

HIA REF: ()
 NAME: (DL 149)
 DATE: (5.11.14)

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of DL 149

I, DL 149, will say as follows:--

1. I have read the documentation provided to my Legal Representative by the Inquiry in relation to the allegations made by HIA 31. I was first made aware of these allegations in or around October 2010.
2. As a result of these allegations I attended on a voluntary capacity for interview on two separate occasions in Dungannon Police Station on 8th December 2010 and Bangor Police Station on 31 January 2014 .
3. On both of these occasions these allegations were put to me by the Investigating Officers and I emphatically denied each of the allegations made by HIA 31 .
4. The Inquiry has had access to those interviews and will note my responses to them all.
5. In particular, I find the allegation that I stripped, forcibly washed or in any way physically or sexually assaulted HIA 31 disgusting in the extreme and I reject it completely.
6. I also consider the allegation made by HIA 31 that he confronted me at a public event in Dungannon in September 2003, assaulted me on three occasions as a ridiculous untruth.
7. I would draw the Inquiry's attention to the fact that HIA 31 has asserted that these assaults were reported to both the Authorities in Rubane House and Social Workers and in particular Social Worker, DL 507 was made aware of these allegations.
8. The Tribunal will note that there are no recorded complaints of abuse by me on HIA 31 in any of the Social Services documentation. That the De La Salle Order have also denied the allegations as made by HIA 31 in respect of me and that that DL 507

presently head of Planning in the South Eastern Trust has no recollection of any incidents as reported by **HIA 31**.

9. All the allegations made by **HIA 31** against me are vile and malignant untruths. I reject them entirely out of hand.
10. I have also read the documentation provided to my Legal Representatives by the Inquiry in relation to the allegations made by **HIA 18**. I was first made aware of these allegations in or around October 2010.
11. Also as a result of these allegations I attended on a voluntary capacity for interview on two separate occasions in Dungannon Police Station on 8th December 2010 and Bangor Police Station on 31 January 2014 .
12. As above the Inquiry has access to those interviews and will note my responses to them all.
13. In particular, I deny all allegations that I at any time physically assaulted **HIA 18**.
14. I consider it a complete fabrication to suggest that **HIA 18** had a broken nose and a fractured jaw as a result of an assault by me.
15. It is ridiculous to suggest that as a result of any assault by myself that the House Master was prohibited from taking any individual to hospital. It is quite simply impracticable that any individual with a broken nose and fractured jaw would not have received medical treatment or that those injuries would not have been recorded.
16. I understand that no medical evidence exists in respect of these injuries. They do not exist because they did not occur. The allegations are not true.
17. The suggestion by that I assaulted an entire football team following a game of Football in Greyabbey is complete fiction and simply ridiculous.
18. All the allegations made by **HIA 18** against me are untruths. I reject them entirely.
19. I have also read the documentation provided to my Legal Representatives by the Inquiry in relation to the allegations made by **HIA 25**.
20. I was first made aware of these specific allegations from **HIA 25** **HIA 25** in or around January 2014.
21. As a result of those additional allegations I attended on a voluntary capacity for interview at Bangor Police Station on 31 January 2014.

22. Again, the Inquiry has had access to this interview and will note the denial by me of all allegations made by **HIA 25**
23. In particular at no time did I in anyway assault **HIA 25** To suggest that I would assault a pupil because they hit a ball past me during the course of a football game is simply ridiculous.
24. All the allegations made by **HIA 25** are untrue I reject them entirely.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: ... **DL 149**

Dated: *5/11/14*

HIA REF: ()

NAME: DL 149

DATE: (12.11.14)

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of DL 149

I, DL 149 will say as follows:-

1. I have read the documentation provided to my Legal Representative by the Inquiry in relation to the allegations made by HIA 41. I was first made aware of these allegations during an interview at RUC headquarters in Belfast, in or around May 1996.
2. During this interview I strongly refuted all the allegations made by HIA 41 against me, indicating that what HIA 41 alleges simply did not happen.
3. I would draw the inquiry's attention to the fact that during this initial interview I was made aware by Constable McArdle that the story fabricated by HIA 41 had not been corroborated by anyone and that there was no medical evidence to back up said allegation.
4. The Tribunal will also note that HIA 41 was interviewed twice during their 1980 investigation, on 24.04.1980 and again on 18.11.1980, during the course of both these interviews HIA 41 had no complaints to make against me.
5. Despite no prosecution arising from the RUC's initial investigations, HIA 41 persisted in making further allegations against me, I therefore attended on a voluntary basis for interview in Dungannon Police Station on 8th December 2010.
6. The inquiry has had access to those interviews and will note my responses to all the allegations made against me.
7. The allegation that I punched HIA 41 to the head, kicked him while he was on the floor and proceeded to stamp on his head to be a complete fabrication.
8. To suggest that I would assault a student for refusing to read a book is a ridiculous untruth and a serious slight on my character as a caring teacher.
9. As I indicated during police interview in December 2010, I wouldn't stamp on a dog's head never mind a child's head.

