 were at a Forum information evening about the setting up

1 of this Inquiry held in the Wellington Park, and you say
2 you were able to get him removed when you saw him there,
3 because it brought back flash-backs, and that this abuse
4 by him, the buggery, happened for about years until
5 he left Rubane.

6 **A. Uh-huh.**

7 Q. You were still living there at the time. We were
8 talking about this earlier. You described how if you
9 asked for permission of the Brothers, you had a certain
10 degree of freedom and you were allowed to go out for
11 walks.

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

13 Q. You three went for a walk and you went into this
14 derelict house and that's where this abuse occurred.

15 **A. If I -- I think it was BR6 who I had asked or should
16 I say HIA147 had asked could we leave and go for a walk
17 on the Rubane Road. It would roughly be a mile up the
18 road we came upon this derelict house, and unfortunately
19 I was raped in this derelict house and held down, and
20 upon my return I just was in myself. I became enclosed.
21 I couldn't express. It took me a number of days to get
22 over what had taken place. In subsequent years
23 I haven't met had guy for a number -- years and
24 I obviously met him in one of the Forums prior to the
25 Inquiry up and running at the Welly Park, and it was**

1 then I had requested for him to be removed, given that
2 I want to play a role within the HIA in helping those
3 who are in most need, and the person was removed from
4 that room.

5 Q. HIA21, we know, because I have told you, that HIA147 has
6 spoken to the Inquiry and he gave a statement where he
7 denied the allegations that you make and said he was not
8 aware of any derelict house.

9 He then gave evidence and the relevant parts of your
10 statement were put to him. He said that he thought he
11 was put out of the meeting in Wellington Park by Amnesty
12 International, but now what he read what you said in
13 your statement --

14 **A. Yes.**

15 Q. -- his response to that was, "What a cheek!" He said he
16 knew you, but that he absolutely didn't do what you
17 alleged and you are talking absolute nonsense. He said,
18 "I know what happened. He is talking nonsense". When
19 he was asked what he meant by the phrase, "I know what
20 happened", we went on to say there was no contact with
21 you. He never associated with you or any of the boys'
22 names who were put to him by my colleague Mr Aiken. He
23 never played games with any of them and he only had
24 contact with two boys whom he had mentioned as engaging
25 in consensual activity with him. Now is there anything

1 that you want to say in response to that?

2 **A. Well, Christina, I am not going to come down here just**
3 **to give a yarn or a story. I have been asked to come**
4 **here to give my account of my experience, which I stand**
5 **by faithfully. HIA147 did what he did and only he will**
6 **know that. I can live with myself. The fact that I am**
7 **here and able to unload this burden has eased to**
8 **a certain extent. It is disheartening at the fact he**
9 **has denied it. That is disappointing, but he has to**
10 **live with himself. I can categorically in this room**
11 **state it did take place.**

12 **Q.** Now if we can just go to -- back to your statement here
13 at paragraph 32, if we could just go up to that, please,
14 you again -- you are talking about BR13, who you
15 describe as a lovely man, and you say you did confide in
16 him.

17 "I told him something had to be done",
18 and we are going back, I should say, to talk about
19 DL134 and DL135 here.

20 **A. Yes.**

21 **Q.** You said:

22 "DL134 as going to ruin all of us. DL134 and DL135
23 isolated us boys, which only caused a divide within the
24 entire home."

25 You felt you were treated very differently from the

1 other boys within Rubane and that had a negative impact.

2 You say:

3 "They were divisive, a law unto themselves and the
4 boys within chalet would not discuss what was
5 happening to them individually in fear of retribution."

6 From talking to fellow boys in later years you found
7 out that DL134 had sexually assaulted some of them.

8 "BR13 didn't give any indication of his thoughts but
9 I suspect that he was wary of our allegations."

10 Can I just ask you, HIA21, what exactly was it that
11 you told BR13?

12 **A. Without going into detail, I just told BR13 that**
13 **I~wasn't happy with the DL134 and DL135 there, because**
14 **I felt uncomfortable. I felt my person was being**
15 **violated in the sense that, because of his demeanour, he**
16 **was creepy, I would say even predictable what he was**
17 **trying to do, but I also felt that something had to be**
18 **done, because given that there was such a divide between**
19 **the three chalets in the house, that chalet sat out**
20 **like a sore thumb, that the equilibrium within the**
21 **establishment was obviously -- there was -- obviously**
22 **breaking down. The fact that BR13 was the first port of**
23 **call for me when that door opened, that knock on that**
24 **door, so I felt if I went to him, given he was very**
25 **genuine, gentle -- certainly he was of an old age and**

1 whether he could actually comprehend what was actually
2 happening or we could even express, it was very hard to
3 unload that burden as such, because purely embarrassment
4 and the respect for the cloth.

5 Q. You then spoke to BR3 and you told him that you needed
6 to get out of chalet . He asked you why.

7 "I told him I couldn't take any more and was going
8 to kill myself I felt that bad."

9 You say that it was as a result of other information
10 unknown to the boys that the DL134 and DL135 were

11 by the , who would have been BR6.

12 You say there was huge relief, which cannot be
13 overestimated among the boys of chalet when they did
14 leave.

15 **A. Yes.**

16 Q. Now can I just come back -- you have said that you had
17 developed a relationship with BR3, that you felt
18 obviously that you could go and speak to him. What
19 exactly was it that you were saying to him about what
20 was so bad in chalet ?

21 **A. Well, basically, as I did with BR13, that I felt that**
22 **DL134 and DL135 were very divisive and stimulated us in**
23 **regard to our self-esteem unable to express ourselves**
24 **the way we want to with the hope of not having any fear**
25 **of any written abuse and of reporting something. So**

1 rather than report it, I said to BR3, "Look, just get me
2 out of here, because I am going to kill myself, because
3 I can't take any more", and I think, given what happened
4 in my initial meeting with BR3 on the first day at
5 Rubane, I felt he was maybe responding to something that
6 took place between him and I that he wanted to make
7 good, let's say, and I think on that basis that's the
8 reason why I was able to move to the house.

9 Q. Did you discuss at all with BR13 or BR3 knowledge of
10 sexual abuse or the sexual contact?

11 A. No, I didn't, Christina, but in fairness to -- because
12 I had a very close proximity to BR3, in later years
13 I expressed the reason why I asked to leave the house
14 and I told BR3 then the reason was because of the sexual
15 behaviour of DL134, which he fully understood then, but
16 he could understand why I didn't express it to him in my
17 earlier years.

18 Q. But do you believe that BR3 knew that there was this
19 abuse going on at the hands of DL134 at the time that
20 you were in Rubane when you asked to move?

21 A. Well, I think it would be a bit unfair, because I think
22 he certainly would know the boys weren't happy.
23 I certainly would -- I think he would detect that, and
24 I think that was quite obvious, that the staff,
25 particularly in chalet , would be aware that the DL134

1 and DL135 were a law unto themselves. So on that basis
2 BL3's intervention from me, and I will be honest.
3 I wouldn't be here today because of him.

4 Q. But you went back to the main house, HIA21, and you talk
5 about this in paragraph 35 there, that you felt more at
6 ease. You were , which gave you
7 confidence, and -- because you were trusted to go into
8 . There was faith shown in you. Your room
9 was adjacent to two rooms and those
10 contained two De La Salle Brothers, whom you name there,
11 one of whom was BR3 and another BR12. No Brother ever
12 came into your room or acted inappropriately while you
13 were in the main house. You said you received a knock
14 on your door each morning prior to breakfast time, which
15 was your morning wake-up call.

16 You were attached to the Brothers' kitchen. You say
17 you were highly respected by each and every one of the
18 Brothers and you had no misgivings or concerns for your
19 welfare while you were living in the house with them.

20 A. No. That period of my life I think through BR3 moving
21 me to the house and I was given this -- what do you call
22 it -- a perk in regard to a job on the Brothers'
23 quarters was salvation for me. I was very much at ease
24 with all the De La Salle Brothers at that time.
25 I~think BR15 had already gone. So therefore there was

1 no concern from me other than those Brothers who were
2 left behind, who I always got on very well with. The
3 fact that living in very close proximity to the two
4 Brothers, I mean, I was never under any concern or
5 reservation about any inappropriate behaviour happening
6 to me with Brothers. The fact I was given
7 , that they showed their faith in me, I was entirely
8 grateful.

9 Q. Just moving on here to paragraph 36, we were talking
10 about the DL134 and DL135 leaving, and you said you have
11 asked the Order why they were removed and the only
12 answer you were given was that they were unsuitable, but
13 you think DL134 was sexually active and you know that
14 from having spoken to other boys --

15 A. Yes.

16 Q. -- and that the boys -- Brothers didn't want the real
17 reason behind the enforced removal known.

18 A. I find -- this is uncomfortable for me, because to use
19 the word "unsuitable" is very broad, so it is, in
20 respect to these people were unsuitable to look after
21 children or is it for one reason other another. Yes,
22 certainly the equilibrium within the confines of the
23 home was disrupted by the DL134 and DL135. I have no
24 doubt about that. In respect to the actual behaviour of
25 the DL134 and DL135 in regard to abuse, be it physical,

1 mental, sexually, I find it very hard that one, if not
2 some, of the Brothers would have known, but I would also
3 respect the possibility they may have not known, but to
4 say they were unsuitable to me, coming the age of ,
5 I find very hard to accept.

6 Q. But you felt, given what you knew, the Brothers must
7 have known there was something untoward going on in that
8 chalet?

9 A. Yes. I mean, I give credence to the likes of BR6 who
10 decided through discussing with the proper authorities
11 to have these two people removed. I certainly wouldn't
12 have been aware that DL134 and DL135 wouldn't leave,
13 even having been asked to leave. I think it was a brass
14 neck on them to a certain extent they think they were
15 doing something that was good. It certainly wasn't.
16 They were certainly divisive.

17 Q. One of the things we talked about earlier, and I just
18 come on to this at paragraph 38 in your statement, you
19 said that Rubane had what you describe as a toxic
20 mixture of boys who were placed by the Justice
21 Department or Welfare system. You say that further
22 exposed children who came directly from Nazareth Lodge,
23 and you say:

24 "The mixture of boys streetwise and/orphans was so
25 fundamentally wrong. There was no distinction made,

1 which is only further cause of the toxic environment and
2 the impact thereafter was very telling."

3 Now at paragraph 40 you describe the distinction
4 between the two homes --

5 **A. Yes.**

6 Q. -- that you experienced, Nazareth Lodge and Rubane. One
7 of the things that I wanted to ask you was do you
8 accept, because the Inquiry has heard it and will hear
9 more about it in the next module, that some boys alleged
10 that they were sexually abused in Nazareth Lodge?

11 **A. Now in regard to Nazareth Lodge I have no recollection**
12 **as a person that any individual had been sexually abused**
13 **in Nazareth Lodge other than the physical abuse that**
14 **took place either by nuns or by lay people.**

15 Q. And the other thing that I wanted to ask you, certainly
16 you certainly had no experience yourself, but one of
17 the -- the boy that you name as abusing you had been in
18 Nazareth Lodge himself. Isn't that right?

19 **A. Yes.**

20 Q. So the other thing, do you accept that not everyone had
21 the same experience of Rubane as yourself?

22 **A. No. I mean, I would accept each individual's account of**
23 **their experience I respect. While I might not agree**
24 **with everything they said as they probably would with**
25 **regard to my testimony here is that my experience in**

1 Rubane in general was very, very good, the fact that
2 I had a rapport with the Brothers in general and many of
3 the lay staff itself with the exception of the DL134 and
4 DL135. I just feel that the Brothers were very limited
5 in what they could do and what they could provide, and
6 with the toxic mixture of streetwise kids coming into
7 Rubane and the boys that were coming directly from
8 Nazareth Lodge, who basically were abandoned as children
9 as orphans, that toxic -- that definitely was a toxic
10 environment, because we weren't fast enough to run with
11 these people in regard to streetwise, and on that we
12 were very vulnerable and exposed.

13 Q. HIA21, one of the things I asked you when we were
14 talking earlier was whether you ever yourself got into
15 trouble with the Brothers. I know you had a good
16 rapport with them, but you did relate one incident which
17 --

18 A. I do to my shame. I work in .
19 I don't drink, but I and three others had broke into the
20 Brothers' quarters and -- just behind their dining room
21 and stole altar wine for having or whatever, but anyway
22 we were just up to mischief, no good, but one of the
23 boys I remember got slowly intoxicated. Coffee wasn't
24 plenty in those days, so we gave him plenty of water to
25 try to sober him up and lay him at the bottom of the

1 grass pitch behind the hut and keep him away from the
2 Brothers, but he was gone. He was gassed. He was --
3 more drink than I could even remember. Obviously when
4 -- that was during the summer, one summer time. So
5 there wasn't that many Brothers about, but BR4 I think
6 was in charge while I think BR6 might have been away and
7 BR2 might have been away on holidays. He got to hear
8 about what had transpired, and the four boys, I was
9 disciplined. I got six straps -- six slaps with
10 a leather strap in chalet and put to bed early. Other
11 than that I might have done any another child would do,
12 but that's the only thing that sticks in my mind that
13 I was out of order.

14 Q. I just want to be clear. We are going to use the names
15 just so the Panel can hear the names of the boys who
16 were with you and the boy who got particularly drunk.
17 There was a boy called **NL 6**.

18 A. **NL 6**, yes.

19 Q. A boy called **HIA 21**.

20 A. That would have been myself.

21 Q. Sorry. Of course. There was **HIA 16**.

22 A. Yes.

23 Q. **HIA 16**.

24 A. **HIA 16**.

25 Q. He was the one who got drunk. Is that right?

1 **A. Yes.**

2 Q. And you -- when you said you were given six slaps with a
3 strap, was that on each hand or how was that
4 administered?

5 **A. Each hand.**

6 Q. So it was six on each?

7 **A. I must -- he was a wee bit easy on me now. He was --
8 I told him to be easy on me.**

9 Q. But in paragraph 44 of your statement you talk about
10 that you never -- as you said to us, you didn't feel
11 uncomfortable with any of the De La Salle Brothers with
12 one exception and that was a BR15.

13 **A. Yes.**

14 Q. You said it was commonly known that he had abused
15 certainly one of the boys who came with you from
16 Nazareth in . You go on to say you were very
17 indebted to the Brothers. I just wanted to ask you
18 about this common knowledge he had abused one of the
19 boys and ask you a little bit more about that. HIA21,
20 what did you mean?

21 **A. I mean, common knowledge that -- obviously kids will
22 obviously talk amongst themselves rather than share it
23 with adults or Brothers or whatever, and it became known
24 that one particular person that you have already
25 mentioned, **HIA 36**, I was aware that he was abused only**

1 through speculation and hearsay, which turned out to be
2 true in later years, and therefore I was guarded against
3 BR15 and I kept my distance.

4 Q. So the boys would have known about this and would have
5 talked about it. Do you believe that any of the other
6 brothers might have been aware of this rumour going
7 around?

8 A. Well, I think to a certain extent yes, because
9 eventually BR15 was removed, albeit maybe 12, 18 months
10 later, but nevertheless he was removed. I think in
11 fairness also DL115, who would have been attached to
12 chalet , I know she was aware of it. In later years --
13 as I say, I keep in touch with HIA 36. He has been
14 basically telling me what I am telling you now, you
15 know, that DL115 would have known, but how the Brothers
16 reacted at the time I wouldn't be au fait with that.

17 Q. One other thing about that is HIA 132 has said that
18 you told him that you were abused in the shower by BR15.
19 Is that correct, HIA21?

20 A. No, that's incorrect. It was the time when DL134, he
21 was in when I was taking a shower. While DL134 didn't
22 actually interfere with me, he was in the shower room
23 when he stripped me, took the towel off me.

24 Q. That's the only thing you said to HIA 132 ?

25 A. Yes, yes.

1 Q. Now if I can come on now to an allegation that has been
2 made against you --

3 **A. Yes.**

4 Q. -- HIA21, and you know that was by HIA225, and I will
5 call him HIA225. In his witness statement -- and I am
6 not going to call it up, but it can be found at RUB642
7 at paragraph 38 -- he said he woke up one night. You
8 were in his room trying to masturbate him. He told you
9 to get out or he would tell BR2 and you never bothered
10 him again. Now he didn't locate where this incident
11 occurred, and you have given a response statement to the
12 Inquiry at 5467.

13 **A. Yes.**

14 Q. And you accept that you were in chalet . You denied
15 the allegation in that statement, and then you went on
16 to talk about the room and the layout, and you said
17 that -- you said he shared the room with someone else
18 who had moved and that is why he had the room to
19 himself, but that is your statement there --

20 **A. Yes.**

21 Q. -- and you give the accommodation. Now you know,
22 because I told you this this morning, when he gave
23 evidence to the Inquiry, he said the incident involving
24 you didn't happen in the chalet but actually in the main
25 house. He said you were on the edge of his bed. He

1 woke up. Your hand was down his pyjamas. He told you
2 to stop or he would tell BR2. He said when he was asked
3 that he was able to say this to you and to tell you to
4 stop, unlike abuse that he was receiving from other
5 boys. He said that the difference was he was able to
6 say it to you because he wasn't afraid of you. You
7 stopped and you left the room and never did it again.

8 Now you -- we know you were in a single room in the
9 house. Do you recall HIA225 -- sorry. The name not to
10 be used outside. Do you recall him being in the main
11 house at all?