10. To suggest that I assaulted an individual in the presence of two entire classes, none of which can corroborate said allegations, (it is my understanding that no medical evidence exists that HIA 41 had a bloody nose and mouth as he alleges) is evidence that this story has been fabricated. It did not occur.

11. I strongly refute the fleeting allegation made by HIA 41 (while making reference to the high profile positions I currently hold) that I was sexually and physically abusing the boys in Rubane. The first mention of sexual abuse was made in 2014. HIA 41 does not make any reference to sexual abuse in the previous 24 years. I reject this in its entirety.

12. The suggestion by HIA 41 that I was made aware of serious sexual abuse occurring between pupils and turned a blind eye to it on the basis that the perpetrator was a [REDACTED] is a further untruth that I find most disturbing. It is quite simply ridiculous and beyond comprehension to suggest that any teacher would dismiss such allegations on the basis of a pupil's sporting prowess.

13. All the allegations made by HIA 41 against me are untruths. I reject them entirely.

14. I have also read the documentation provided to my Legal Representative by the Inquiry in relation to the comments made by HIA 260

15. It is ludicrous to suggest that upon arriving at the school and being "addressed" to all the pupils that I proceeded to hit a boy in the face with a ball.

16. The Tribunal will note from the De La Salle response to these proceedings that the surviving Brothers have no recollection of myself hitting boys in he face with a ball. That is because it never happened.

17. All the allegations made by HIA 260 are untrue and I reject them in their entirety.

Statement of Truth

I believe the facts stated in this witness statement are true.

Signed: ...

DL 149

Dated: 12/11/14

STATEMENT OF [REDACTED] HIA 41

and just laid into me punching and punching me. Of all the people in the school [REDACTED] BR 77 was the most feared, violent, evil, sadistic person that I have ever encountered in my life. Everyone feared him, he would severely beat and punish anyone for the most minor wrong. He would take a classroom on camping holidays walking in the mountains. He was super fit and we had to carry all our needs in a rucksack and were expected to walk at his pace and were subjected for the two weeks with human cruelty. Although I have only covered a few beatings I can say the home was run in entire fear and the type of beating I have described were commonplace. I recall a time when I was assaulted by a teacher called [REDACTED] DL 149 it was in his RE class, he gave us our books to read. I said I had read the book the previous time and he said, "Read it again." I said could I not change it to another book and he lost the head and started to punch me and the beating was that severe that the rest of the class stood up and he turned and faced them. He had punched and kicked me and tramped on me.

I would like to say that the statements I made on 24.4.1980 and 18.11.80 I would now like to retract those statements. This statement that I made today is true and correct. I would like to add that [REDACTED] BR 1 was continually, daily, hourly, seen by numerous people with his hand down the front of different boys' trousers fondling them, everyone knew him as a fruit. It was also his routine every Thursday night while we were having a shower he would come in and stand and watch the entire class having a shower and at one stage he would always open the shower and pour shampoo into our hands, while looking at all the boys' penis, he would have spent about 2 hours in

STATEMENT CONTINUATION PAGE PAGE NUMBER 2

STATEMENT OF **DL 131**

were very strict if you did anything to upset them they would have slapped you. I can remember one night I fell asleep in the TV room, **BR 18** came in and wakened me up. He told me if I wanted to sleep to go to bed. I told him I was alright. Just out of the blue he punched me on the face. I was dazed at the time. I just got up and went to bed. I knew better not to argue. I can remember one other occasion I was in the changing room. **DL 149** who was a teacher there came in. He told me to get a move on I answered him back. He just laid into me with his fists and boots. He punched me and cut my lip. He seemed to know where to hit where it hurt the most but didn't show. I can't remember any other incidents because it is so long ago. When I was in Nazareth lodge I can remember **NL 4** who was a Home Warden there treated me and my sister **NL 8** badly in fact she treated all the children the same. She was forever beating us and dragging us along by the hair. I can't remember the exact incidents because it was so long ago. I can't recall meeting a priest called Father Brendan Smyth at Nazareth Lodge or De La Salle. My brother **DL 67** also went to De La Salle.

SIGNATURE OF WITNESS

DL 131

CHECKED AND CERTIFIED A TRUE COPY OF THE ORIGINAL SIGNED :

STATEMENT OF WITNESS

STATEMENT OF [REDACTED] DL 85

AGE OF WITNESS [If over 21 enter 'over 21'] : OVER 21

I declare that this statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 13 day of June 1995

[REDACTED] DL 85
SIGNATURE OF MEMBER SIGNATURE OF WITNESS
by whom statement was recorded or received

I am known as [REDACTED] DL 85 I was born in [REDACTED] on the [REDACTED] of [REDACTED]. When I was ten years old I was put into the Good Shepherd Convent because my parents split up and my mother was unable to cope. I stayed there for around eight months and was then moved to the De La Salle Home, Kircubbin. Nothing happened to me while I was there. My sister [REDACTED] GSD 13 was also in the Good Shepherd. She stayed there until she was sixteen. When I went to De La Salle I lived in Chalet 2. [REDACTED] DL 11 and [REDACTED] DL 12 were the house parents. Brother [REDACTED] BR 2 was in charge of the home at the start and then Brother [REDACTED] BR 1 took over. Nothing happened to me while I was there other than getting the odd slap on the head for not doing what I was told. Some of the Brothers were quite strict. I can remember a few incidents when other boys were severely treated. A fellow called [REDACTED] DL 121 was in the [REDACTED] room one day. He went to go to the toilet without asking permission. The [REDACTED] teacher who was called [REDACTED] DL 149, he was from [REDACTED], tried to stop [REDACTED] DL 121 from leaving. [REDACTED] DL 121 tried to walk on and [REDACTED] DL 149 punched him in the face. There was a scuffle between them and the boys broke it up. I can remember another time being in the changing rooms when [REDACTED] BR 77 came in. [REDACTED] BR 3 who

STATEMENT OF WITNESS

STATEMENT OF [REDACTED] DL 121

AGE OF WITNESS [If over 21 enter 'over 21'] : OVER 21

I declare that this statement consisting of 2 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 18 day of July 1995

[REDACTED]
SIGNATURE OF MEMBER
by whom statement was recorded or received

SIGNATURE OF WITNESS

Further to my statement dated 14th of February 1995 I have been asked about an incident involving a teacher called [REDACTED] DL 149. I can remember this particular incident. I was in the [REDACTED] room one day during school hours. I asked him if I could go to the toilet. He refused to let me go. When his back was turned I sneaked off and went to the toilet. When I returned he came walking towards me and was taking his watch off. He said, "I have been waiting for this", and something else which I didn't make out. He punched me into the corner. I gave him back as good as I got. Some of the other lads split us up a couple of times. It stopped when [REDACTED] BR 3 came down the stairs and shouted. I was brought before [REDACTED] BR 3 about the incident and gave him my side of the story. [REDACTED] DL 149 was also spoken to about the incident. I was brought back in and was told there would be no further action. It appeared to me [REDACTED] BR 3 thought we were both at fault. One time I was leaving the school I remember I got a chance to look at the punishment book which was kept [REDACTED] BR 3 office. There was a note about the incident saying I had attacked [REDACTED] DL 149 [REDACTED] BR 3 was the Headmaster of the school at that time. He was also known as [REDACTED] BR 3 There is nothing else I can

STATEMENT OF WITNESS

STATEMENT OF [REDACTED] DL 96

AGE OF WITNESS [If over 21 enter 'over 21'] : OVER 21

I declare that this statement consisting of 1 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 26 day of July 1995

[REDACTED]
SIGNATURE OF MEMBER
by whom statement was recorded or received

[REDACTED] DL 96
SIGNATURE OF WITNESS

I am the above named person and I reside at an address known to the Police. With regard to the statement I made to D/Constable [REDACTED] on 12th June 1995 regarding my stay at De La Salle Children's Home 1976 until 1980, I wanted to add to that statement something which I observed at the home which may be of interest to the investigation. When I was in De La Salle I was in a dorm along with other boys, some of which were [REDACTED] DL 250 and his brother [REDACTED] DL 251, a [REDACTED] DL 55, [REDACTED] DL 252 and a [REDACTED] DL 253. Whenever we all had showers, Brother [REDACTED] BR 1 would peep from behind the shower curtain. He would wash some of the boys with soap, he would wash their back, backside and legs. He insisted on holding onto the shampoo and he would wash the boys' hair. I felt very unhappy about this and I brought my own shampoo as I felt this was unnatural. I mentioned this on a statement I made to Police on the 24th April 1980. The only other thing I can remember is [REDACTED] DL 149, who was in charge of chalet two, gave [REDACTED] DL 64 [REDACTED] DL 64 a severe beating on a [REDACTED] one day in front of 22 people. I didn't tell the other Detectives about this as they arrived out of the blue and caught me by surprise.