12 **A. To be honest, no. First of all, HID225 and I would have**
13 **been in chalet originally when we came from Nazareth**
14 **Lodge in . I was moved to the house some time about**
15 **roughly 18 months**
16 **and I was given within the house itself.**
17 **In respect to the allegation HIA225 has now located the**
18 **alleged abuse took place in the house itself. I know**
19 **myself I wasn't there. I believe it's a mistaken**
20 **identity. I never shared or came into a room. HIA 225**
21 **alluded that I left the room. So that suggests I was**
22 **actually in a single room. I don't know, but I can**
23 **certainly categorically deny that it was me.**

24 **Q. What you are saying is that somebody may have done this**
25 **to HIA225 but it's not you.**

1 **A.** I have no doubt. Firstly, I would commend HIA225 being
2 here and giving that information to the Inquiry.
3 I think it is every right he should do that, but
4 I honestly believe that this platform which we have
5 here, the fact my name has now been used, and
6 irrespective of whether I am innocent or guilty, muck
7 has been thrown at me and I feel that my character has
8 been stained. While I accept this Inquiry will bring us
9 various hurts and sorrows, I certainly was not the
10 **person HIA225 is accusing.**

11 **Q.** Now going back to your statement then, HIA21, at
12 paragraph 43 you talk about leaving Rubane and the sense
13 of loss that you felt just as you had a similar sense of
14 loss when you left Nazareth Lodge to move to Rubane, but
15 it is fair to say from what you describe -- that's at
16 RUB884, please, just at the very bottom of that page and
17 then moving across to 885 -- that when you were leaving
18 Rubane, there was little or no preparation for you
19 leaving. Isn't --

20 **A.** Yes.

21 **Q.** -- that correct?

22 **A.** For me it was a very daunting experience and with the
23 great attentions in the world made by the Welfare or the
24 Brothers themselves, there was little preparation for
25 the entire world and it was a very daunting experience.

1 In fact, it was BR2 along with two other boys who
2 brought us up to Belfast that year. We were received by
3 [REDACTED] DL 298 and from there we were given digs
4 I think in the direction and employment the
5 next day. Ill-equipped, ill-prepared, uneducated and
6 that's how I felt going into society. I am not
7 attaching some blame to the Brothers about it. I attach
8 the blame to the system in respect that the State
9 themselves took their eye off the ball and allowed this
10 vulnerability and exposure to us at the age of 15. We
11 know why we left at the age of 15. It was school
12 leaving age. Really in hindsight the normal thing, we
13 should have left at 18, 19 and maybe do further
14 education, but unfortunately that was not available.
15 That was obviously down to money. I mean, the home was
16 being funded by voluntary subscription originally and
17 then by the State itself. I think there should have
18 been more thought put into the process of integrating
19 children into society. We didn't get that opportunity.

20 Q. Well, I am just going look at a couple of documents
21 here, HIA21, that I discussed with you earlier. If
22 we could just pull up [REDACTED] RUB 10733, we can see the history of
23 what appears to have taken place recorded in the Belfast
24 Welfare Officer's report to the Belfast Welfare
25 Committee and that was made -- the report was made on

1 . If we can just scroll down through
2 that, please, to the section at paragraph 2 there, "De
3 La Salle Boys' Home in Kircubbin", it says:

4 "Further to the resolution of the Association of
5 Welfare Committees dated in respect
6 of boys who are accommodated in De La Salle Boys' Home,
7 Kircubbin, and for whom no contributions are being paid,
8 that the matter of maintenance of the boys be considered
9 by the Welfare Committee in whose area the boys would
10 appear to have ordinary residence qualifications, to
11 submit application from the home to this committee to
12 accept the following buys into care with effect from
13 , and to recommend that we comply with this
14 request. These boys were originally accepted by the De
15 La Salle Boys' Home on a voluntary basis."

16 There is a number of names. If we can just scroll
17 down, the second last from that is yourself --

18 **A. Yes.**

19 Q. -- HIA21. So this would have been the Welfare
20 Committee -- the Association of Welfare Committees
21 recommending that the Welfare Committee for the area
22 from which you came should accept the boys into care
23 with effect from , which would have been just
24 before you left Rubane in and, as I say, we see
25 you listed there.

1 If we look then at RUB10719, and it's -- we need to
2 highlight that and go down again to "De La Salle Boys'
3 Home, Committee (sic)". What we see here is the
4 authority adopting that recommendation as far as the
5 boys from its area were concerned. That was the Belfast
6 Welfare Committee, and you are on that list as one of
7 those boys. It says:

8 "The Committee were informed that the Association of
9 Welfare Committees at the meeting on had
10 decided in regard to the question of boys who were
11 accommodated in De La Salle Boys' home, Kircubbin, and
12 in respect of which no contributions were being paid,
13 that the matter of the maintenance of the boys be
14 considered by the Welfare Committee in those area -- in
15 whose area the boys would appear to have ordinary
16 residence qualifications. The Deputy City Welfare
17 Officer submitted an application from the home to this
18 committee to accept the following boys into care with
19 effect from and recommended that the
20 committee accede to the request. He explained that the
21 boys had originally been accepted by De La Salle on
22 a voluntary basis."

23 Names are given and then the line:

24 "The committee adopted the recommendation."

25 If we look then at 10736 --

1 CHAIRMAN: Just pausing at that point, we can see, HIA21,
2 that you and another boy were both lodging --

3 **A. Yes.**

4 Q. -- in a house in [REDACTED] off the
5 at the time.

6 **A. [REDACTED] NL 6 .**

7 Q. So what it is saying is even after you had left Rubane,
8 the State was taking on some responsibility for you at
9 that time.

10 Well, if I can extend that, first of all, we were
11 all in full employment and therefore the contribution
12 towards the digs was paid mainly from ourselves. The
13 only added fact that I would have received was clothing
14 allowance. I mentioned to Christine earlier on going to
15 Frasers, Joe Frasers or John Frasers in Castle Street
16 and getting my first suit. My God! That was
17 a wonderful day for that. I appreciate what the Welfare
18 were doing, but yet again they were very limited to what
19 they could provide, because most of my money went into
20 digs and usually I would have walked to work or
21 hopefully get a lift to work. So there was very little
22 money around. I wouldn't say I was supported by the
23 Welfare Service to the extent that I was living in
24 luxury, but certainly I was provided with a roof over my
25 head, food in my tummy and my clothes washed, but that

1 was mainly from my part through my work.

2 MS SMITH: Can I ask you, HIA21, did you have any contact
3 with a social worker at this time?

4 **A. I can't remember her name, but I had a lady from Lower**
5 **Crescent. I think there might have been a Social**
6 **Service Department there, and she would come out and**
7 **visit us, and one of the visits that's when I got my**
8 **first suit, John Frasers in Castle Street. That may**
9 **have lasted twelve months as I recall.**

10 Q. And how often -- how often might she have come to visit
11 that you recollect?

12 **A. Three or four times in that twelve-month cycle.**

13 Q. Just for completeness of this -- these documents if we
14 just look at 10736, and after the committee adopts the
15 recommendation, then the Belfast County Borough Welfare
16 Committee writes to BR2 in De La Salle in
17 saying that:

18 "The committee has accepted financial responsibility
19 for the following boys with effect from ."

20 We note there that you are in lodgings, and they go
21 on to talk about other boys and putting a request to the
22 committee in respect of them, but that's just the final

23 --

24 **A. Yes.**

25 Q. -- piece of the jigsaw, as it were, in respect of what

1 happened with regard to the Welfare Committees taking
2 over financial responsibility for boys who had been
3 placed in care on a voluntary basis.

4 After you left Rubane and you were in lodgings, you
5 still maintained contact with the boys from Rubane
6 through a youth club. Isn't that right?

7 **A. Yes. After** , which originally
8 **was in** and then moved to the
9 , and obviously the director then was **DL 298**
10 **DL 298** **NL 40** would have been about, but at the
11 latter part when I came, **NL 40** had sort of drifted off,
12 maybe had retired. We were occupied in
13 Youth Club going to the swims and football matches and
14 all that.

15 **Q.** You talked about an incident that happened there. You
16 describe -- maybe if I just summarise it and correct me
17 if I have got this wrong -- the club, if you like, met
18 on the ground floor of the premises on the .

19 **A. The old** .

20 **Q.** Which is near the library.

21 **A. Yes, Belfast Library.**

22 **Q.** Upstairs there were filing cabinets --

23 **A. Yes.**

24 **Q.** -- which contained documents relating to the boys who
25 had come from the homes.

1 **A. Yes. There was a filing cabinet that obviously was**
2 **broken into by a number of boys. In that filing cabinet**
3 **we found out there were details of each individual boy**
4 **who came through Nazareth/Rubane. Some of it was**
5 **actually quite embarrassing in regard to their IQs, etc,**
6 **and obviously some of these boys would make light of it**
7 **and make fun of it -- "Come on, HIA21. You have an IQ**
8 **of 2" or whatever the case may be -- and some boys got**
9 **incensed. The documentation was destroyed on the**
10 **itself, the main , burnt --**

11 Q. And that was --

12 **A. -- by two of them boys --**

13 Q. -- by two boys -- two of the boys?

14 **A. -- which I gave you earlier on.**

15 Q. You actually saw that happening?

16 **A. Yes, I did indeed. I witnessed that.**

17 Q. Now, HIA21, in the -- in your statement at paragraphs 45
18 through to 59 you describe your life after you left
19 Rubane and the effects that your time in care had on
20 you, and you know that from me we are not going to go
21 into a great deal of detail about that, but in that --
22 those paragraphs, and if we can just maybe call them up,
23 please, at 885, you talk about a number of people. You
24 talk about a particular priest who you were close to and
25 who you feel was of particular help to you, and you also

1 pay tribute to other people in that, but you say in
2 paragraph 53 that you actually gave evidence in a High
3 Court civil action in support of BR2.

4 **A. Yes.**

5 Q. And you hold him in the highest esteem?

6 **A. I do indeed.**

7 Q. And you also then took it upon yourself to contact
8 Cardinal Brady and express disappointment by the way the
9 clergy and religious orders had handled abuse scandals.

10 **A. Yes.**

11 Q. And we know that you were -- had been involved in a lot
12 of the consultation was regard to the setting up of this
13 Inquiry, and at paragraph 59 of your statement you talk
14 about how you feel about the institutions and accept
15 that there were failings in the institutions that you
16 were housed in, and you feel that in particular
17 a failing was the lack of a decent education for
18 yourself and others like you.

19 **A. Yes.**

20 Q. And accountability not just by the religious orders but
21 by the State, but you are very grateful for the care you
22 received from the people who looked after you, and you
23 would have preferred not to have had the bad experiences
24 --

25 **A. Of course not.**

1 Q. Sorry. Just bear with me. One other thing then is that
2 you -- I just wanted to assure you that I know you have
3 written out other matters that you wanted to draw to the
4 Inquiry's attention and I can assure that you those have
5 been taken into account by the Panel together with
6 everything that you have said in this statement --

7 **A. Yes.**

8 Q. -- about your time in care. I just wanted to ask you is
9 there anything, HIA21, that you feel we haven't covered
10 about your experiences specifically in relation to
11 Rubane, because we will come back another day to talk
12 about your time in Nazareth Lodge, but if there's
13 anything you feel we haven't covered this morning that
14 you want to say?

15 **A. No, no, Christine. Just to say the experience in Rubane**
16 **-- and each individual would be different, and I respect**
17 **their point of view, because nobody knows them better**
18 **than each individual in regard to what took place in**
19 **Rubane -- I do believe Rubane in general was meant to be**
20 **a good place, but really it was toxic, and not in**
21 **respect to just the Brothers but I think just the whole**
22 **ethos of that establishment in regard to the State not**
23 **really being there for us, because coming from Nazareth**
24 **Lodge, we were abandoned as part of society, the**
25 **forgotten generation of society, and I would hope**

1 through the Inquiry that they would take on board that
2 the hurt we received has been profound, but equally that
3 those who have got on with their lives I admire, and
4 those who haven't, who are still in the past, that we
5 need to do more for these people and through the Inquiry
6 that I hope that they would seriously consider that in
7 bettering their lives in some way.

8 I do feel, as I mentioned maybe in the statement,
9 Christine, I would like to allude to, there is one
10 particular gentleman who unfortunately has sadly passed
11 away, who was the late Father Matt Wallace. I feel
12 without his guidance, his fortitude and understanding us
13 as victims/survivors, I wouldn't be here, and through
14 Matt we put a support group together to try and help
15 those who are less off than we are, and by doing so that
16 it will be a lessons learned and hopefully this will
17 never be repeated ever again.

18 I think children, particularly those who are coming
19 from one institution to another, is unstabilising.
20 I think there should be more family environment.
21 I think institutions are antiquated, are defunctional.
22 A unit, family unit would be more better perhaps.

23 I do take this opportunity to thank the Inquiry for
24 giving me the opportunity to be here, warts and all, but
25 I come here with conviction, because I believe we can do

1 something with regard to the past and address the past.

2 Q. I didn't mean to interrupt you, but certainly in
3 paragraph 56 you describe that you feel there needed to
4 be some form of redress --

5 A. Yes.

6 Q. -- and that could take many forms, but you set out there
7 what you feel --

8 A. I am very passionate about this, Christina, because
9 I firmly believe whatever the Inquiry decides -- and I
10 am not going to preempt anything in any shape or form; I
11 would leave that to the judge and the Panel Members --
12 but if there is any form of redress, that we do it in
13 a measured way in respect to -- I have suggested and
14 I have wrote to even the OFM, DFM in respect to
15 enhancing the State pension. The vast majority of
16 survivors are probably not working and too old and to
17 make their lives a bit more quality of life would be
18 better as we move into our old years. I would hope it
19 to be seriously considered, because I think if we were
20 to -- I am not presuming -- if we were to get
21 compensation in a lump sum, it would be wrong, because
22 a lot of them couldn't manage it, but a state pension is
23 manageable and could be put in perpetuity.

24 Q. HIA21, thank you very much. I have no further questions
25 for you.

1 **A. Thank you.**

2 Q. The Panel Members may have some things that they want to
3 ask you.

4 **A. Thank you.**

5 MR STITT: If I may -- and I will be guided, of course, by
6 you in relation to procedure -- I have a question to put
7 through the Counsel to the Inquiry.

8 CHAIRMAN: Well, you can speak to Ms Smith in a moment and
9 talk to her about it.

10 MR STITT: Absolutely. I will do it that way, sir.

11 Questions from THE PANEL

12 MS DOHERTY: Thanks very much. That has been very helpful.
13 Can I just go back to when you talked about BR3 and you
14 said that you felt that he was hurt more by the incident
15 where he slapped you. Was that something you felt -- is
16 that you reflecting on that now, given your experience,
17 or did you have a sense of that at the time? Did he
18 talk to you about being --

19 **A. We never talked about that from the day it happened,
20 never talked about it. It was only in later years that
21 we shared this. As I say, I have a great admiration for
22 BR3, and the fact that I am a type of forgiving person
23 in general terms, that I think he saw that in me and
24 from that we became great friends.**

25 Q. And can I just say the time with the altar wine and you

1 getting the strap and you said, "He was told to go easy
2 on me".

3 **A. As in respect of the slaps I was receiving.**

4 Q. Who told him to go easy?

5 **A. No, I'd asked BR4 to go easy on me.**

6 Q. Oh, you asked me and he --

7 **A. Yes, and he did oblige. He missed a couple of times.**

8 Q. Okay, and in relation -- I mean, one of the things that
9 we have heard is about kind of favouritism, Brothers
10 having special relationships with boys. Were you --

11 **A. Well, I would say I probably was in that bracket, but
12 only because I was good at my work, and I just feel
13 that, you know, if you toe the line, well, that's what
14 happens. You know, you can be -- get a better quality
15 of life, and I think the last years of my life in
16 Rubane was that in respect that I was given this job in
17 the Brothers' unit and was respected by the Brothers.
18 I felt that I was a person then.**

19 Q. Thanks very much.

20 **A. Thank you.**

21 MR LANE: You mentioned that DL134 and DL135 were divisive
22 in terms of keeping people from your chalet away from
23 others. How did they actually do that, because you used
24 to mix with them at education?

25 **A. Well, we did, because -- well, in the chalets obviously**

1 you would be there for -- you get up in the morning.
2 You have your breakfast. You go to school, come back
3 for your school lunch, but during the weekends you would
4 go for your lunch and your supper in the chalet. The
5 DL134 and DL135 always sort of kept us apart. That was
6 more in fear. We were in fear that -- we obeyed what
7 they said.

8 Q. When they kept you apart, how was that? Was it sort of
9 in your spare time, you mean?

10 A. Well, there was recreation. We were allowed to go out
11 to recreation, but at times they would deliberately hold
12 that back. In other words, we would be late for
13 football matches or hurley match and I thought what was
14 the purpose of that? I feel the home themselves would
15 have felt there was a difference between chalet and
16 the rest of the units.

17 Q. So the boys in the other chalets would have been mixing
18 together much more?

19 A. Oh, very much so, yes, but we would have mixed with them
20 as well, but not as much as we would liked to have, you
21 know.

22 Q. Okay. Thank you.

23 A. Thank you.

24 MS SMITH: Chairman, if I may ask another question, HIA21.

25 HIA21, we were talking earlier about HIA147 and the

1 abuse that you suffered from that particular person.

2 You have given a description of your time in Rubane as
3 being generally a happy one --

4 **A. Yes.**

5 Q. -- and this abuse you say happened over a period of two
6 years. At any stage did you -- you also have described
7 how you felt comfortable with talking to certain
8 Brothers and felt -- was there any stage that you felt
9 that you ought to have reported what was happening to
10 you or why didn't you do that if you were generally at
11 ease in the home?