In that statement he describes a serious assault which he witnessed on DL 64 DL 64 by DL 149 which occurred in in front of a crowd of people.

However DL 64 had been interviewed on three previous occasions when he made statements which are attached at Part II, pages 25-29 but he made no complaint in relation to Mr DL 149

On 3.4.96 D/Sergeant spoke to DL 64 DL 64 by telephone in relation to DL 149 DL 64 confirmed the assault as described by DL 96 and also a further assault in a classroom. He stated that he did not wish to make a complaint about the assaults because he was partly to blame.

And how often would that have taken place during the week, was that a fixed evening.

DL 149

The four days of the working week, I wouldn't have done it on a Friday evening 'cos I would always have been going home on a Friday evening.

Uh huh. So your involvement with pupils there was as a teacher and as a, activity.

DL 149

After school activities [REDACTED]

Right. The first complaint is made by a boy by the name [REDACTED] HIA 41 [REDACTED] Before going into what he actually alleges can you recollect that person.

DL 149

Yes I can remember him yeah.

What, what can you tell me about him Mr

DL 149

DL 149

Well em I suppose my impression of him was he was someone who tended to be a little bit sly I suppose, maybe more than some of the boys

around him. He had this sort of sly attitude where he sort of sneered quite a bit and maybe tried to give the impression that he was better than the rest or could eh be smarter than the rest, in a sort of a sense of the word that, trying to be cute rather than clever.

Right. Is there anything in particular sticks out in your mind about him.

DL 149

Em no specific thing other than to say that I, from my opinion, I wouldn't consider that he was the most popular boy among them because of that sort of nature, that side of him, where he had the sort of sly attitude.

He was interviewed by police on the 16th of January of 95, eh you might be wondering why we're just getting round to speaking to you now when this statement was taken way back at the early part of last year. As I've already explained to you it was a quite indepth investigation, and it was decided at an early stage unless there was some specific, very serious allegation that required immediate

○
imagine myself it would be very very easy to lift a hand and give him a, give him a slap on the ear. If, for the only reason to be, to say I'm the boss here, if I tell you to do something go, go do it. Surely it must be very hard to restrain your temper under situations like that where a boy is giving cheek to you in front of a number of other boys.

DL 149

I appreciate what you're saying it may be difficult, but at the end of the day that's our profession.

Uh huh.

DL 149

○
We have to be in control of ourselves and we have to take another approach, much as it may be difficult to do, but we still have got to do it.

Uh huh. What if part of that is true in that he says Mr DL 149 told me to get a move on, I didn't feel like it and I started giving him cheek and answering him back. Let's suppose that did happen.

VIEWS AND
RECOMMENDATIONS
OF SUPERVISING
OFFICER*

(In fast stream cases, the
recommendation must be
from an officer not below
the rank of Inspector)

It is obvious from reading these papers that **DL 149** used violence on the boys on occasions.

However although the alleged assault on **HIA 41** took place in an **class**, no one has corroborated it. In **DL 131** case, no one else was present to witness the assault.

DL 121 account is somewhat corroborated by **DL 85** **DL 85** though they disagree at what stage the assault took place (ie, **DL 121** said on the way back from the toilets while **DL 85** stated **DL 121** was stopped en route).

However **DL 149** counter-allegations and description of the incident during interview leads me to concur with D/Sergeant McArdle's synopsis at Page 11 of his report.

I therefore recommend "No Prosecution".

Name & Rank: _____ **DL 149** D/Inspector

Signature: _____ **DL 149**

Date: _____ 1 August 1996

Reference C61/216/96

SUBJECT: ALLEGED PHYSICAL ABUSE BETWEEN 1975 AND 1982 AT RUBANE HOUSE, KIRCUBBIN

R v [REDACTED] DL 149

Royal Ulster Constabulary
Crime Department
Knocknagoney House
Knocknagoney Road
BELFAST
BT4 2PP

19 August 1996

Legal Registrar

Forwarded for directions please.

This is file [REDACTED] in a total of 41 files being prepared in relation to various allegations concerning staff at Rubane House, Kircubbin.

The history and management of Rubane House is outlined in file No 1.

As regards this case 3 ex members of the home, HIA 41, DL 131 and DL 121 DL 149 have made allegations of physical assault by DL 149

During the 1980 investigation these complainants were interviewed and made no complaints, now they have made quite specific complaints of assault by DL 149

Whilst there is, in my view, substance in their complaints, the evidence falls short of that required to sustain a case against DL 149

I therefore recommend 'No Prosecution.'

S. J. Omeby
S J OMSBY
A/D/Superintendent
for Chief Constable
Ext 21861

ROYAL ULSTER CONSTABULARY
HEADQUARTERS
19 AUG 1996
CRIME ADMINISTRATION UNIT
KNOCKNAGONEY

RECEIVED REGISTRY
24 AUG 1996
OFFICE OF THE DIRECTOR
OF PUBLIC PROSECUTIONS

ROYAL ULSTER CONSTABULARY
HEADQUARTERS
27 AUG 1996
REGISTRY
CRIME ADMINISTRATION UNIT
KNOCKNAGONEY



Department of the Director of Public Prosecutions

Royal Courts of Justice Belfast BT1 3NX
Belfast 542444

RUC Ref: C61/216/96

DPP Ref: 3640/96

SUBJECT: ALLEGED PHYSICAL ABUSE AT RUBANE HOUSE
R -v- **DL 149**

Chief Constable

DIRECTION

I direct no prosecution.

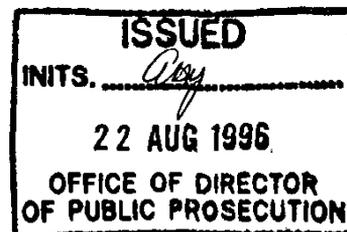
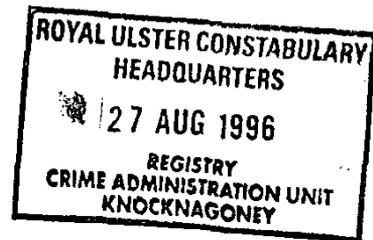
After the time that has elapsed, it is considered that there is no reasonable prospect of convicting **DL 149** of any of the offences alleged.

Police investigation file is returned herewith.

A T G White

A T G WHITE
for Director of Public Prosecutions

22 August 1996



AW/MB

PRIVATE

some of the residents proving this point, he took the boys for activities after school hours in the field below the house and the all weather pitch.

I have attached an incident he attacked me in school. The Religious [REDACTED] teacher at the school was a man called [REDACTED] DL 149 [REDACTED]. I am aware that at that time he was a [REDACTED]. He came to the school around 1978. In 1978 when I was around 14 years old I can remember we had went into his classroom. He had his head bowed at this desk. He said to us, "Get a book and read it". He produced a box containing books. I was sitting at the end desk to his right as he looked down the class. He threw a book across to me. I said, "Sir, I've read the book", and passed it back to him. He threw it back and said to read it again. I said, "But Sir I've already read the book". At this point he jumped up from his desk and started swinging punches at me with both his fists. The punches hit me about my head. He came behind me and continued to punch me. Then he pulled me by the hair out of the chair and punched me to the floor, then he started kicking me. He stamped on my head with his foot. Some of the other boys in the class stood up and said, Sir, Sir". He told me to get up off the floor. I was crying at this stage and had to sit down again. My nose and mouth were bleeding. The whole class 4A and 4B witnessed this but no one intervened. As a result of this assault I was totally terrified. I had bumps to my head and my nose and mouth was bleeding. [REDACTED] BR 77 [REDACTED] was a brother and a school teacher and was involved in taking all the camping trips. When I first went to De La Salle he took a group of us camping to Donegal. It involved the Donegal mountains and there was 4 of us to a tent. We got up at 7 in the morning, looked after ourselves, making breakfast and dinner. I then filled my rucksack and with the weight I could barely walk. We were all forced to march non-stop up the mountains. Anyone who didn't keep up was punished by [REDACTED] BR 77 [REDACTED]. I was beaten, nipped and had my hair pulled by Brother [REDACTED] BR 77 [REDACTED]. He also put boulders in my rucksack. I wasn't fit, I had never done any fitness training yet [REDACTED] BR 77 [REDACTED] a supreme athlete expected me to keep up. I was sick, crying all day long. This lasted for 12 hours. When we got back to where the tents were we had to cook our powdered meals. On a lot of

RESTRICTED (when complete)

Statement of Witness

Statement of: **HIA 41**

Age of Witness: **Over 18**

(if over 18 insert 'over 18')

I declare that this statement consisting of _____ page/s, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature of Witness: **HIA 41**

Date: **26/2/2010**

Service/Staff # if police/staff

Signature witnessed by:
(Appropriate Adult)