12 **A. Well, at ease in the home to a certain extent, but**
13 **because -- how could I put it, Christina -- to be frank,**
14 **the fact that there was interference amongst boys as**
15 **taken as the general theme, that it was a taboo subject**
16 **to raise words of sexuality in regard to what was going**
17 **on.**

18 What happened to me with HIA147 was even harder to
19 express. If I was able to express to the Brothers that
20 there was general interference amongst the boys, that
21 would have been more easy, because I still didn't
22 couldn't do it, because I didn't have the conviction or
23 the courage as I have here today. Christina, it did
24 take place. I know that in my heart. HIA147 will have
25 to look at himself and that's fair enough. I don't wish

1 **any prosecution against HIA147. What happened happened**
2 **and just draw a line, which I wholly have done today.**

3 Q. You never reported it during your time to anybody in the
4 home?

5 **A. No. I would thereafter with BR3 or BR3.**

6 Q. Okay. Thank you very much.

7 **A. Thank you.**

8 Q. Thank you?

9 CHAIRMAN: Well, HIA21, thank you for coming to speak to us
10 today. As you have said, and as Ms Smith has explained,
11 we will be asking you to come back again and speak to us
12 about Nazareth Lodge. It is just unfortunately too
13 difficult to try to cope with what everybody wants to
14 say about one place when we are looking at another,
15 because the issues are so complex. So we will be asking
16 you to come back, but thank you for coming to speak to
17 us today.

18 **A. Thank you, Chairman.**

19 MS SMITH: Thank you, HIA21.

20 (Witness withdrew)

21 MS SMITH: Chairman, Mr Aiken is taking the next witness,
22 but I think we will probably need to take a short break
23 before we are ready to proceed.

24 CHAIRMAN: Yes. We'll rise for a few minutes.

25 (11.55 pm)

1 (Short break)

2 (12.05 pm)

3 WITNESS DL40 (called)

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

5 The next witness today is DL40, who is "DL40", and he is
6 aware, Chairman, that you are going to ask him to take
7 the oath.

8 WITNESS HIA DL40 (sworn)

9 CHAIRMAN: Thank you, DL40. Please sit down.

10 Questions from COUNSEL TO THE INQUIRY

11 MR AIKEN: If we can bring up, please, 1484. DL40,
12 hopefully you will recognise this is the first page of
13 your witness statement that you have provided to the
14 Inquiry.

15 **A. Yes.**

16 Q. If we just move through to 1485, and I am just going to
17 ask you to confirm that you have signed the witness
18 statement.

19 **A. Correct.**

20 Q. And that you want to adopt the content of the witness
21 statement as your evidence to the Inquiry.

22 **A. Yes.**

23 Q. The black marks, DL40, is part of the Inquiry's
24 anonymity policy, and you want to keep your anonymity?

25 **A. Yes, I do.**

1 Q. You made the point to me you don't want your occupation
2 and your place of work disclosed and I have assured you
3 that we routinely take those details out in any event.

4 **A. Thank you.**

5 Q. The people who already know where you work we can't do
6 anything about, but when your material is published, it
7 won't appear.

8 **A. Thank you.**

9 Q. Just bear with me for a moment so I can give some
10 references to the Panel as to where material can be
11 found that relates to you, DL40.

12 The Health & Social Care Board have provided
13 a replying statement. It is at 8785, and

14 who was specifically involved with DL40, and we
15 will look at his statement in due course, was

16 NL 199 . He has provided a statement to the Inquiry
17 which can be found at 1656 through to 1659. He is
18 someone, DL40, you had a positive relationship with and
19 we will look at his statement later in your evidence.

20 **A. Yes. Great man.**

21 Q. As I said to you, DL40, when we were speaking earlier,
22 you didn't view yourself as a victim as such and
23 therefore hadn't come forward to the Inquiry, but you
24 provided a statement through solicitors of the De La
25 Salle Order, and whenever the Inquiry considered that

1 statement, it wanted you to come and give evidence and
2 you have agreed and are here to do that.

3 Just by way of background, you were born on

4 --

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

6 Q. -- which means you --

7 **A. Yes.**

8 Q. -- and had not very long ago.

9 While this will be redacted on the transcript, one of
10 the things that you were introduced to at Rubane, which
11 you were very grateful for, was an interest in

12 .

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

14 Q. That has resulted in you having a career and teaching in
15 that field as well as being -- having a job as

16

17 .

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

19 Q. You have spent your life in that type of work.

20 **A. I have, yes.**

21 Q. And you have children --

22 **A. Yes.**

23 Q. -- who keep you well occupied.

24 **A. They do.**

25 Q. You were in Rubane from , when you

1 were aged , until , when you were aged .

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

3 Q. You were what in previous times have been characterised
4 by me as a boy who transferred in the traditional way
5 from Nazareth Lodge, where you had gone in as an infant,
6 and then at moved to Rubane with a group of boys from
7 Nazareth Lodge.

8 **A. No, that's not correct. I went -- I done one year at**
9 .

10 Q. In between?

11 **A. In between, yes.**

12 Q. And were you still living in Nazareth Lodge when you
13 were going to St. Augustine's?

14 **A. I was, yes.**

15 Q. So I am right in saying you lived in Nazareth Lodge as
16 a child through and you had gone to
17 for a year between and ?

18 **A. Correct.**

19 Q. And then you moved to Rubane?

20 **A. Yes. So I wasn't the normal -- normally people would**
21 **just go --**

22 Q. Straight from Nazareth Lodge.

23 **A. Yes. They would go from the primary education in**
24 **Nazareth Lodge, start in the secondary education at 11**
25 **at Rubane, but I had that buffer.**

1 Q. It's not a question I know the answer to, so I don't
2 normally ask that type of question, but why did that
3 happen to you? Can you remember? If you can't
4 remember, that's fine.

5 **A. I -- I can't remember, to be quite honest with you.**
6 **I think -- I think it may have been to do with the nun**
7 **that was looking after me at the time,**

8 . **She wanted me to go -- to stay on one more**
9 **year, and she might have been wanting to keep me in**
10 **Nazareth Lodge, but I made a decision after I done one**
11 **year in , I wanted to go down to Rubane**
12 **House.**

13 Q. Was that because all the people you knew had gone there?

14 **A. Correct, yes.**

15 Q. I know you have provided a statement just in the last
16 24 hours to do with your time in Nazareth Lodge. That's
17 something the Inquiry will be looking at after
18 Christmas. If the Inquiry wants to hear from you again,
19 would you be prepared to come back and speak about your
20 time in Nazareth Lodge?

21 **A. Yes, I'll gladly attend.**

22 Q. As I said to you, DL40, there are a significant number
23 of important matters that arise out of your material
24 that I appreciate will be difficult for us to go
25 through, but I want us to go through it so that the

1 Panel can look at some of these matters in detail.

2 The -- you have made three statements to the police
3 about things that happened to you in Rubane. The first
4 one was on and the reference for that,
5 members of the Panel, is at 60084, and I am going to
6 look at that in some detail with you in just a moment.

7 Then you made a second statement to the police on
8 10th August 1995 and that was in response to you seeing
9 a television programme about Brendan Smith --

10 **A. That's correct.**

11 Q. -- or a report about Brendan Smith, and that second
12 statement is at 60440 through to 60443.

13 Then you made a third statement to the police six
14 months later on 13th December 1995. That's at 60404,
15 and that was about a particular incident of a boy who
16 was your age in the home trying to take advantage of
17 a younger boy, and we will come to that as we go through
18 your evidence.

19 **A. Okay.**

20 Q. I want to look, first, at your statement that you had
21 made to the police in . That's at 60084. If
22 that can be brought up, please. DL40, you will have to
23 bear with me as the sore throat impacts the coughing.
24 So just bear with me with that, please. Here you say --
25 this is . You are still in the home at

1 this point in time. So when you make this statement to
2 the police, this is after BR1 has
3 I believe, and then the CID come down to speak to the
4 boys in the home. Is that right?

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

6 Q. And you would have been at the time?

7 **A. Correct, yes.**

8 Q. So one of the questions I was asking you earlier -- you
9 disclose three different issues that I am going to raise
10 with you, and there will be themes through your
11 evidence, that you felt able to tell the police about
12 these three particular matters despite your age and
13 despite your location?

14 **A. Correct.**

15 Q. The first thing you say is that:

16 "On different occasions BR1" -- that's BR1 -- so
17 everyone is aware, the names we use in the chamber won't
18 be reported beyond the chamber -- "On different
19 occasions BR1 has rubbed the inside of my chest under my
20 shirt. He has also patted me on the bottom, but this
21 was always over my trousers."

22 I wanted to ask you -- he was interviewed about that
23 on along with a whole series of other boys
24 who describe similar matters and I am going look at what
25 he had to say in that interview in a moment, but in your

1 Inquiry statement then, if we just go back to that for
2 a moment, at 1484, you indicate a second aspect. You
3 say you had no issues with BR1 at all, and I am going to
4 -- we're going to look at the 1980 statement, but:

5 "There were whisperings that he had watched the boys
6 in a shower on the Thursday night, but there was no talk
7 or rumours about anything beyond that."

8 What had you heard about the showers on a Thursday
9 night?

10 **A. Basically it was the boys in the house. Every Thursday**
11 **after tea, after roll call, the boys in the house went**
12 **and had their showers whereas us guys in the chalets,**
13 **you know, we could shower any time we wanted, but**
14 **I think it was just to do with lack of facilities.**
15 **Thursday night was the designated night for the boys in**
16 **the house to have their showers, and the only whispers**
17 **I heard was that BR1 would hand them in the shampoo and**
18 **some -- the whisperings was some boys were just**
19 **uncomfortable with that.**

20 Q. The difference was in the chalet there was nobody
21 supervising your shower. There was rooms that had three
22 or four boys in it and a couple of single rooms and then
23 you went for a shower or bath -- you had a shower or
24 bath.

25 **A. I think in the chalets -- I don't know if there were**

1 **showers, but there were certainly baths.**

2 Q. But nobody was supervising you do that?

3 **A. No.**

4 Q. You just had your bath?

5 **A. Correct.**

6 Q. When he was interviewed about what you had to say about
7 him patting you on the bottom, if we look at his
8 interview at 60132, this is part way through the
9 interview and you are DL40. You are second from the
10 bottom. If we scroll down, please, you allege to the
11 police:

12 "... that he patted his bottom and rubbed the inside
13 of his shirt on a number of occasions."

14 He says:

15 "I have no recollection of doing so."

16 So when you spoke to the police in 1995, there is
17 a line which we looked at -- I will not bring it up
18 now -- where you simply said:

19 "I have made a statement to the police in .
20 What I said there I repeat. I stand by it. It is
21 true."

22 **A. BR1 was -- he was . He was sort of
23 a friendly type of a person. You know, he would hug
24 you, hug the boys. He done it in the open, and he would
25 pat you -- he may pat you on the backside, but I -- you**

1 know, with the benefit of hindsight you wouldn't do that
2 there today, but I -- you know, I was asked a question
3 and I probably just -- I was probably asked a question
4 by the policeman and I just gave an answer, but I did
5 not see it as an issue.

6 Q. At the time did you feel uncomfortable about him doing
7 that? If you can't remember, just say, but if you can
8 remember ...

9 A. Did I feel uncomfortable? No, I didn't. I just didn't
10 go -- you know, you just avoided it if you could.

11 Q. It wasn't something you wanted to happen. If I put it
12 that way, is that fair?

13 A. I think that's a fair statement, yes.

14 Q. If we go back to your police statement then, please, at
15 60084, the second theme that you describe, and we are
16 going to look a little at this issue, you say -- just
17 maximise that and scroll down, please -- that:

18 "Once when I wasn't listening in class BR77", that's
19 BR77 or BR77, as he is now, "beat me up with his fists.
20 He didn't cut me, but he did hurt me."

21 Now you and I were speaking beforehand about the
22 fact corporal punishment was still used in the home and
23 in the school, and you had no problem with corporal
24 punishment, if I can put it that way, that level of
25 being punished when you had stepped out of line using

1 the cane or the strap. Is that fair?

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

3 Q. And like a number of others, what you are talking about
4 here is something that went beyond that corporal
5 punishment. Is that fair? Can you remember the
6 specific incident that you were describing to the police
7 in ?

8 **A. I'm going to be honest with you. I can't remember that**
9 **actual incident. I mean, what I will say about BR77 is**
10 **he taught us and I think he taught us**
11 **. You know, he wasn't of the right temperament.**
12 **You know, there was boys misbehaving and, you know, with**
13 **the benefit of hindsight again, he probably should have**
14 **received additional training to help deal with unruly**
15 **boys.**

16 Q. And you say he wasn't of the right temperament. Does
17 that mean he lost his temper quite a lot with boys?

18 **A. He did lose his temper, yes.**

19 Q. I wanted to ask you -- we were talking beforehand.
20 I drew to your attention a particular -- just before
21 I deal with a matter connected to what we have just been
22 talking about, BR77 was interviewed on ,
23 and that begins, Members of the Panel, at 60147, and at
24 60149, if we can bring up 60149, he is asked about this.
25 Just scroll down, please. Keep going, please. There we

1 see:

2 "DL40 said that, 'Once BR77 beat me with his fists
3 because I wasn't listening'.

4 **A. I deny that totally."**

5 Can I ask you again -- you said what you said to the
6 police in . In 1995 you said to the police, "What
7 I said to you in I stand by. It was true". You
8 can't now remember the specific incident, but can I take
9 it you are saying you wouldn't have lied about what --
10 what he did?

11 **A. I think this raises a bigger issue, and I didn't talk**
12 **about it in there, but it's really come to highlight,**
13 **and that is the police were taking these here**
14 **statements, but, you know, I have never seen these**
15 **statements. I don't know if anybody ever vetted them**
16 **and I don't know if even the police are putting these**
17 **here words into them. I think there's an issue there**
18 **when the police were taking these here statements, they**
19 **could have put words into our mouths and --**

20 Q. Well, do you remember him hitting you?

21 **A. I can't remember that.**

22 Q. Well, I think you have to sign the statement at the end
23 of it. Would you have signed it if it had something in
24 it that you didn't agree with?

25 **A. I'm not too sure if I had even seen the statement of**

1 .

2 Q. Right. Bring it back up, 60084. It seems to be -- it's
3 a typed signature. You didn't have a copy of it in any
4 event that you remember?

5 **A. The first time, Joseph, I seen that statement was it**
6 **coming up.**

7 Q. When we were talking?

8 **A. When we were talking, yes.**

9 Q. He denies hitting you, and what you are saying about
10 him, as I understand it, is there was a problem with his
11 temper.

12 **A. Without doubt there was definitely a problem with his**
13 **temperament.**

14 Q. I think from the discussion we are going to have the
15 rest of the statement is definitely accurate as to the
16 specific incident. So the Panel will be able to assess
17 that.

18 I am going to ask you about another -- I asked you
19 about DL46.

20 **A. Yes.**

21 Q. If we look at 60094, this concerns BR77 as well. DL46
22 is "DL46". He is not an applicant to the Inquiry. He
23 made a statement on the same date as yours. He
24 describes -- as you say actually, there is:

25 "BR1 comes into the shower room and pulls the shower

1 curtain back and stands looking while we were having
2 a shower",

3 but that's not why -- if we scroll on down, he
4 says:

5 "One evening last summer I was in the greenhouse
6 ..."

7 So last summer would have been the summer of .
8 You would have been at the time.

9 "... I was in the greenhouse with DL40", DL40, "and
10 BR13."

11 That's BR13, and I know you have a good word for
12 BR13. I will come back to that.

13 "The three of us were eating green peas we were
14 growing there. BR77 came into the greenhouse, and when
15 he saw the empty pea pods, he knew we had been eating
16 the peas."

17 DL46 then says:

18 "I left the greenhouse and came to my chalet and
19 a short time afterwards BR77 came to me and told me to
20 go to the laundry room. I went to the laundry room.
21 BR23 was there, but he left, and BR77 came into the
22 room. He", as in BR77, "started to hit me with his
23 closed fists. He gets into a bit of a temper and can't
24 hardly stop. He hit me about the head and the body
25 about eight, nine or ten times. I can't remember

1 whether or not I was bruised, but I was very sore. He
2 never opened his mouth while he was hitting me. When he
3 stopped, he immediately left the room. I think I told
4 some of the boys when they asked me what happened.
5 I definitely told DL40. I think I told", he goes on to
6 say, "BR3."

7 He then describes he says BR77 hitting another boy,
8 because he doesn't seem to like him.

9 What I want to ask you about, DL40, is DL46 is
10 saying this incident has happened. You have had the
11 peas in the greenhouse. Do you remember that, eating
12 the peas in the greenhouse with BR13 and DL46?

13 **A. Yes.**

14 Q. He then describes being assaulted in the laundry room.
15 You weren't there and didn't see that. Isn't that
16 right?

17 **A. Correct.**

18 Q. But what I want to then ask you is do you remember him
19 telling you afterwards what had happened to him?

20 **A. I do.**

21 Q. So he's -- whatever about the earlier parts of his
22 statement, it is right that he told you he had been hit
23 by BR77?

24 **A. He told me he was punished, yes.**

25 Q. Now the third element, the theme that comes out of your

1 first police statement, DL40, if we look at 60084,
2 please, again, and there's a number of documents that
3 I need to piece together for this, as we were discussing
4 beforehand, but you describe then -- around the summer
5 of you describe catching two boys in bed. One was
6 your age and one was younger, and the same boy features
7 in another incident we are going to come to look at and
8 the Panel will know who those individuals are. You --
9 you didn't know what they were doing, but the bedclothes
10 had been pulled over their heads.

11 One of the boys, the younger boy, who was bed with
12 the boy of your age, he made a statement to the police
13 on the same day as you, on . That
14 Members of the Panel, begins at 60203 and that begins at
15 internal page 6 in your clip of papers.

16 On the second page of that statement he recounts --
17 if we just bring it up, please, 60204. The Panel will
18 have the opportunity to read the rest of this statement
19 as to the various allegations that he makes about what
20 happened to him, but you will see DL40 is named in
21 there, that he remembers an incident where a boy was
22 interfering with him and you and a series of your
23 friends intervened in the laundry room and gave the
24 older boy of your age who was taking advantage of him
25 a hiding, to use a common word for it. Can you remember

1 that incident?

2 **A. I can, yes.**

3 Q. And you made a statement to the police in December '95
4 where you specifically deal with that incident. Let me
5 just get that up. That's at 60404, please. Now there's
6 a bit of confusion between -- there are two boys. The
7 one you name is DL59, and the Panel will be able to see
8 who that person is. Just bear with me, DL40, for
9 a moment until I make sure I give the right -- internal
10 page 10, Members of the Panel, in the clip of papers you
11 will be able to see the names that DL40 is discussing.
12 This boy -- you know who we are talking about, DL40.
13 Can I just be clear you know in your mind who we are
14 talking about at the moment?

15 **A. No, because of that confusion.**

16 Q. Right. Let me ... (Name written down and passed to
17 witness.)

18 **A. This is DL59?**

19 Q. That's DL59.

20 **A. Right.**

21 Q. So you are describing DL59 interfering with boys in the
22 home and then you record this specific incident --

23 **A. Yes.**

24 Q. -- which is in effect similar to the one that other
25 individual -- another individual who has given evidence

1 to the Inquiry, who was part of this group that you were
2 part of, who described the laundry room incident --

3 **A. Yes.**

4 Q. -- but before I come to the laundry room incident I want
5 to ask you DL59 as an example you say was interfering
6 with boys in the home.

7 **A. Correct.**

8 Q. How well known -- just him for now, how well known was
9 the fact that he was doing that?

10 **A. It was common knowledge among all the boys that this**
11 **DL59 was a homosexual who prayed on younger boys. That**
12 **was common knowledge among us boys.**

13 Q. In Rubane?

14 **A. Yes.**

15 Q. In Rubane. Did -- doing the best you can, can you
16 assist with whether it's likely or more likely than not
17 that the Brothers knew that as well?

18 **A. That I don't know. I would find it hard for them not to**
19 **know, but I can't give you a definite, definitive answer**
20 **to that.**

21 Q. You can't say?

22 **A. I can't say, but balance of probability they probably**
23 **did know.**

24 Q. I think the word you used with me earlier was
25 "notorious".

1 **A. It was commonplace, homosexual activity among certain**
2 **groups of boys, yes.**

3 Q. You have gone slightly -- we were just on DL59. I want
4 now to expand that beyond DL59. You are saying that
5 sexual activity amongst the boys was commonplace. Is
6 that between a particular -- not everybody was involved
7 in it?

8 **A. Not everybody, but there was groups of boys.**

9 Q. And in your statement -- I'll not bring it up
10 again, but just you can take it from me in the
11 statement you say actually that DL59 approached you and
12 asked you to engage consensually with him and you simply
13 told him you didn't want to do that and he left you
14 alone.

15 **A. Correct.**

16 Q. What you are describing then in your December '95
17 statement, as I understand it, is him taking advantage
18 of a younger boy.

19 **A. He did, yes.**

20 Q. And do you recall you and other boys teaching him
21 a lesson in the laundry room?

22 **A. I do. He was a notorious character.**

23 Q. And another individual -- one of the boys who was with
24 you in that exchange in the laundry room has said --
25 spoken to the Inquiry about this incident, as you have.

1 If we just scroll down, we can see three lines up from
2 the bottom:

3 "BR10 ..."

4 That's BR10. Again his name won't be named outside
5 the chamber:

6 "... arrived on the scene and was told why DL59 was
7 beaten up."

8 Now can I just check with you this statement which
9 you made in December '95, you contacted the police and
10 came forward to talk to them about this incident. In
11 December -- in you were there and were being spoken
12 to. We will come to look at the August '95 statement,
13 where you saw a TV programme and came forward to the
14 police and they interviewed you in .

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

16 Q. And then this is a statement that you made in December
17 '95. Was it made in as well? If you can't
18 remember, that's fine.

19 **A. No, I should remember, but ... I was interviewed by the
20 police on three separate occasions.**

21 Q. Yes.

22 **A. One of them was the CID in Rubane. There was another
23 time when I contacted them in relation to Brendan Smith**

24 --

25 Q. Yes.

1 **A.** -- and that was in , and then there was another
2 time the police just turned up when I was working in
3 , in the
4 . So it may be that one. I am not too
5 **sure.**

6 **Q.** That probably explains the third statement then, the
7 December '95, where you explain this particular incident
8 in the laundry room.

9 **A.** **Right. Okay.**

10 **Q.** And what I am wanting to ask you about, where it said:
11 "BR10 arrived on the scene and was told why DL5 was
12 beaten up",
13 presumably you wouldn't have said that if that's
14 not what happened?

15 **A.** **Correct.**

16 **Q.** You don't remember what he had to say about it in
17 response to being told?

18 **A.** **No.**

19 **Q.** The Inquiry has some evidence from another boy as to
20 what he says was said in response to it, but you don't
21 remember that yourself?

22 **A.** **I do not remember, no.**

23 **Q.** You say that DL59 continued in the same vein after this
24 incident?

25 **A.** **Yes. He was notorious.**

1 Q. Now the -- BR10 has spoken to the Inquiry and will give
2 evidence in due course. What he says about that is he
3 didn't -- he wasn't made aware of the reason why DL59
4 had been assaulted and that he always had to break up
5 fights and that's all that he did on this occasion.
6 That is why I was asking you what you have said there
7 you stand by as to what -- what occurred?

8 **A. Yes. I just don't know the detail, the detail we would**
9 **have went into in explaining it to BR10.**

10 Q. If we can just look at another individual who has given
11 evidence to the Inquiry at 60436. This is how he
12 recounts. He says -- this is him in 1995:

13 "We explained to BR10 what DL59 had been doing and
14 he said, 'What do you expect in a boys' home?' as if
15 this was normal. DL59 was sent on his way and another
16 boy said, 'This shouldn't be happening' and BR10 hit
17 him. We were all punished and lost our privileges for
18 a while and DL59 was not punished at all."

19 Can you remember, because you had assaulted him, did
20 you get -- can you remember if you were punished, some
21 privileges withdrawn?

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

23 Q. You can't remember.

24 **A. I remember giving the guy a smacking, but I can't**
25 **remember the outcome of any punishment that was handed**

1 out to me.

2 Q. Now I want to then move to the statement that you made
3 in August 1995. You saw a television programme, news
4 report about Father Brendan Smyth.

5 A. Correct.

6 Q. And at that point you were living in at the
7 time. That prompted you to make contact with the police
8 and you were interviewed ultimately in .

9 A. That's correct.

10 Q. That statement begins at 60440 -- if we can just bring
11 that up, please -- and runs to 60443. Now I have made
12 you aware of the importance of a number of issues that
13 arise out of this, DL40, and I am going to summarise
14 what occurred, because you have explained to me this is
15 difficult for you to communicate about.

16 A. Correct.

17 Q. What you describe in your statement -- and the Panel has
18 had the opportunity and will have the opportunity to
19 consider it -- is Father Brendan Smyth abused you at
20 Nazareth Lodge and that was by kissing and rubbing at
21 your bottom. Then you recount, if we can look, please,
22 at 60441 -- keep going down, please. Now just stop
23 there. You reiterate there:

24 "On I made a statement to police
25 regarding what BR1 and BR77 did to me. I've read this

1 statement over. I have nothing further to add to it.
2 Everything in it is true.

3 To go back to my time in De La Salle, I was in the
4 home for a period when one day BR1 sent for me. When
5 I~got to his office, he told me that Father Brendan
6 Smyth had come to the home to see me. I was taken to
7 a reception room by BR1. Father Smyth was in the room.
8 Then when BR1 left ..."

9 We will stop there for the moment. This had come
10 out of the blue. You weren't expecting Father Smyth to
11 turn up in Rubane?

12 **A. No.**

13 Q. You are clear that it was BR1 who came to get you and
14 bring you to see him?

15 **A. Correct, yes.**

16 Q. You have no doubt about that at all?

17 **A. I've no doubt, no.**

18 Q. And you then describe the abuse that Brendan Smyth
19 engaged in this time, and this went further than what
20 had happened in Nazareth Lodge, and I am not going to go
21 into that in any detail, DL40.

22 **A. Thank you, but that is correct, yes.**

23 Q. The Panel can read that. You describe in 60442 -- don't
24 you worry about what's on the screen; just talk to me --
25 this happened between three and five times.

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

2 Q. You also say in your statement that he also called to
3 see DL59, so the same boy that you described as being
4 someone who was interfering with boys, younger boys in
5 the home, and also DL41. You know who that is, DL40.
6 DL41 is not DL59, but I will just hand it to you so you
7 can check his name and then we will give it up to the
8 Panel, please. (Name written down and passed to
9 witness.)

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

11 Q. And, as I said to you earlier, in respect of DL59, as it
12 turns out, Brendan Smyth was ultimately convicted of
13 abusing him, and you are aware of that.

14 **A. Yes.**

15 Q. Yes, and then -- I am going to deal with this in
16 a particular way again, DL40. Brendan Smyth was
17 interviewed on 11th August 1995, so the day after you
18 made your statement, and he was already in prison,
19 having been convicted of a series of offences against
20 individuals, most of whom lived outside care homes,
21 lived in the community in Belfast, and was convicted in
22 June 1994 and was in prison at the time. So the police
23 have got him out to interview him again, and he had
24 already been the subject of another set of charges and
25 was awaiting trial on that second set of charges, which

1 is how you came to see a news report about him, which
2 led to you contacting the police.

3 **A. That's correct.**

4 Q. He is then interviewed on 11th August. That interview
5 begins, Members of the Panel, at 70402. What he did to
6 you, DL40, was put to him at 70406 through to 70410, and
7 I am not going to bring that up, but if I can summarise
8 it in this way. He accepted everything that you alleged
9 about him. So he accepted he had abused you in Nazareth
10 Lodge. He accepted he had come to Rubane. He says he
11 asked BR1 about you and BR1 brought you to see him and
12 he then abused you in Rubane.

13 On 23rd August -- I am just going to complete the
14 story, DL40. On 23rd August 1995 the police recommended
15 he be prosecuted for what he did to you amongst three
16 others. That's at 70287. This was now going to be the
17 third set of charges that Brendan Smyth faced, because
18 he had been convicted in June '94, he was awaiting trial
19 for a further set of offences, and then he's charged
20 with this third set of offences, of which you are part.

21 The DPP direction that sets all of that out can be
22 found at 70270 through to 70272. Ultimately DL40
23 featured at points 7 and 8 on 70271. That's at internal
24 using the bottom right numbering pages 25 and 26 of the
25 clip of papers. That was going to be dealt with as what

1 criminal practitioners call a voluntary bill of
2 indictment. He was accepting the charges that were
3 being brought. On 22nd September '95 -- 70269 is the
4 reference for it, and that's at page 27 in the clip
5 using the numbering in the bottom right corner -- Smyth
6 pleaded guilty to the charges, which included the two
7 charges of indecent assault against you, and he was
8 sentenced to three years' imprisonment on top of the
9 four years of imprisonment he had already received in
10 June 1994. I was asking -- you were aware then he
11 served his sentence in Northern Ireland, was extradited
12 to the Republic of Ireland, convicted of further sexual
13 offences there and then died in prison.

14 **A. Yes, I was aware of all of that.**

15 Q. I want to then go back, DL40, and I hope -- I am not
16 glossing over what he did to you, but I hope by doing it
17 in that way that's a more sensitive way, given your
18 indication to me about difficulty talking about it. Is
19 that -- you're happy if we move on and not dwell on it
20 any further?

21 **A. Thank you. Thank you, Joseph. I mean, as far as I'm**
22 **concerned that was dealt with under the criminal**
23 **procedures and he got -- I got my justice.**

24 Q. If we go back to your police statement at 60442, what
25 I want to now ask you about is what you say -- just

1 scroll down, please. Now you have described how he did
2 this a number of times, came down to Rubane, asked you
3 and abused you there, and I was asking you earlier did
4 anyone other than BR1 ever bring you to him that you can
5 remember?

6 **A. I can't really remember. I think it was mainly he**
7 **reported to BR1.**

8 Q. What is it about the geography of the buildings that
9 made you feel it was only BR1 that brought you to him?

10 **A. Because when we met with -- with Smyth, we met him in**
11 **the parlour of the big house. I am not 100% sure, but**
12 **I think the parlour was next door to BR1's office.**

13 Q. You certainly don't have a memory of anyone other than
14 him bringing you to see Brendan Smyth?

15 **A. No.**

16 Q. And you say it happened three to five times?

17 **A. That's correct.**

18 Q. You then say this:

19 "On the last time I got worried about what was
20 happening. So I reported to BR1 what had been going on
21 during these meetings. BR1 told me he would take care
22 of it. I told BR1 I didn't want to see the guy again.
23 Father Smyth never came back to me -- never came back to
24 see me the rest of the time I was in De La Salle. He
25 also stopped writing to me and sending me money, which

1 he'd been doing."

2 I want to just pick that up with you for a moment
3 and then we will look at what BR1 may or may not have
4 done. Had he been writing you letters while you were in
5 Rubane?

6 **A. Yes. He wrote letters while I was in Rubane and also**
7 **while I was in Nazareth Lodge.**

8 Q. And did the money come separate from the letters or was
9 it in them, in with the letters. Can you remember?

10 **A. No, the money was in the letters. I remember it**
11 **clearly, because it was the old Irish State money, the**
12 **old pound notes.**

13 Q. And have you -- you are saying here in '95 that you told
14 BR1 what had been going on during these meetings and
15 presumably you stand by that is what you did?

16 **A. I stand by that, yes.**

17 Q. And what you were saying to the police, however it came
18 about, was that after speaking to BR1 Smyth never came
19 back to the home again?

20 **A. That's correct.**

21 Q. And didn't write to you anymore?

22 **A. That's correct.**

23 Q. And you never saw him again?

24 **A. That's correct.**

25 Q. And you felt that BR1 must have spoken to him?

1 **A. That's correct.**

2 Q. And what I can say is, as I said to you earlier, there
3 is no record of BR1 reporting what you told him to
4 anybody and, as I said to you, as you know, Smyth went
5 on to continue his abuse thereafter, and it wasn't until
6 the early '90s that it was brought to an end. Now
7 I know this came as a shock to you, but you appreciate
8 the importance of it. BR1 was interviewed about you and
9 Smyth and what you said you told BR1 on 5th
10 September 1995. I am going to go through that, as I did
11 with you, DL40, because it is important that the Panel
12 has the opportunity to consider in light of hearing you
13 what was being said in this interview.

14 If we can just look at 60748, please, and I will
15 summarise it, DL40. The statement we have been looking
16 at from your August '95 police interview is put to BR1
17 in various parts and he answers and you know I read it
18 to you earlier. So I am just going to summarise it.

19 So he is asked here, if we just scroll down, please
20 -- we can see "DL40" in the top left. So this is the
21 beginning of his questions about you, DL40. Just scroll
22 down, please:

23 "Q. Do you remember a chap in the home in Rubane
24 called DL40?

25 **A. I do.**

1 Q. How do you remember him? Tell me."

2 He said -- you and I know what it says under the
3 black. We were having this discussion earlier. It
4 says:

5 "A. He was .

6 Q. He was ?

7 A. A .

8 Q. Do you remember what chalet he was in?

9 A. He was in chalet ."

10 He is right about that. Isn't that right?

11 A. That's correct.

12 Q. You were in chalet ?

13 A. Yes.

14 Q. "Q. And who would have been in charge of him at that
15 time?

16 A. Same two people.

17 Q. Same people as you previously named? Right.

18 DL40, he is basically -- what he states here, when he was
19 about 12 or 13 years old, he was sent to De La Salle.

20 Excuse me just one second. How would you describe DL40?

21 A. Very good. A very good lad.

22 Q. Very good. Are you talking about educationally,
23 behaviour-wise?

24 A. Behaviour-wise. I wouldn't -- as I said, the
25 education part would be in the school. His general

1 conduct and everything about him around the home was
2 very good.

3 Q. Well, he's now a ",
4 says the police officer.

5 "A. Yes.

6 Q. So he mustn't have been too bad in the school
7 either as his education goes. Would he have been above
8 the average of the rest of them? Would he have been
9 above average? Would you have described him as above
10 average?

11 A. Intellectually?

12 Q. Yes.

13 A. Well, as I say, I wouldn't know. That would be
14 the concern of the school --

15 Q. Right.

16 A. -- the school principal and the teachers."

17 Then he goes on to say about how you've done all
18 right. Then it is put to him that:

19 "Q. He was in the home for a period.

20 'One day BR1 sent for me. When I got to his office,
21 he told me that Brendan Smyth had come home -- had come
22 to the home to see him. I was taken to a reception room
23 by BR1. Father Smyth was in the room.'

24 Do you recall that incident?

25 A. No."

1 **Am I right in saying it came as a shock to you that**
2 **he would deny knowing that he had brought you to see**
3 **Brendan Smyth?**

4 **A. It did come as a shock and I have to say I'm**
5 **disappointed about that.**

6 Q. And you say:

7 "We asked ..."