Signature of Member: **C McClelland**

16793

Date: **26/2/10**

by whom statement was recorded or received

Service/Staff # if police/staff

I attended the De La Salle School at Rubane House, Kircubbin, from around 1977 to 1981. This was a boys home run by the De La Salle Brothers. It was a home for boys who were orphans, came from broken marriages and broken homes. Boys were sent there when they were 11 years old. I was sent here in 1977 when I was 13 years old and previous to this I was at Nazareth Lodge on the Ravenhill Road, Belfast. The _____ teacher at the school was a man called **DL 149**. I am aware that at that time he was a _____. He came to the school around 1978. In 1978 or 1979 when I was around 14 or 15 years old I can remember we had went into his classroom. He had his head bowed at his desk. He said to us, "Get a book and read it". He produced a box containing books. I was sitting at the end desk to his right as he looked down the class. He threw a book across to me. I said, "Sir, I've read the book", and passed it back to him. He threw it back and said to read it again. I said, "But sir I've already read the book". At this point he jumped up from his desk and started swinging punches at me with both his fists. The punches hit me about my head. He came behind me and continued to punch me. Then he pulled me by the hair out of the chair and punched me to the floor, then he started kicking me. He stamped on my head with his foot. Some of the other boys in the class stood up and said, "Sir, Sir". He told me to get up off the floor. I was crying at this stage and had to sit down again. My nose and mouth were bleeding. The whole class 4A and 4B witnessed this but no one intervened. As a result of this assault I was totally terrified. I had bumps to my head and my nose and mouth was bleeding. I was

Signature of witness:

HIA 41

Signature witnessed by:

(Appropriate Adult)

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

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

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

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

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

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

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

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

23 A. I'm sure he is.

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



Em now [REDACTED] HIA 41 says that in eh he says further down his statement the [REDACTED] teacher of the school was a man called

DL 149 [REDACTED] em [REDACTED]

[REDACTED] which in fact what you've said, you've said yourself, came to the school around 1978, eh 1978 or 1979 when I was around fourteen or fifteen years old, I can remember we went to, into his classroom, he had his head bowed at his desk, he said to us get a book and read it. He produced a box containing books, I was sitting at the end desk to his, his right as you looked down the class, he threw a book across to me, I said sir I've read the book and passed it back to him. He threw it back and said read it again, I said but sir I've already read this book. At this point he jumped up from his desk and started swinging punches at me with both his fists.

DL 149

Ridiculous comment, absolutely no truth in that at all, that's, that's fiction again.

He says the punches hit him around my head, he came behind me and con, continued to punch me.

DL 149

No absolutely untrue.

Then he pulled me by the hair out of the chair and punched me to the floor.

DL 149

Not a word of truth in any of that.

Then he started kicking me. He stamped on my head with his foot.

DL 149

This is so ridiculous it's getting even more ridiculous, eh this.

Mm hmm. Some of the other boys in the class stood up and said sir sir, he told me to get off, off the floor. I was crying at, pardon me, I was crying at this stage and he, and had to sit down again. My nose and mouth were bleeding, the class, the whole class. 4A and 4B witnessed this but no one intervened.

DL 149

Not a, not, not a word of truth in this, no, that's a complete fabrication again, that did not happen.

As a result of this assault I was totally terrified, I had bumps to my head and my nose and mouth were bleeding and he says he was never treated for any of these injuries. So again obviously eh you're, you're, you're saying that there's never been a, a, a physical confrontation.

DL 149

Absolutely not.

With yourself and [REDACTED] HIA 41

DL 149

Absolutely not, that is total fabrication.

Em was there any, a verbal altercation with [REDACTED] HIA 41

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

2 So you

3 date that man back until I was a child of 13, what he

4 done to me. You can clearly see this irate,

5 schizophrenic person. .

6 Q. Well --

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

8 Q. If we can move on then from him to BR77. Now you say

9 that he physically abused you on a camping, trip and

10 we've seen photographs of camping trips there. You say

11 that he put boulders in your rucksack.

12 Now police interviewed him again and he says that

13 never happened. You talk about the trip being for

14 fourteen days, and he said that the trip only lasted

15 four days at most, except for once where you went to

16 Ardnabannon and that lasted five days. In his Inquiry

17 statement he said he threatened to put the boulder in

18 the rucksack in order to keep boys in line and ensure

19 they didn't fall behind and the threat of that was

20 enough to make sure that you all did keep up with each

21 other?

22 A. No. The boys out of Nazareth Lodge had no physical

23 training. They were just left out the back to play.

24 Boys from Nazareth Lodge who had been there would have

25 been playing [REDACTED] every day and [REDACTED] and had done

1 says -- he says that to suggest he would assault
2 a student for refusing to read a book is a ridiculous
3 untruth and a serious slight on his character as
4 a caring teacher.