8 The policeman says:

9 "We asked you previously about Father Smyth and
10 about your knowing Father Smyth. Do you still say you
11 have no recollection?

12 **A. I've no recollection of him."**

13 **You and I were discussing Father Smyth was**
14 **a distinctive man. Is that fair?**

15 **A. Very much so, a big man, big head.**

16 Q. Not the type of person you would forget?

17 **A. Definitely not.**

18 Q. "Q. And I take it you've seen -- have you seen" -- can
19 we just scroll down -- "any news coverage or any media
20 coverage in the papers or whatever?

21 **A. I have, yes.**

22 Q. And you saw photographs of Father Smyth?

23 **A. Yes, yes.**

24 Q. Does his face look familiar in any way to you at
25 all?

1 **A. I don't recall him. I just can't recall him.**

2 Q. Right. So do you recall ever Smyth calling at
3 the home to see DL40?

4 **A. I have no recollection of him being at the home.**

5 Q. Well, I mean, we know for certain that Father
6 Smyth did visit that home. He's told us he did himself.

7 **A. Yes.**

8 Q. And he's spoken to you himself. He admits
9 freely that he spoke to you, and I don't understand why
10 you can't remember the fact of Mr Smyth being there, or
11 do you not want to remember?

12 **A. I told you it's not that I don't want to**
13 **remember. I mean, it's just that I can't recall it.**

14 Q. Well, it's not maybe particular to -- any slight
15 in your character to know Mr Smyth. Now we know what
16 activities he's been prosecuted for.

17 **A. Yes.**

18 Q. But I mean to say that you know -- it's not any
19 big deal really at the end of the day. I mean, again
20 I'll ask you: do you know Father Smyth?

21 **A. I don't. I know him now on account of the**
22 **publicity and whatever, but I have no recollection of**
23 **him during those -- during my time in Kircubbin.**

24 Q. Well, do you feel that if you admitted to
25 knowing Father Smyth that things would look more

1 sinister, that you were allowing an outside priest into
2 the home to molest young boys? Is that what you feel?

3 **A. No.**

4 Q. Because that's what he was doing in the home, in
5 fact."

6 Then the solicitor says:

7 "That would be a hypothetical question.

8 Q. I understand that, yes.

9 Solicitor: He said he didn't know him.

10 Q. Okay. Right. So after Father Smyth came to the
11 home certain events occurred."

12 Can I just pause there, because we are going to go
13 on now to what you told him afterwards, but he is saying
14 absolutely no recollection of Brendan Smyth at all or
15 bringing you to see Brendan Smyth or presumably DL59 or
16 DL41. Does that come as a surprise to you?

17 **A. I wouldn't say it's a surprise. It's actually a shock
18 and I'm disappointed about that.**

19 Q. Well, then the police officer puts to him:

20 "Right. So after Father Smyth came to the home
21 certain events occurred, which I will not discuss."

22 So he wasn't going into the nature of the abuse.

23 "DL40. I don't want to go into any great detail.
24 Nothing to do with yourself."

25 Scroll down, please.

1 A. All right.

2 Q. Now DL40 goes on to say he was aware two other
3 boys -- Father Smyth saw two other boys during the
4 visit. One was DL59. The other is DL41. Do you them
5 both?

6 A. I do, yes."

7 Then it is put to him then about you saying, DL40,
8 about after the three or five times you went to talk to
9 BR1:

10 "This was the last time Father Smyth came to see
11 him. He got worried about what was happening, reported
12 to BR1 what was going on during the meetings.

13 Do you recall that?

14 A. No. I have no recollection of any incident like
15 that being reported to me.

16 Q. Ever?

17 A. No.

18 Q. In the home. You will say that that never ever
19 happened at any -- no boy ever came to you and said,
20 'Father Smyth's abusing me'?

21 A. No, none of the boys.

22 Q. So you are saying you have no recollection of it
23 or it did not happen?

24 A. No boys to my knowledge reported to me that
25 Father Smyth was interfering with them.

1 Q. He goes on to say:

2 'BR1 told me he would take care of it. I told BR1
3 I didn't want to see him again. He never came back to
4 see me the rest of my time in De La Salle, stopped
5 writing, sending me money'."

6 Scroll down, please. The police officer points out:

7 "This is a pattern which we have heard before, you
8 know. Father Smyth himself admits in his interviews
9 he'd been to certain places. After a complaint is made,
10 then he stopped going there."

11 It is then said to B1:

12 "It appears from what this chap says that you've had
13 a word with Father Smyth, but you don't recall that with
14 Father Smyth?

15 **A. No, absolutely not.**

16 Q. So would you deny totally what this guy is
17 saying, that, I mean, nothing happened other than Father
18 Smyth didn't come back to the home?

19 **A. All I can say is that I did not know that Father
20 Smyth, if he was there, was carrying on with these boys
21 and I do not recall DL40 reporting the case to me."**

22 **You presumably don't accept that?**

23 **A. I don't accept that, no. I don't know why it's -- as
24 I say, it's -- I'm disappointed by that.**

25 Q. If we just look at 60760, please --

1 A. Sorry. Can I just interject? One thing I will say: BR1
2 did stop that activity and him coming down. So I am
3 grateful for him doing that.

4 Q. Yes. The matters -- as I said to you when we were
5 talking earlier, the matter was picked up again by
6 police. I want to just show the Panel this particular
7 exchange that takes place. If we just scroll down,
8 please. He is asked -- move on to the next page,
9 please. He is asked about the fact that boys are making
10 these allegations.

11 "Do you have any reason as to why they'd be doing
12 this?"

13 A. No idea. Wish I did."

14 Then this is said. Sorry. Is that 60818, please?

15 "You see, as my Inspector has already said there to
16 you, BR1, that whenever we speak to these people, we
17 have to obviously appraise each one as to their
18 truthfulness and their character and their honesty, etc,
19 etc ... have to be investigated before it's recorded.
20 Now take, for example, DL40, the boy who -- he says he
21 was abused by Father Smyth. He thereafter told you
22 about it. I mean, as we've said before, Father Smyth
23 has corroborated that statement. He has backed up and
24 said, 'This did happen. I did abuse DL40. I remember
25 him as a '. So why would he then make

1 a statement about Father Smyth" -- this is your
2 statement now, your August '95 statement -- "Why would
3 he make a statement about Father Smyth and the next
4 portion thereafter be total lies? Why would he tell the
5 total truth in the first page or page 2 of his statement
6 and then start telling lies? What benefit would that be
7 to him?

8 A. I've no idea."

9 It is then suggested to him is it not quite obvious
10 you are telling the truth, because what you alleged
11 about Father Smyth, Father Smyth admitted precisely what
12 you had suggested. Why would you then go on to make
13 this up about telling BR1?

14 A. That's the question.

15 Q. Chairman, I am noting that it's --

16 CHAIRMAN: Are you going to be much longer?

17 MR AIKEN: It may take another about twenty minutes I think.

18 CHAIRMAN: Well, we will rise now and sit again at
19 2 o'clock.

20 A. Can I just say something? Me and my colleague, ,
21 we have to get a flight back to and the flight's
22 at --

23 CHAIRMAN: What more do we have to deal with?

24 MR AIKEN: There is a number of matters that DL40 wants to

25 cover. I imagine twenty minutes would cover it if we --

1 CHAIRMAN: Well, we will start again at 2 o'clock. That
2 should give you plenty of time to get to the airport,
3 DL40 --

4 **A. Okay. Thank you.**

5 CHAIRMAN: -- if you're only going to take another
6 twenty minutes.

7 (1.10 pm)

8 (Lunch break)

9 (2.00 pm)

10 CHAIRMAN: Yes.

11 MR AIKEN: Chairman, Members of the Panel, just when we were
12 stopping for lunch, DL40, we dealt with BR1. You will
13 be pleased to know there is just a limited amount left
14 I want to cover with you.

15 You identify a number of Brothers in your statement.
16 I just want to touch on those with you. You talk at
17 paragraph 8 at 1485 about BR2 and how you had respect
18 for him.

19 "He was a gentleman, strict but in charge, and
20 needed to be."

21 I was asking you earlier when you say he needed to
22 be, you started to explain to me about the orphans
23 coming from Nazareth Lodge and the mix of the boys being
24 sent there who were from court, if you like, in simple
25 terms, and how that match did not work well in your

1 view.

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

3 Q. And do you want to say any more about that?

4 **A. Well, you know, I mean, again with the benefit -- you**
5 **know, we were poles apart. There was us orphans and we**
6 **were there because we were orphans. Yet you were sat**
7 **alongside boys that, as you quite rightly say, came from**
8 **the court, you know, that were doing burglaries, that**
9 **were sort of absconding from school and weren't really**
10 **nice people. I guess the Brothers, you know, did have**
11 **to -- well, they did come down firm on those guys that**
12 **needed to be put in line.**

13 Q. So they had their work cut out for them is the point you
14 are making. Is that fair?

15 **A. That's the point I am making, yes.**

16 Q. As I said to you, BR2 didn't return to the home until
17 BR1 had , which is . He may
18 have returned slightly after that. So he was there for
19 . So your impression of him was formed over
20 that period and that was one of someone who was
21 good to you and fair with you?

22 **A. BR2 was a very fair man, firm, but fair, and again**
23 **I regard him as a gentleman and as a person I would keep**
24 **in contact right up to this day.**

25 Q. And you had similar views about BR6 and BR3, that they

1 were firm in their dealings, but fair in their dealings?

2 **A. Correct.**

3 Q. And, in fact, BR3 you describe in paragraph 9. That's
4 BR3, BR3. He had you working with him in the glasshouse

5

6 --

7 **A. That's correct. I am very grateful for that.**

8 Q. --

9 **A. Yes.**

10 Q. I was asking you are not aware of any -- you weren't
11 aware of any rumours at the time about any of those
12 three individuals?

13 **A. Absolutely not.**

14 Q. In respect of BR6 the point you made to me, and you
15 describe it in your statement, about you persuading him
16 to let you do Irish history at CSE and he was reluctant,
17 but you persuaded him and it worked out?

18 **A. It worked out, yes. We had a good debate. He relented
19 and then he fully supported me and I'm very grateful for
20 that.**

21 Q. You mention BR13. We talked about him earlier in the
22 context of 's statement, and you said to me he was
23 a lovely man who continued to take you on walks, and
24 that seems to have been happening. Earlier witnesses
25 from the talked about BR13 and being a keen

1 You also made the point to me he always marked your
2 birthday with £2.

3 **A. That's correct. A lovely man, a real, real, real**
4 **gentleman.**

5 Q. You mentioned to me about DL6, the teacher, and
6 I am just going to summarise what you said to me. He
7 was a fantastic , and if you wanted to
8 learn, he was a good teacher at learning you, but he was
9 easily wound up and boys took the opportunity to wind
10 him up, and he did hit them with bits of wood as
11 a result.

12 **A. That's correct or he would chase them out of the**
13 **classroom. It was a game. It was a complete game**
14 **between boys winding up DL6.**

15 Q. And you then categorise that as similar to BR77,
16 a temperament ill suited to working in this environment?

17 **A. That's fair, yes.**

18 Q. And we touched on BR18, and there was one point that
19 I just wanted to clarify with you. BR18 in your time
20 worked on the farm --

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

22 Q. -- but he also on limited occasions was supervising in
23 the canteen.

24 **A. Very limited occasions. In the time I was there it**
25 **would have been just two or three times.**

1 Q. But you recall he did do that on those two or three
2 occasions?

3 **A. That's correct.**

4 Q. You had never any difficulty with him?

5 **A. I stayed out of his road, yes.**

6 Q. You mentioned DL149, and you made the point you have
7 a connection to him through your , but your
8 perspective on him was he was -- he was someone who
9 wanted discipline, very good at sports, but he was fair
10 as far as you were concerned?

11 **A. He was firm and fair, yes, and he took great interest in**
12 **the boys, the boys that wanted to learn, like all the**
13 **Brothers and the lay staff. If there was boys that**
14 **wanted to learn, they would help you.**

15 Q. Yes, and what you're describing is a difficult
16 educational environment where there was a lot of boys
17 who didn't want to learn?

18 **A. Correct.**

19 Q. And you were involved in sports yourself and enjoyed the
20 sporting activity and various trips that the -- you were
21 taken on, including to the north coast and so on and so
22 forth.

23 **A. That's correct. We had -- I think we spent about two**
24 **weeks each year up in Glenariff --**

25 Q. Yes.

1 **A. -- at Waterfoot. They were fantastic, fantastic times.**

2 Q. I want to just take you to NL 199 's statement
3 for a moment at 1656. He was the that
4 worked with you, and to summarise this -- and the Panel
5 has had the opportunity to read the three pages of his
6 statement -- you had a positive relationship with him
7 and he is someone that you have a fond memory of.

8 **A. That's correct. Again I still maintain contact with**
9 **NL 199. He's a good person.**

10 Q. If we could just scroll through to the second page, he
11 explains, paragraph 11, how the Brothers were very
12 opposed to you working part-time at the week-end. Just
13 the context of this was you had met a family through the
14 nuns when you were living in Nazareth and you kept in
15 contact with that family on the and you
16 would have went out to them for the week-end.

17 **A. That's correct.**

18 Q. And that's a positive relationship that you have
19 continued to have?

20 **A. Extremely.**

21 Q. And what happened here was you got a job behind the
22 scenes doing as a young boy,
23 and you put some context on paragraph 11 in that
24 NL 199 caught on that you were doing this, put
25 a stop to it, because you were under age, and then

1 officially you were allowed to do it when you were 16
2 and could work legitimately, although I think the point
3 you made was you might have carried on without him
4 knowing you were still in in the back.

5 **A. Well, I started off -- I started off at 14**
6 **getting paid 60p an hour -- 60p**
7 **per hour, a lot of money. I told NL 199 this**
8 **thinking this is positive. I am out there integrating**
9 **with people, but he saw -- and he was doing his job, as**
10 **we discussed. To work in licensed premises you must be**
11 **16. So he put a stop to it and I continued working**
12 **there.**

13 Q. He didn't know that, but you worked away regardless, and
14 then the point he is making, at 16 he got it legitimised
15 as he would see it for you to do that work.

16 **A. He did. He got -- I had to do an apprenticeship. So**
17 **I was doing an apprenticeship when I was still in Rubane**
18 **as .**

19 Q. Yes, and also he makes a point in your -- paragraph 12
20 of his statement, you know, he formalised what had been
21 an informal relationship between you and what he
22 describes as your foster parents, the that you
23 went to live with.

24 **A. That's correct.**

25 Q. You, as you said, spent weekends and various other

1 special occasions like Christmas with them.

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

3 Q. The point he makes in paragraph 14 -- he makes the point
4 in 13 and 14 about helping you deal with issues
5 connected to your mother, helping you with issues
6 connected to your father, and pointing out, as you have,
7 that the relationship continued beyond your time in
8 care.

9 **A. That's correct.**

10 Q. In paragraph 15 then he says:

11 "At no time during my official involvement with DL40
12 did he make any allegations about his treatment in
13 Rubane, nor did I have any suspicions. When in '84/'85"
14 -- that's coming towards the Kincora inquiry, the Hughes
15 Inquiry -- "the allegations became more public, DL40
16 and I had several conversations about what was alleged.
17 He insisted he had never been involved, but 'everyone
18 (boys and staff) knew'."

19 Now is that a reference to the sexual activity
20 amongst the boys that you are talking -- that he's
21 talking about there --

22 **A. Yes.**

23 Q. -- that the boys and staff knew what was going on?

24 **A. Yes, that would be my conclusion, yes.**

25 Q. And that you didn't talk to him at the time about that

1 activity while he is visiting you in the home?

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

3 Q. And you didn't tell him about Brendan Smyth?

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

5 Q. And the point he makes, if we could scroll back to

6 paragraph 7 on 1657, he says he visited you regularly

7 every month. I think the point you made to me he was

8 irregular coming down to see you, and in paragraph 9 he

9 sets out how on the first visit BR1 was effectively

10 settling in to sit in on the visit and I was describing

11 to you that, you know, you are brought to the room. He

12 is in the room. The person from the Order stays in the

13 room, and NL 199 wasn't having that.

14 Basically he made sure that his visits with you were

15 one-to-one without BR1 being there.

16 **A. My visits with NL 199 were one-to-one. I didn't know**

17 **about this here.**

18 Q. You didn't know about it, but that is right.

19 **A. Yes.**

20 Q. It was one-to-one, and he says that that was so he had

21 the ability to talk to you and build a relationship with

22 you and could see the likes of where you were staying in

23 the chalet and so on. Is that a fair recollection of

24 what occurred?

25 **A. Yes, that's fair.**

1 Q. There's two things that we ask everybody at the end of
2 their evidence, DL40, and you have indicated
3 a willingness if the Panel wants to hear from you again
4 in relation to Nazareth Lodge. There are two things we
5 ask. One is to do with recommendations. At the end of
6 the Inquiry's work the Panel has to consider what
7 recommendations it might make to the Northern Ireland
8 Executive, whether about some form of apology, some form
9 of memorial or some other means of redress, and we ask
10 each witness whether there is anything they want to say
11 to help the Panel's thought processes about that, about
12 those recommendations. Is there anything you want to
13 say about that?

14 A. Well, I know the Brothers have made an apology and
15 I~accept that personally, me. What I would say is
16 I would not be here today if it was not for the
17 institutions. That's both Rubane House and Nazareth
18 Lodge. There was no contraceptives in the .
19 Illegal abortion and indeed may I say infanticide would
20 have taken place and I know that for a fact by speaking
21 to my mother. I am grateful to the Brothers for what
22 they done for me and I lived the hand I was dealt with.
23 One just needs to look at ashes to ashes and look what
24 society was like back in the .

25 I suppose on reflection, as we said about the

1 recruitment of lay staff and the recruitment of
2 Brothers, you know, more training could have probably
3 been done. More CBD activities could have been done,
4 but that's what it was like back then.

5 I just want to say one other thing on corporal
6 punishment and that is, as we talked about earlier,
7 I had one year at state school,
8 on the , and corporal punishment happened
9 there, and the level of corporal punishment that
10 happened at and De La Salle was
11 a parallel. So I think it's really, really unfair for
12 the Brothers just to be -- I think it would be fairer to
13 the Brothers if the level of corporate punishment that
14 happened in that institution was benchmarked against
15 what happened in other institutions and state schools,
16 private schools, etc.

17 With reference --

18 Q. Let me pick that point up with you, DL40. That's why
19 I was saying to you during your evidence that you have
20 no issue with what I am going to characterise -- it is
21 different today -- but at the time normal corporal
22 punishment. You step out of line and you are getting
23 six of the best. Your issue, like a number of others,
24 is when with the likes you describe of BR77 or whenever
25 it went beyond that acceptable level of corporal

1 punishment that existed at the time, which happened both
2 in and happened in Rubane. Is that
3 a fair characterisation? Your issue is not the corporal
4 punishment in either of those places, albeit life is
5 different now, but it is when it went beyond that
6 corporal punishment. Is that fair?

7 **A. Both happened. At I seen guys getting**
8 **fists and beat up by teachers.**

9 Q. Yes.

10 **A. It just happened.**

11 Q. So that was normality?

12 **A. Yes, yes, yes.**

13 **Then I just want to come back to the sexuality --**
14 **homosexuality between the boys. You know, it was**
15 **a boys' home and, you know, we all know that it happens**
16 **even in private schools.**

17 Q. Well, the question I asked you, accepting that fact,
18 DL40, was that there was never any discussion about it.
19 Is that fair? There was no education about that type of
20 behaviour?

21 **A. That's fair. We weren't taught it, no.**

22 Q. The last question that we ask anybody, and it may be,
23 DL40, you have covered it already in what you've said,
24 whether there's anything else about your time in Rubane
25 that you think I haven't covered in our discussion or

1 that you want to bring out. Is there anything else or
2 have we covered most of it?

3 **A. Mr Aiken, you've been very comprehensive.**

4 Q. I am going write that one down and take that home.

5 I get lots of different expressions in this job. I am
6 not going to ask you anything more, DL40. The Panel may
7 want to ask you something, and if you just bear with us
8 for a few moments and allow them to do that if they wish
9 to.

10 **A. Thank you.**

11 **Questions from THE PANEL**

12 MS DOHERTY: DL40, thanks very much. It has been very
13 helpful to get your perspective. Can I just ask when
14 you say about the Brothers came down firm on those who
15 were out of line, what would that have been?

16 **A. It would be verbally, and then if the boys didn't adhere
17 to the instructions or the orders, then we would get
18 caned.**

19 Q. Caned, but just caned, no fists or ...?

20 **A. Caned.**

21 Q. Caned. In relation to BR18, you say you stayed out of
22 his way. Why was that?

23 **A. He was a -- he was a and the one or two
24 times he -- you know, the one or two times he looked
25 after us in the canteen there was a certain fear factor.**

1 **So I just sort of kept my head down and got on with**
2 **eating my dinner.**

3 Q. Thanks very much.

4 MR LANE: You mentioned the two groups, the orphans and the
5 offenders and how they didn't really -- they shouldn't
6 really have been mixed in the way that they were. Were
7 they two distinct groups? Did they meet separately?
8 Were they in gangs of friends or anything? Could you
9 divide people into the two groups?

10 **A. No, no. We were integrated, but the point that I was**
11 **making is that from my own personal experiences if it**
12 **was just the orphans and there wasn't what I would call**
13 **sort of the gangsters, the people that done burglaries,**
14 **skipped school, joyride and stuff like that there,**
15 **I think it would have been better on reflection of**
16 **hindsight.**

17 Q. Did one group bully the other group more or anything
18 like that, one look tougher than the others?

19 **A. There was always -- there was always the lead boy, lead**
20 **peer boy within -- within the establishment.**

21 Q. Right.

22 **A. But bullying between the boys, no, I wouldn't have said**
23 **that -- I wouldn't have said that was an issue.**

24 Q. So why was the mix wrong then if --

25 **A. I think the mix was wrong because I have an issue with**

1 my education, and I think the benchmark for education
2 might have been a wee bit higher if everybody was under
3 the same playing field, but it wasn't. You had people
4 there that didn't want to be at school. You had people
5 there who were disruptive and you had people there that
6 were there because they didn't go to school.

7 Q. And the people who wanted to be at school, was there any
8 opportunity for them to push ahead in some way and get
9 special attention?

10 A. As I said in reflection to BR6, yes, I was able to take
11 a desk up to my room, and BR6 also went up to the
12 classroom in evening time for boys if they wanted to do
13 any homework or get extra revision done, and need I also
14 say DL6 was always the case, and one of the things that
15 I would ask the Order to do would be to sort of -- he
16 put an awful lot of boys through CSE in woodwork.

17 Q. Thank you very much.

18 A. Thank you.

19 CHAIRMAN: Well, thank you for coming to speak to us today,
20 DL40. We are very grateful to you for doing so,
21 particularly since you've come some distance and some
22 distance to go back, but thank you for coming, and if we
23 decide that we need to hear you again about your time in
24 Nazareth Lodge, we will be in touch with you.

25 A. Okay. Thank you, Chairman.

1 CHAIRMAN: Thank you.

2 (Witness withdrew)

3 MR AIKEN: Now Ms Smith is taking the next witness. So
4 perhaps a few minutes to let her get set up to do that.

5 CHAIRMAN: Five minutes.

6 (2.20 pm)

7 (Short break)

8 (2.25 pm)

9 WITNESS DL445 (called)

10 MS SMITH: Chairman, Panel Members, the next witness today
11 is "DL445". He is to be known as DL445. He wishes to
12 take a religious oath and he also wishes to maintain his
13 anonymity.

14 WITNESS DL445 (sworn)

15 CHAIRMAN: Please sit down.

16 Questions from COUNSEL TO THE INQUIRY

17 MS SMITH: DL445, you have helpfully provided a statement to
18 the Inquiry, which I am going to call up here on the
19 screen, which is at RUB1490.

20 **A. Uh-huh.**

21 Q. Although this hasn't been redacted and there are details
22 here about you on it, DL445, you can take it that these
23 will be redacted and the details --

24 **A. Right. I understand.**

25 Q. -- will be blocked out before we -- it is published any

1 further than this room, and any details that are in this
2 that can identify you must not be published outside this
3 chamber.

4 **A. Okay.**

5 Q. Now in your statement you talk about the fact that you
6 were in Nazareth Lodge before you went to Rubane.

7 **A. Uh-huh.**

8 Q. You talk a little bit about in paragraphs 1 to 10 of
9 your time in Nazareth Lodge. If I may sum that up,
10 essentially you were very happy there, that you relate
11 two negative aspects or two negative events in
12 paragraph 4, but you don't actually consider those
13 events to have been abusive in any way, and you have no
14 complaints about the care that you received. Is that
15 fair?

16 **A. It's fair enough, yes.**

17 Q. One thing, though, that you were -- at paragraph 10 you
18 were apprehensive about the move to Rubane.

19 **A. Well, the move to Rubane was -- we heard stories about**
20 **-- obviously fellow kids who had been in the Lodge had**
21 **come up to visit their siblings or whatever there and**
22 **they just passed remarks about a strange (inaudible)**
23 **where there were other people from outside they're**
24 **experiencing. It was more sort of intimidating, more**
25 **frightening.**

1 Q. You were only when you actually left Nazareth Lodge
2 to go to Rubane.

3 **A.** .

4 Q. And you moved with a number of boys in .

5 **A. Yes.**

6 Q. There were about -- you were separated into different
7 groups when you arrived there.

8 **A. Uh-huh.**

9 Q. You talk about this in paragraph 11 of your statement
10 there, and in paragraph 12 to 15 you describe sexual
11 interference from older boys in Rubane.

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

13 Q. You say the abuse didn't take place in dorms but rather
14 in outbuildings, the pool room and TV room. It was
15 something that you had not been exposed to in your time
16 at Nazareth Lodge.

17 **A. Correct.**

18 Q. Boys were touching you, being overtly friendly and you
19 felt you had led a very sheltered life, received no
20 sexual instruction or guidance and were completely
21 sexually unaware at this stage in your life.

22 **A. Absolutely correct.**

23 Q. People started talking about it and you began to learn
24 what was going on, but you did your best to avoid those
25 boys who you say would try to interfere with you, yet at

1 the same time wanting to be part of the crowd and to be
2 liked. Is that right?

3 **A. Yes.**

4 Q. Now generally you say it was the older boys interfering
5 with younger boys. You say as you got older, that
6 lessened. The abuse that is diminished.

7 **A. Uh-huh.**

8 Q. But even right to the end some of the older or stronger
9 boys in your own group would still approach you. You
10 say there was definitely an underlying innuendo about
11 sex in the home and you have described it as "a sexual
12 environment".

13 You also say you were conscious that you had had
14 a sheltered and protected life. There was no
15 preparation for mixing with what you describe as the
16 "streetwise boys" who lived in Rubane and who were there
17 on court orders.

18 You recall teaching one resident how to be an altar
19 boy and later in one of the fields he told you that he
20 wanted to thank you and said he would show you something
21 that his had taught him.

22 **A. A bit of a surprise, yes.**

23 Q. And he went on to explain what his present for you was.

24 **A. Yes.**

25 Q. It was obvious to you that he had been exposed to sexual

1 activity before he arrived in Rubane.

2 **A. Yes.**

3 Q. You feel that that, looking back now, was the biggest
4 problem in the home, this mix of streetwise sexualised
5 boys being placed into the same environment as what you
6 describe as vulnerable and sheltered children.

7 **A. Yes, I do indeed.**

8 Q. Now paragraph 16 you go on to say that you -- while
9 there was innuendo about Brothers and there was rumour
10 and gossip, that was all that it was, that you never
11 heard anything that you actually believed about any of
12 the Brothers in the home.

13 **A. Again I agree with that. I mean, to me the Brothers**
14 **were doing their job. It was a new environment for me,**
15 **considering that for 10 and a half years I had been**
16 **brought up with nuns and then been transferred to**
17 **an all-male environment, but the Brothers obviously**
18 **stood out as obviously wearing their religious garb and**
19 **they behaved as religious people in most of the ways,**
20 **and just for these other kids to say they were doing**
21 **this, I just -- it didn't tally in with the Brothers'**
22 **behaviour in many ways.**

23 Q. It certainly didn't tally in with your experience?

24 **A. Not my experience. Not what I experienced at all, no.**

25 Q. You talk -- I mean, you talk about the memories that you

1 have of specific Brothers here. Again I am going to use
2 the names --

3 **A. Yes.**

4 Q. -- but these will be subsequently redacted. In
5 paragraph 17 you go through the Brothers that you
6 remember from your time there.

7 The first of those was BR27, who you say was
8 responsible for getting you into music. He recognised
9 your talent for music and introduced you to the
10 and later . He was responsible

11

12 **A. There is actually a correction there. BR27 did do it,
13 but I believe there was another Brother called BR44.**

14 I~don't know if he's come up in this Inquiry before. He
15 was the first one that actually did come in and it was
16 him . That came to me after
17 I'd made the statement. When I thought back, I realised
18 that actually. So just to give the chap credit.

19 Q. That's fine. No, no. That's fine. You are looking at
20 me.

21 **A. Yes.**

22 Q. But you made this statement --

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

24 Q. -- and then when you thought about it afterwards, you
25 realised, "Actually it wasn't BR27; it was BR44".

1 **A. BR44. BR27 carried on --**

2 Q. Carried on.

3 **A. -- the tradition, yes.**

4 Q. But the first person at the home
5 would have been BR44.

6 **A. Yes, it was BR44.**

7 Q. Just for your benefit, DL445, we have heard from the
8 Order that BR44 was into music in the home.

9 **A. Yes.**

10 Q. You talk about yourself and another boy who you liked,
11 and .

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

13 Q. Then you talk also about **BR 73** .

14 You say he really liked you. He got you into ,
15 but he didn't stay long there.

16 You describe then BR6 as a father figure. You say:

17 "He did cane me on occasion for misbehaving, but
18 I~distinctly recall shaking hands with him on each
19 occasion. There were no hard feelings. Indeed, I was
20 more upset when he shouted at me, like a child who had
21 upset their father."

22 **A. Uh-huh.**

23 Q. "I preferred to get caned than be shouted at",
24 and you can't remember what exactly you got caned
25 for, but --

1 A. I actually do now remember. It was myself and a couple
2 of other lads -- down in the woodlands they used to have
3 these old structures, folly type things. Like we used
4 to go -- when we was kids, we called them castles. We
5 climbed over one. They were quite old. The whole thing
6 crashed to the ground. So obviously we were held
7 responsible for it. They said, "Right. You have to be
8 punished so this never happens again". So each of us
9 were taken in turn and we received three swipes of the
10 cane and that was it.

11 Q. So just to be clear, the swipes of the cane were to what
12 part of your body?

13 A. Well, to my hand, yes. You held your hand out, and at
14 the end of it we actually shook hands. No hard
15 feelings.

16 Q. You also remember -- you thought in your statement --
17 when you were preparing your statement, you thought you
18 might have been caned for fighting in the home.

19 A. Not that again. That's just at the time that was put
20 in, but it what was more to do with that situation. At
21 that time I hadn't thought, but no, I wasn't a fighter
22 in the home in a sense. So I would say it was more to
23 do with that incident of crashing down this folly in the
24 woodlands.

25 Q. Just going back to your statement there, DL445, you say

1 you can't recall -- sorry -- you also thought that on
2 one occasion you had broken into a filing cabinet
3 looking for your own information.

4 **A. Right. Yes.**

5 Q. You remember --

6 **A. Myself and another chap (inaudible) [REDACTED], who is now**
7 **dead, the two of us, we had a lot of freedom in the**
8 **home. The both us did a lot -- we had to go to work,**
9 **etc, etc. Because I was into [REDACTED], I used to**
10 **play the [REDACTED] in the main parlour.**
11 **So we moved about quite a bit. So they sort of ignored**
12 **us. When they saw us in the house, it was okay. They**
13 **knew what -- we were up obviously doing proper stuff,**
14 **but this time the small house, which I believe you have**
15 **already heard about, that BR13 was in charge of in the**
16 **grounds where all the files were kept, that was being**
17 **demolished whilst they were beginning to build the**
18 **chalets. So they moved the files into this cubicle type**
19 **place, but it had no roof on it, and at that time it was**
20 **us started to discuss the possibility of, "This is our**
21 **chance to have a look at files". So we climbed over,**
22 **got into -- that's actually where I found out who my**
23 **mother was from going through the files.**

24 Q. You actually were able to get into the files themselves?

25 **A. Uh-huh. The files were just loose in there. It was**

1 just all sat in there. So we were able to go through
2 them and pick out files.

3 Q. I take from this that you were caught doing this and
4 punished for that?

5 A. Well, they found out that we had done it, yes, that we
6 had climbed in, and we got punished for that, but again
7 not -- you know, it wasn't severe. Just, "You shouldn't
8 be doing this" sort of stuff.

9 Q. Just one comment you made there, DL445, was you said
10 that you and another boy had plenty of freedom in the
11 home. When you say that, is that because you were
12 trusted to do the right thing?

13 A. I think if you showed that you were responsible, you
14 most certainly had quite a bit of freedom. I mean,
15 I remember speaking with Joe Napier about this. I mean,
16 I have never thought of Rubane, Nazareth Lodge or
17 anything over the last years. I haven't
18 thought about it. I just got on with my life. So
19 obviously when all of this came up, I had to start
20 thinking again about my whole past, but then when I read
21 stuff about what people were saying about Rubane, but
22 a lot of stuff I found strange. If you -- if you were
23 responsible, you most certainly had a great deal of
24 freedom. I mean, we were allowed to go out on bicycles.
25 I remember (inaudible) ██████████ and myself, we cycled the

1 whole way to Portaferry, back and forth, no-one in
2 charge of us. We just did it ourselves. We were
3 able -- there was a chap who worked there -- he
4 initially didn't work there. He was a teacher
5 . We used to walk the whole way
6 to to go and visit him and his parents and have
7 a big fry-up with them and come back to the home. It
8 wasn't a problem.

9 Q. I know that you left in .

10 A. I left in , yes.

11 Q. That would have been really before the Troubles started
12 in Northern Ireland then you would have left. Is that
13 right?

14 A. Yes. I just got -- I just got out in time when the
15 Troubles started. That really annoyed me at the time.
16 I remember being really pissed out. I earned my freedom
17 and I come out and Belfast erupts. I wasn't too pleased
18 about that at all.

19 Q. Okay. We will come back to that in a moment or two --

20 A. Yes.

21 Q. -- but just going back to your statement and what you
22 say about the Brothers, and you are talking here still
23 about BR6 and the punishments, and I was asking you --

24 A. Yes.

25 Q. -- about the type of occasions that would have led to

1 you being punished, and you say you don't believe that
2 BR6 -- you have heard the allegations about him, but you
3 yourself don't believe that he was an abuser. You would
4 say he was a touchy sort of person but in a fatherly
5 sort of way. He would have said things to you like,
6 "You have nice hair or nice eyes".