5 **A. He is an animal, not a caring teacher. Animal.**

6 Q. And he says to suggest he would assault an individual in
7 the presence of two entire classes, none of which can
8 corroborate the allegations, is evidence you have
9 fabricated the story.

10 He also goes on to talk about another matter that
11 you say that you spoke to him about at one stage --

12 **A. Yes.**

13 Q. -- and I'll come back to that in due course, but
14 essentially he is saying what you have said about him is
15 not true, HIA41. Is there anything you want to say
16 about that?

17 **A. He was a vile, vicious man. If you go back to a couple
18 of months ago where**

19
20
21 -- the mask had slipped of this white
22 sepulchre of a man. He would have done a lot worse.
23 That mental psychopathic outburst that he had is clearly
24 seen on -- .

25 . He's still

because we had run away from the welfare authorities and they had to get a court order to send us both to Rubane House in Kircubbin.

Rubane House, Kircubbin (1973)

4. I went to Rubane House, Kircubbin when I was eight years of age. It was a secondary school and I should not have been there because you had to be eleven years of age to go there. I was sent there with my brother **DL 358** who was three years older than me and we were sent there by a court order. The authorities split my whole family up.
5. In Kircubbin some of the brothers and the teachers beat you. **DL 6** the **DL 6** threw chisels and mallets at you, slapped you on the back of the head and kicked you. **DL 1** the **DL 1** of the school also hit me. On one occasion the **DL 1** tried to hit me with a metre stick and I lifted a chair up to protect myself. She reported me to **DL 1** and he punched me in the stomach and winded me. **BR 10** would also punch and kick the pupils at school and he hit me on various occasions.
6. When **DL 149** arrived at our school we were told that there was a **DL 149** but when **DL 149** arrived at the school it was a big disappointment. He came in to teach **DL 149** as well as **DL 149**.
7. Every so often the brothers and civilian staff would **DL 149** against the boys. It was just part of training and helped to keep everyone fit. On one occasion we were **DL 149** and I was running down with the ball about to shoot and I got sandwiched between Brother **BR 10** and **DL 149**. **DL 149** started punching and kicking me. He broke my nose, my jaw and busted my knee cap but I wasn't taken to hospital. I was thirteen at the time. **BR 10** told me to go to the sideline, get cleaned up and back onto the pitch, they didn't care. When I arrived back to the house all the other boys saw me and said it was a disgrace that I had not been taken to the hospital. **DL 12** was my

house parent and she was also a trained nurse. She said my nose had been broken and she offered to take me to hospital but the brothers wouldn't give over the car keys and all transport belonged to the home. We had to do head counts each day with all the boys from the other chalets and the home so everyone saw that I had been injured.

8. There was more than one incident with **DL 149**. If you didn't get out of the **DL 149** would be standing at the top of the steps onto **DL 149** and he would hit you a punch and tell you to hurry up, and he would give you **DL 149** to do if you weren't on the pitch on time. On one occasion we were to play a **DL 149** and **DL 149** had beaten the crap out of us so we got together and decided we would let the other team beat us as **DL 149** hates losing to get our own back on him and the Brothers. After that we would get beatings for not winning the match. The other boys on the team were **DL 31** and **DL 55**, **DL 44** and **DL 54**, **HIA 31** and **HIA 25** and **DL 144**, **DL 144**. That was just one way we got back at the Brothers because if we hit them they would call the police but it was different when they hit us, we weren't allowed near a phone.
9. I was sitting on the stage at the top of the gymnasium hall on one occasion waiting to **DL 31** when one of my mates in the class, a boy called **DL 31** kicked the ball, hit me up the face and knocked me off the chair. It was only horseplay and I joked that I would get him back **DL 31**. I was just messing about **DL 149** and **DL 149** grabbed me by the back of the head, took me straight out onto the middle of the floor in the gym and started punching and kicking me. Above the gym is a small hatch that leads onto an office used by the brothers. They could open it and see what was going on. The principal of the school, **BR 3** saw what happened and called **DL 149** and I up and he said to **DL 149** "I warned you before about beating the boys up but I can't sack you. I'd love to sack you but I can't". **DL 149** would have been employed by the De La Salle Order whose Headquarters were in Dublin so it would not have been **BR 3** who would have had the power to sack him.

1 then says:

2 "In relation to the allegations made against me
3 personally I categorically and emphatically deny and
4 refute these. I never punched a pupil in my life."