7 **A. Complimented you, as you would expect. We were still**
8 **young boys. He very much -- I mean, in retrospect I am**
9 **much older now, and when I think of things like that,**
10 **I think he very much knew that we -- as kids growing up**
11 **we were all batched in there together. No-one had any**
12 **sort of -- no-one gave you compliments. So obviously he**
13 **was sensitive in that sense. So he did pass remarks if**
14 **you dressed well, "You look good", and that, you know.**
15 **So, I mean -- so he was -- in many years he was very**
16 **fatherly, yes.**

17 **Q. Okay. Another Brother then, moving on, is BR13. You**
18 **describe yourself as** .

19 **A. Yes.**

20 **Q. . Is that -- was that his bedroom**
21 **you are talking about?**

22 **A. That was his bedroom, yes. I -- yes.**

23 **Q. .**

24 **A. Well, when he wasn't fit to get**
25 **up, you know. He was Brother. So if he**

1 -- the second year he brought his brother over too,
2 younger brother over, and the third year brought --- the
3 three of them came over. So ...

4 Q. And they stayed with you all in Rubane?

5 A. Stayed over during the summer months for about ten weeks
6 they were roughly about.

7 Q. And you remember -- I mean, you talk about the
8 radio and that, and you say that it was BR13 in the home
9 who gave out the pocket money and petty cash.

10 A. He gave out the petty cash. Pocket money was dispensed
11 by BR6 on a Sunday, but BR13 did all the dispense cash,
12 expenses, etc, etc.

13 Q. What -- what would cash have been handed over for, for
14 example?

15 A. Cash -- I mean, people who -- money was sent in by --
16 kids had parents who sent money into the -- into the
17 home. So they knew it was put into a deposit for them.
18 So if they wanted some money, they'd go to BR13 to ask
19 for it, or if you -- we had cameras. If you took
20 photographs and you needed money to get a film
21 developed, you went to BR13 and asked, "Could I have
22 some money to have this done?"

23 Q. And he would have given that to you?

24 A. And he dispensed money, yes. If you were travelling
25 away for the week-end, say off to visit a foster family

1 or whatever, and needed the bus fare, you went to BR13.

2 Q. Moving on to another Brother now, BR12, you say he was
3 the farmer.

4 A. Uh-huh.

5 Q. You liked him as a character and had total respect for
6 him, but generally very little contact with him other
7 than if you were working at the farm helping out with
8 the bales. He was a straight sort of man. If you gave
9 respect, then you got respect from him. That's your
10 memory.

11 A. That is my memory. To me he very much kept to himself.
12 Most of the time you would see him down on the farm. He
13 would wear just normal farmer's trousers, stuff like
14 that. The only other time he would wear the religious
15 garb would be going into the chapel, but overall yes.
16 I remember speaking to him once about -- there were two
17 dogs caged up and they looked very distressed.
18 I remember speaking to him about the dogs. He said,
19 "This is all this they are used to", because I thought
20 they were gnawing at the gateway to try to get out and
21 just I found that, you know, pretty sad for the dogs,
22 but he said, "No, this is the way they have to be. They
23 are hunting dogs. We get them out and they do all this
24 stuff", but, I mean, overall I found him inoffensive.
25 He was very -- he kept very much to himself and I had no

1 obviously on holy days and stuff like that we all
2 celebrate to some extent. The kids had lemonade, etc.
3 So the Brothers maybe had some wine with their dinner,
4 and I think he slightly -- he didn't -- he wasn't
5 drinking all the time, but on those occasions he maybe
6 took a wee drop too much, so he did. There was one
7 occasion where I remember he came out from early evening
8 after a meal drinking. He was beating the drum about
9 the place and he was completely -- he was just away
10 completely, but overall I found him to be -- to me he
11 was the first Brother I encountered when I moved from
12 the Lodge to Kircubbin and he -- I had no problems with
13 them all actually. When I first moved from the Lodge to
14 Kircubbin, we moved into the main house, first of all,
15 but within three months he put me down to the old school
16 house into a dorm. He says, "This is your dorm. You're
17 in charge of this dorm. You know, just keep an eye on
18 the kids, the other people". Any problems, report it
19 back to him. I had no problems with him at all.

20 Q. But you do understand from your statement --

21 A. I understand, yes, that there's been allegations.

22 Q. -- that people have made allegations against him.

23 A. Yes.

24 Q. You say you find those difficult to believe, and you
25 describe being moved down. You at no stage saw or heard

1 anything which caused you concern.

2 **A. No, not -- not -- definitely not.**

3 Q. You go then on to talk about another Brother, BR3.

4 **A. Uh-huh.**

5 Q. You say he was your teacher. You recall being
6 fascinated and intrigued about his accounts of his life
7 in [REDACTED]. You do say that you recall him talking to
8 you about behaviour amongst the boys, sexual behaviour
9 --

10 **A. Yes.**

11 Q. -- to watch out for this and that. You have a clear
12 memory of him making a comment about a certain boy
13 having a nice shaped bum, but you say it was more of
14 an athletic than a sexual comment. You also recall that
15 a couple of the residents would have visited his room.

16 **A. Right. Let's clarify that. First of all, you will see**
17 **when we first arrived, as I say, he was our teacher in**
18 **the classroom. He used to start and talk to us about,**
19 **"Watch the older boys". He didn't specify, but he just**
20 **said to watch out for certain behaviour. If you are**
21 **uncomfortable, to come and let him know about it.**

22 With regards the thing, he didn't say that,
23 "So-and-so has got a nice bum", but the kids were saying
24 that afterwards, but basically he was talking about
25 athletic shape obviously. There was one particular lad.

1 He pointed out, "This is what every boy should look
2 like", you know, "with being fit and healthy" --

3 Q. Uh-huh.

4 A. -- and made that reference, but then kids afterwards
5 were all -- again the same thing, innuendos and making
6 jokes about what he was saying was, you know -- this was
7 because he passed remarks on to other kids. They were
8 saying -- trying to turn it into something that it
9 wasn't.

10 Q. And this was all part of the culture --

11 A. The culture.

12 Q. -- you have described as sexualised. You said there was
13 talk of pets. I mean, you have already told us you were
14 perceived --

15 A. Yes, yes.

16 Q. -- to be BR13's pet, but you never heard or suspected
17 anything untoward in your experience there in relation
18 to BR3?

19 A. No, no.

20 Q. You say he wasn't overly physical. He preferred to talk
21 and you can't even ever remember him using the cane on
22 anyone.

23 A. I can't remember. He talked a lot. He obviously talked
24 about his time in [REDACTED]. I just remember -- my
25 vision of him was I remember he always reminded me of

1 Sergeant Bilko, but no. I mean, he took us -- education
2 there was pretty basic, you know. I remember going for
3 nature walks with him and stuff like that. He did teach
4 us the basic stuff, you know, but nothing -- but, no,
5 nothing untowards, no, no.

6 Q. Okay. **BR 65** is another Brother that you talk about
7 here, and you say he was only there for a short time.
8 You remember him getting you French books, and you
9 remember -- now I know that it says here boys visiting
10 his room, but, in fact, when we spoke earlier --

11 A. We have corrected, that, yes.

12 Q. -- we have corrected that. It was only one boy that you
13 ever saw go into **BR 65** room. Isn't that right?

14 A. Yes. The reason -- yes. That was HIA152, which I -- we
15 corrected also. I was annoyed that -- it is just that
16 HIA152 and I were in the house at the time. HIA152 --
17 because we had -- certain people who were responsible
18 did have certain amounts of freedom. You could wander
19 about. It was no problem and --

20 Q. **HIA 152** was a boy like you who had that level of freedom.

21 A. Yes. That's -- we were friends. So, I mean, we did
22 a lot around about the school house, gardens, etc, etc,
23 did all the stuff. His grandparents used to come up and
24 visit him and his brother and they would be in the
25 parlour room anyway. So when I would be in the parlour

1 no, I didn't to be truthful. I mean, even at that point
2 -- I don't know what age we were, but certain kids were
3 more sexually astute than others. I mean, I still think
4 at the time I was becoming aware. I mean, even when
5 these others kids -- when this kid who asked me to teach
6 him how to be an altar boy, I mean, when he started
7 talking about it, I mean, I thought he was making the
8 whole thing up. I mean, I thought it was, you know --
9 woke me up. This is just not something we were totally
10 familiar with. So, no, I didn't give any greater
11 thought to it at all even at that time.

12 Q. Okay. At any stage were you ever told that boys weren't
13 supposed to be in the Brothers' rooms or weren't allowed
14 to go in there?

15 **A. No, never. That was never mentioned.**

16 Q. Just coming back to your statement, DL445, and moving
17 down to the next page, please, if we may, you talk about
18 BR2, whom you describe as an inoffensive man, rather
19 quiet. He just did his job. You say he was big into
20 sports, which you were not particularly good at. Your
21 forte was .

22 You do say also that you had

23 which I will come back to.

24 **A. Yes.**

25 Q. But you did feel at one point that he may have seen

1 a guy, whom you name here, trying to interfere with you
2 and you thought he could have intervened, but you don't
3 know whether he saw it or appreciated what was
4 happening. Can I just explore a little bit with you the
5 background to that --

6 **A. Right. Okay.**

7 Q. -- what you are talking about.

8 **A. Yes.**

9 Q. What we were talking about, you were in the school
10 corridor with the , and you were allowed,
11 as you have said, a certain degree of freedom to go
12 where you wanted --

13 **A. Uh-huh.**

14 Q. -- and that. This boy [REDACTED]
15 was in the school corridor with you and was trying to do
16 something to you. Is that right?

17 **A. Yes. He was obviously gearing up to sexually interfere
18 with me, but that was --**

19 in the front classroom, and then obviously at
20 a certain point some Brother would come down to lock the
21 school. I knew that was the finish then. Obviously
22 within the hour we would be going off to bed anyway. So
23 this was probably about 8 o'clock at night. But prior
24 to that then this chap [REDACTED], who had no -- he had
25 nothing to do to come into the school. It was just me

1 No-one else would be interested
2 in myself. People would be watching TV, and he did try
3 to sexually get involved with me, which I wasn't totally
4 happy about, and then BR2 did come along to lock up
5 and -- I was sort of half hoping then, once he saw that
6 ██████ was there, that he would pull me aside and would
7 have said, "What was going on here?", but he -- no-one
8 did.

9 Q. I mean, he didn't -- I mean, he knew you were allowed to
10 be in that area.

11 A. Oh, yes. He came down. Otherwise the school would have
12 been locked before then, but the fact is that I was
13 using it .

14 Q. But you didn't --

15 A. So it was left open.

16 Q. You said earlier that you didn't think -- you couldn't
17 understand why he didn't say to ██████, "What are you
18 doing here?"

19 A. Yes, yes, yes. Just -- yes, just let us wander round,
20 yes.

21 Q. Another Brother that you mention here is BR44 and you
22 didn't like him.

23 A. Well, now, let's get this correct. I did like --
24 I~liked him as far as music was concerned. I liked him
25 -- he was an exceptional man with his hands for doing

1 lots of stuff. I didn't get the time to explain all of
2 this. At the time when I did this interview I was not
3 even aware I was actually doing an interview. We were
4 just generally talking and notes were being jotted down.
5 But BR44 I did like. He was a disciplinarian. He had
6 a lot of -- he seemed to be aware of a lot of stuff that
7 was going on. You talked -- I remember you talked to me
8 about the white line and stuff. This is the chap who
9 impressed this on the kids to stay within the white
10 line. He was very much aware -- he was very much aware
11 that there was things going on with kids and he was
12 trying to control it, but also he was also
13 , etc, etc. So I did like him in that sense, but
14 we did not like his -- his style of discipline. He went
15 -- went too -- too extreme.

16 Q. You say in your statement -- and, I mean, obviously you
17 can correct this if it was not drafted in the way that
18 you wanted, DL445 --

19 A. Yes.

20 Q. -- you say that he was very alert to the sexual
21 activities among the boys. Did he -- you say he was
22 always asking questions.

23 A. He was asking questions and actually approached me
24 because -- when I was starting the dorm, he approached
25 me to keep an eye on X amount of boys, because I had

1 access to BR13's room, and boys used to put their
2 suitcases in there when they came back from holidays or
3 whatever. He said, "Could you look into their things to
4 see?" because he suspected there was, as he referred to
5 it, dirty mags and stuff being brought into the home.
6 He wanted that checked, but, of course -- I did actually
7 -- I wouldn't do that for him, but, you know, I sort of
8 worked with him to a degree, you know, but he says,
9 "Keep an eye on so-and-so. Keep an eye on so-and-so.
10 We suspect they are up to stuff".

11 Q. If you did suspect one of these boys was up to stuff,
12 did you then go back and tell BR44?

13 A. That was the whole idea, but I spoke to the -- believe
14 it or not, I actually spoke to the boys whom he told me
15 to keep an eye on, and I just said to them about things.
16 You are in a home situation. You don't want to be
17 playing one side against the other. I have to survive
18 there. So I didn't want to be picked on. These boys
19 are older than me.

20 Q. Uh-huh.

21 A. So obviously you are working with everyone to keep a
22 balance. So I just -- I spoke with them and just told
23 them what was going on. "Just be aware that there's
24 people keeping an eye on you."

25 Q. But say that you all celebrated when BR44 left.

1 A. Everyone was happy when he left, because his regime of
2 discipline was pretty tough. He did keep everyone
3 within that -- within certain confines.

4 Q. If somebody didn't agree to those confines and stepped
5 over the white line or stepped over the boundaries, what
6 would have happened?

7 A. He might have punished them, you know, but again I don't
8 -- it wasn't severe, but, yes, he would probably punish
9 them or something like that. We don't know all the ins
10 and outs of why, but he was obviously brought in at that
11 point. I don't even -- he wasn't there for any more
12 than just over a year or so, less than that.

13 Q. Uh-huh.

14 A. But the idea was to try and keep some sort of
15 discipline. In a way I was glad when he came, because
16 when you are such a young person and you are going into
17 an environment like, and you have got these older boys,
18 I mean, if there's no discipline, you're very much at
19 the older boys' mercy, you know.

20 Q. Uh-huh.

21 A. It was good to see someone coming in who could -- who
22 could apply discipline to keep everyone in order.

23 Q. Uh-huh.

24 A. So between himself and BR15 I very much appreciated the
25 discipline, even -- BR15's discipline was different to

1 **BR44's. BR44's was much more severe. BR15's discipline**
2 **was more firm, but people like myself, who were**
3 **frightened of these older boys, very much appreciated**
4 **what they were doing.**

5 Q. Uh-huh. Now going on to paragraph 18 of your statement,
6 DL445, then you say before you left you were transferred
7 into one of the new chalets --

8 **A. Yes.**

9 Q. -- and your houseparents were DL134 and DL135. You
10 describe DL134 as having asked you sexual questions
11 about wet dreams and that --

12 **A. Uh-huh.**

13 Q. -- but you didn't think anything of that.

14 **A. No.**

15 Q. You didn't find it offensive in any way. You saw it
16 yourself as sexual education.

17 **A. Yes.**

18 Q. You, in fact, were a head boy in the chalet --

19 **A. Yes.**

20 Q. -- a charge boy, because you were one of the older boys
21 in charge of the younger ones. You think you were about
22 14 and a half, and you got on okay with DL134 and DL135,
23 although you would say they were very inexperienced and
24 totally out of their depth in terms of caring for the
25 boys.

1 **A. Yes, I agree with that.**

2 Q. You know other people have alleged they were sexually
3 abused by DL134 and DL135.

4 **A. That surprised me, yes.**

5 Q. But certainly you never experienced anything like that
6 --

7 **A. Yes.**

8 Q. -- and the police asked you in later years about that
9 and you were taken aback to be asked.

10 **A. Yes, I was taken aback, yes, yes.**

11 Q. Just to be clear, where did the conversations take place
12 with DL134? They would have had their own quarters.

13 **A. That one conversation -- it was only one, because**
14 **I think he knew from the expression on my face not to**
15 **venture on this ground again. When he talked about wet**
16 **dreams, you know, I sort of just -- I think I put some**
17 **sort of strange look on my face. "Who are you trying to**
18 **teach here? I mean, we have already all -- everyone is**
19 **aware of this sort of stuff already. You're too late."**
20 **I mean, I was 14, 14 and a half, you know. "So if you**
21 **want to talk about that, talk to younger kids, not me."**
22 **So ...**

23 Q. I think when we were speaking earlier, you said he
24 actually came into your room to have that conversation
25 with you.

1 **A. He came into -- yes, came into my bedroom, yes.**

2 Q. That was to talk to you individually.

3 **A. It was to talk individually.**

4 Q. He wasn't having a group talk with the house or the
5 chalet rather.

6 You also remember DL6. You describe him as a really
7 decent person.

8 **A. Yes.**

9 Q. You were in his company alone on a number of occasions
10 involved with and there was nothing
11 untoward about him in the time you spent with him.

12 Now you know from the conversation we have had and
13 from what you've heard that other boys describe him in
14 very different terms.

15 **A. I understand that, yes.**

16 Q. They say that he, in fact, you know, threw things at
17 them, chisels, mallets, hammers, and was quite violent.

18 **A. Right.**

19 Q. Some have gone as far as to say he was a lunatic. That
20 is not your experience?

21 **A. No, it's not. He did throw things, but I've no -- he**
22 **would throw pieces of wood or stuff at the kids at the**
23 **back of the hall, because the hall we had, we**
24 **had rows of benches going up each side. He would be up**
25 **at the top end and the kids down at the far end and he**

1 would just sort of -- if someone wasn't listening, he
2 would throw something and shout out, "Fathead" to him to
3 waken him up or something like that. A lot of the kids
4 in each of his classes really wound him up quite a bit.
5 They sort of knew he was easily wound up. (Inaudible.)
6 He used to get quite red in the face. So they were
7 obviously aware, visually aware that they were getting
8 him wound up and they tried to taunt him in that sense.
9 So he responded back just by throwing stuff, but I've
10 never seen -- I never saw him once being physical with
11 any of the kids in my time I was there. Actually on
12 a number of occasions I have stayed behind with him to
13 help him out on and
14 I just found him a complete gentleman, someone decent to
15 talk to. He had his own family. He had a child of his
16 own. We talked and there was no problems.

17 Q. Uh-huh. Moving on to paragraph 20 then, DL445, of your
18 statement, you talk about two that you
19 remember in the home, and we talked about earlier --

20 A. Right, yes.

21 Q. -- I mean, just the first one is **DL 477**. You
22 said that he travelled during the week, but that there
23 was a studio somewhere on the grounds that he lived.

24 A. There was a sort of an
25

1 were just there. He would give us maybe an occasional
2 cigarette or something just to mix with them and talk.
3 So we became friendly in that sense.

4 There was one occasion, yes, he -- I mean, he was
5 talking to me about something. Then he just put me on
6 to his knee. I don't know how I responded at the time,
7 but it didn't go any further than that. I mean,
8 obviously I've discussed it with my wife. She said,
9 "It's a bit odd he did that you know, at that sort of
10 age" --

11 Q. Uh-huh.

12 A. -- but at that time I didn't -- I hadn't thought
13 anything about it.

14 Q. And you -- just about [DL 140] here, he wasn't -- did
15 you ever remember [DL 140] speaking to boys about
16 sexual matters or --

17 A. Not back -- I wasn't -- he came just shortly before
18 I left. So I have no real memory of him at all.

19 Q. You also then in paragraph 21 recall the nuns coming
20 into Rubane --

21 A. Yes.

22 Q. -- and calling them ". I think maybe only
23 one of them was . Is that right or is
24 that (inaudible)?

25 A. Both of them had worked. One of them was and

1 the other one was Irish, but they were called
2 because they came over from an
3 convent or something like that.

4 Q. You certainly remember a certain amount of flirtation
5 between the boys and --

6 A. Oh, yes. Well, one of the nuns was younger, the one
7 that's -- **SR 3** was probably in her .
8 **SR 31** was just in her early . So, of course, you
9 have teenage boys and a girl in her . A bit
10 flirtation, yes.

11 Q. Then, going on, you were asked obviously when you were
12 asked to prepare this if you remembered a BR1. You
13 would certainly have read about him, but he was not
14 there to your recollection when you were there.

15 A. I have no recollection of -- that name most certainly
16 didn't ring a bell when I was where. Just I heard stuff
17 afterwards, you know.

18 Q. Uh-huh. You talk about in paragraph 23 here about boys
19 that you do remember, and we have already heard you talk
20 about the boy who was in the school corridor
21 that time --

22 A. Right.

23 Q. -- who you describe as "streetwise and sexually aware".
24 You say they tried to entice you in and essentially
25 seduce you. They would then seduce others by telling

1 them that they had done it with you.

2 **A. Uh-huh.**

3 Q. You say there were boys who were, as you describe them,
4 sexually disturbed, one of whom you name as HIA147 --

5 **A. Uh-uh.**

6 Q. -- who had been with you in Nazareth Lodge.

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

8 Q. You recall one occasion where he stood in the middle of
9 the dorm and masturbated.

10 **A. That surprised me. Not full masturbation, but he most**
11 **certainly exposed his penis, held it and stuff and went**
12 **through the motions of masturbation, and was jumping**
13 **about like a maniac, and I remember at the time**
14 **thinking, "This is crazy". That came into my head**
15 **strangely from -- as I say, when I left Rubane and all**
16 **that, it was out of my mind for years and years.**
17 **Strange enough it was just -- I was in Spain at the**
18 **time, living with my wife in Spain, when it came up in**
19 **a news report, and that just sort of popped in, you**
20 **know, something about him abusing someone else or**
21 **something. It popped -- it came on to the news thing**
22 **and I just went -- I maybe discussed it with my wife,**
23 **you know. He was obviously a very disturbed person, you**
24 **know.**

25 Q. But in moving on through your statement you talk about

1 the -- no real criticism of the individual Brothers that
2 looked after you, but you were nonetheless glad to get
3 out of Rubane, and you considered it was badly managed,
4 under-staffed and under-resourced. Again you talk about
5 the biggest problem being this mix of the two types of
6 children in the home.

7 **A. Yes.**

8 Q. You certainly were never physically abused or sexually
9 abused by a De La Salle Brother. You do talk about
10 an electrician coming into the home, however --

11 **A. Uh-huh.**

12 Q. -- who grabbed you in the chapel.

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

14 Q. And it was the only time that you had ever been sexually
15 assaulted in the home by an adult.

16 **A. I had -- I gave him a wide berth after that, yes.**

17 Q. Did you ever tell anybody about it, DL445? Did you ever
18 go and talk to one of the Brothers and say --

19 **A. No. I have heard this question put to loads of people
20 all the time and it's a thing -- I mean, you get to
21 a certain age and you're just aware that there seemed to
22 be this whole environment of sexuality going on all
23 around you. That's why I was just -- keep your head
24 down, get through it, make sure you do not get affected
25 by it and get out the other end, and that was it. So**

1 the idea was just when you realised someone behaved that
2 way, you just gave them a broad -- I mean, I was not the
3 sort of person that wanted to get anyone into trouble.

4 Q. Uh-huh.

5 A. So you just -- I mean, it didn't go any further than
6 just grabbing me once and that was it, but I don't care.
7 That's it. You don't get near me again and that's it.
8 I don't even talk to you. So you just leave it.

9 Q. Okay. In paragraph 29 here you saw about -- you talk
10 about getting the cuff, but it wasn't overly -- it
11 wasn't an overly robust regime in the home, and none of
12 the Brothers ever raised their hand to you, and you have
13 a distinct memory of BR6 using the cane but always
14 taking the boy outside the classroom to do that --

15 A. Yes.

16 Q. -- before administering punishment, and you say that it
17 was, you know, a paradox, but he was a gentleman about
18 the caning. I think you meant by that shaking hands
19 afterwards --

20 A. Yes.

21 Q. -- and there being no ill feelings. You say you never
22 witnessed any boy being caned in front of the class or
23 made an example of at any stage.

24 A. Yes. I found that strange when I heard some people
25 bringing that to your attention. I have never witnessed

1 that. I have never -- we have never been gathered to
2 watch other people being punished. Any punishments that
3 were dispensed were dispensed by BR6 and most -- mostly
4 took place outside his school office, which was in the
5 corridor of the school.

6 Q. Now one of the things that happened to you when you were
7 in Nazareth Lodge is that you were fostered out to
8 a family who volunteered to take you out --

9 **A. Yes.**

10 Q. -- during your summers and easters and Christmas
11 holidays.

12 **A. Yes.**

13 Q. And that contact with them continued when you moved to
14 Rubane.

15 **A. It did.**

16 Q. You got regular phone calls and you remember they
17 visited a couple of times.

18 **A. Uh-huh.**

19 Q. And when you left, you went to live with the [REDACTED],
20 but can I just check whenever you were in Rubane, you
21 still went out to them at Christmas and summer?

22 **A. I did, yes. I went out all the major holidays. There**
23 **was just one Christmas I didn't go out, because my**

24

25

. So

1 they couldn't take me out that year, but every other
2 time from when I was right through from the Lodge
3 I went up to them for all the holidays, yes.

4 Q. And when you left, you went to live with the [REDACTED]

5 A. I went to live with them, yes.

6 Q. You say the first person you met who showed an interest
7 in your welfare after you left Rubane was a
8 NL 40 , who you recollect was the

9

10 A. Yes. I met him a couple of times in Kircubbin prior to
11 going out, who was basically to try and work out some
12 sort of work for you, but once he knew I was sort of set
13 up with [REDACTED], he sort of eased off a bit. He was
14 more interested in people who had nowhere to live,
15 because we all just said he was the person that sorted
16 out what they termed then the digs. So his name was
17 NL 40 . So we called him

18 Q. Okay.

19 A. I remember that okay, but, I mean, obviously I had the
20 [REDACTED] to go to, which I was most grateful for.
21 That's noticed to be going back to Nazareth Lodge, but
22 the [REDACTED] turned out to be -- both of them are dead
23 now -- absolutely incredible people.

24 Q. Uh-huh. Just you say you obviously had no social
25 worker. You would have been a voluntary placement at

1 the time.

2 **A. Yes.**

3 Q. But you do remember the occasional visit by a doctor,
4 but by and large it was the nuns and the Brothers who
5 looked after -- you had problems with your leg, and
6 I know you speculate here as to -- when you had problems
7 in later life, as to there may have been some sort of
8 vaccine trials or something.

9 **A. Yes. Other people -- other people brought -- put into
10 my head -- other doctors stated -- I just wanted to
11 know, because I had neurological problems.**

12 Q. I mean, you set that out in your statement there --

13 **A. Yes.**

14 Q. -- DL445, but can you just confirm that is pure
15 speculation on your part and nothing more?

16 **A. It is speculation, yes, yes.**

17 Q. In paragraph 34 to 35 you talk about when you left
18 Rubane and you said that you just left. A lot of the
19 Brothers weren't there when you were leaving in April.

20 **A. In fact, I remember now they weren't on holidays. They
21 were actually on a retreat at the time. So when I left
22 there was -- BR3 was still there. BR13 was still there.
23 I remember saying goodbye to BR13. I don't know if BR3
24 wasn't about at the time. I think I was given my bus
25 fare and I just had a little suitcase, but they knew**

1 **what I was doing, so they didn't have to worry. Just,**
2 **"Off you go". That's it.**

3 Q. You went off to --

4 **A. I went and got the bus and that was it.**

5 Q. -- live with the [REDACTED].

6 **A. (Inaudible.)**

7 Q. I know we were talking earlier and you said certainly
8 for a couple of times you went to the boys' club that
9 was in Belfast --

10 **A. That's correct, in Great Victoria Street.**

11 Q. -- for ex-residents --

12 **A. Yes.**

13 Q. -- but the [REDACTED] sort of discouraged you from doing
14 that and said, "Look, just move on. That part of your
15 life is over and move on". You also said it was a
16 difficult period, because you had not really been
17 prepared in any way --

18 **A. I agree, yes.**

19 Q. -- for what life was like outside the home --

20 **A. Yes.**

21 Q. -- and you said there was no preparation and you felt
22 that your education could have been better.

23 **A. Education could have been. The [REDACTED] TL 4 recognised**
24 **that, and they did put me in contact with someone to**
25 **discuss it, but after being institutionalised for**

1 fifteen and a half years, when they mentioned to me
2 about education, further education, horror, because the
3 ██████████ lived out by . The new college in
4 , had just opened, a
5 huge big building, but to me any large buildings like
6 that were institutions -- just reminded me of
7 institutions and I just couldn't face it. I just needed
8 a bit of freedom, a bit of head space away from
9 institutions and all the rest of it.

10 Q. You talk about your life after care in some of these
11 paragraphs, which I am not going to go into with you,
12 but at paragraph 37 you say you didn't think the
13 Brothers had the necessary training to deal with the
14 sexual activities among the boys.

15 A. I do, you know, in retrospect when I look back now and
16 I most certainly feel that they were pretty much naive
17 to what was going on. I mean, there were some kids in
18 there who, I mean, truthfully they were so sexually
19 astute they could have seduced anyone. They were really
20 so streetwise. They came in there. They could have
21 done anything.

22 You mentioned yourself there as part of the
23 statement that they were going round to kids saying to
24 them, "I did it with so-and-so. There's no problem.
25 This is normal. You should do it too". This is how

1 they were seducing people in all the time. These kids,
2 I mean, they were 14, 15, and they were really on the
3 ball. They knew exactly what they were doing. They
4 were very, very streetwise, and they tried to manipulate
5 the group, and that is why I was so glad when these
6 Brothers started to bring the discipline in. Discipline
7 was necessary and without it the whole place would have
8 been in total chaos.

9 Q. Now, DL445, I know that your own experiences have been
10 positive, largely positive of your time in --

11 A. As far -- as far as institutions go, yes. I wouldn't
12 say I totally enjoyed it, but, I mean, overall I am just
13 grateful to the institutions for being there. I mean,
14 all I know -- I've made contact with my mother since --
15 when I came out, after I met my wife, etc, etc, and if
16 the institutions weren't there, I know what my mother
17 was going to do. She was going to abort and that's it.
18 So I wouldn't be sitting here today. I wouldn't be
19 experiencing anything. She was just going to go to a
20 back street abortionist and have it terminated. So
21 I feel that institutions played a very important part.

22 Q. In you being here today to talk to us.

23 A. Not just being here today --

24 Q. No, but --

25 A. -- but just for me to be living, to experience life.

1 Q. Yes. DL445, one thing, though, I wanted to ask you was
2 despite the fact, I mean, that you were in institutions,
3 you had a positive experience of your time there, but do
4 you accept that others may have had a less positive
5 experience?

6 A. I would think so, yes, yes. Other people did have
7 probably a less experience, but I think that again goes
8 back to a person's nature. I think my own nature, given
9 when I was a child, I have had numerous
10 health issues and all the rest of it, but my own nature
11 is to be absolutely positive and that's what pulls me
12 through --

13 Q. Uh-huh.

14 A. -- but I think other kids probably emotionally they were
15 more retarded in a sense. They didn't know how to work
16 with it, and everything -- they saw everything as
17 negative. I saw -- I experienced that in Nazareth Lodge
18 with some of the kids and I experienced it in Rubane
19 where I -- you were very much aware of certain kids who
20 were just totally -- they were very withdrawn, very,
21 very negative about everything.

22 Q. Well, just finally, one of the things that we -- I have
23 spoken to you about is that you sent e-mails to the
24 Inquiry setting out views.

25 A. Yes.

1 Q. If I may just summarise for you what you wanted to say,
2 and if I haven't got it right --

3 **A. No, no, please do.**

4 Q. -- please correct me. In the e-mails that you have sent
5 to us, which we have seen, you pay tribute to the fact
6 that the institutions were there to care for you when
7 society was indifferent to your plight.

8 **A. Yes.**

9 Q. You praise the vast majority of the good people, as you
10 say, where -- for their honesty and devoted commitment
11 to the safe care of the children and others in their
12 care.

13 **A. Yes.**

14 Q. One of the things that we talked about is that you felt
15 that the State had let -- you feel let down by the State
16 and you mentioned that --

17 **A. That's a good point.**

18 Q. -- there was no real support there for --

19 **A. That's a sore point with me. I do feel in a sense --**
20 **since this Inquiry started, obviously I have been doing**
21 **my own reading up and research, etc. So a lot of stuff**
22 **I didn't know about, the background to the likes of**
23 **Rubane, but I realised obviously -- at first I thought**
24 **it was just completely controlled by the church, but**
25 **then I realised the State actually did have control**

1 there too to set up, and I believe incidents did take
2 place in Rubane prior to me going to Rubane, and that
3 actually annoyed me when I found that out, that the
4 Welfare itself didn't follow up on a regular basis
5 afterwards to see were the kids okay, what behaviour was
6 going on. I mean, obviously we know about -- with the
7 media that's going about at the moment we know what
8 human nature -- how it behaves, and I believe the
9 experts at the time or the professionals should have
10 known that Rubane was sort of an institution not
11 dissimilar to a borstal or a training school, and given
12 the history we know about prisons, etc, etc, they should
13 have known that there were certain behaviours most
14 certainly guaranteed to be going on. I can't understand
15 why they weren't coming to check on it to try to keep it
16 somewhat under control. I believe had the experts or
17 the professional people, had they intervened at
18 an earlier stage, I think a lot of this could have been
19 avoided. I think had they stepped in and said, "We are
20 going to monitor this, keep an eye", a lot of things
21 that people -- the allegations they are making and what
22 happened between boys, etc, etc, could have been much
23 less had they intervened, but no-one intervened. So as
24 far as the kids were concerned it was a free for all,
25 because there was no-one there to question them.

1 Q. Well, DL445, I hope that you feel that we have covered
2 everything that you want to say to the Inquiry.

3 A. More or less, yes.

4 Q. If there's anything you feel we haven't covered, please
5 --

6 A. No, no. I think you brought it up in that point. I was
7 going to, but I think you covered it quite well.

8 Q. Okay. Just finally, you are aware that the Inquiry has
9 to make recommendations to the government about what
10 should happen to those people who were abused in
11 institutions --

12 A. Yes.

13 Q. -- and what form of redress, apology, what you think --
14 what -- have you any views on that?

15 A. I think set up a sort of agency that can work with them,
16 because I think obviously they do need specialist
17 treatment. I know some of them have mentioned about
18 being recompensed monetary-wise. To me that's going to
19 be useless. I think they do need more than just that.
20 They need something much more expert. They need someone
21 who can work with them to bring peace to them. No money
22 can pay for that sort of peace that they need. So if
23 someone -- some experts would work with them, discuss
24 with them, come to clear the thing up, etc. Set up a
25 special agency. Particularly for any kid who is ever in