5 So what he is saying, HIA18, is, "I didn't do that".
6 Is there anything else you want to say about what
7 happened?

8 **A. No. He did hit me. I know. I was there.**

9 Q. We have touched on the female art teacher. She was
10 a civilian who had come in, and the metre stick. That
11 was the only altercation you ever had with her?

12 **A. Yes, and the same with DL1.**

13 Q. And the only one with DL1?

14 **A. Yes.**

15 Q. Then you describe various incidents involving DL149.

16 **A. Yes.**

17 Q. Again his name is one that shouldn't be used beyond the
18 chamber. He arrived, Members of the Panel, in
19 August 1977. So by that stage HIA18 would have been 13.
20 He remained a teacher in the school until 1982, which
21 was after you had left, HIA18. So he was still there by
22 the time you had left.

23 If we look, please, at paragraph 7 at 426, and you
24 say:

25 "Every so often the Brothers and civilian staff

1 then says:

2 "In relation to the allegations made against me
3 personally I categorically and emphatically deny and
4 refute these. I never punched a pupil in my life."

5 So what he is saying, HIA18, is, "I didn't do that".
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10 a civilian who had come in, and the metre stick. That
11 was the only altercation you ever had with her?

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13 Q. And the only one with DL1?

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17 Q. Again his name is one that shouldn't be used beyond the
18 chamber. He arrived, Members of the Panel, in
19 August 1977. So by that stage HIA18 would have been 13.
20 He remained a teacher in the school until 1982, which
21 was after you had left, HIA18. So he was still there by
22 the time you had left.

23 If we look, please, at paragraph 7 at 426, and you
24 say:

25 "Every so often the Brothers and civilian staff

1 would play a match against the boys."

2 Now, as I said to you, the individuals that the
3 Inquiry is dealing with, various of them take issue with
4 various parts of people's accounts as we go, and you are
5 no different in that respect, and one of the points they
6 make is the teachers wouldn't have played the boys. It
7 might have been a teacher playing in a team.

8 **A. No. There was staff -- there was staff and some of the**
9 **boys played against the rest of us in the team, the**
10 **actual football team.**

11 Q. Right. It wasn't the case of a team of staff playing
12 a team of boys as such. It was --

13 **A. Mixed.**

14 Q. -- mixed?

15 **A. Yes.**

16 Q. And on one occasion you were playing football on the all
17 weather pitch:

18 "I was running down with the ball about to shoot and
19 I got sandwiched between BR7" -- that's BR10 -- again
20 his name shouldn't be used -- "and DL149", which is
21 DL149.

22 You say:

23 "DL149 started punching and kicking me."

24 Now can you remember -- and if you can't just tell
25 the Panel you can't -- do you remember at what point --

1 if he came in '77, you were 13. Can you ground in any
2 way what age you were when this happened, this incident
3 that you are describing?

4 **A. 13.**

5 Q. So this was shortly after he arrived?

6 **A. Yes.**

7 Q. And you say he started punching and kicking you.

8 "He broke my nose, my jaw, my knee cap -- busted my
9 knee cap. I wasn't taken to hospital."

10 I was asking you when you say you broke your nose
11 and "my jaw", that's using layman's terms for you were
12 hit very hard and injured, because you were never
13 x-rayed to -- I think with your nose the point you made
14 to me was you could tell it was broken because of the
15 shape it had gone to.

16 **A. Yes.**

17 Q. In terms of your jaw being broken, nobody x-rayed it?

18 **A. No.**

19 Q. But it is the damage that was done in terms of pain and
20 swelling that it was being --

21 **A. Well, I was told there was a crack in it with DL12.**

22 Q. That's DL12 --

23 **A. Yes.**

24 Q. -- who you describe cleaning you up and helping you.

25 Can you remember how this happened? You were playing on

1 the all weather pitch, the gravel pitch. How did it --
2 how did the assault come to take place? What had he
3 done that or what had you done that had annoyed him or
4 what had happened?

5 **A. They just stood, the two of them, and I had the ball**
6 **about to shoot. They sandwiched me and run me straight**
7 **into the wire meshing, and DL149 started punching and**
8 **kicking me and BR10 just turned round and says to me,**
9 **"Go and get cleaned up and back on to the pitch".**

10 Q. So BR10 told you to go and --

11 **A. Get cleaned up.**

12 Q. -- get cleaned up. Had you done anything you are aware
13 of --

14 **A. To receive that beating?**

15 Q. -- to prompt the loss of temper or why did he start?

16 **A. To be honest, DL149 was always bad tempered, short fuse.**

17 Q. So whatever happened on the football pitch, that's how
18 he reacted?

19 **A. Uh-huh.**

20 Q. And you --

21 **A. He hated losing.**

22 Q. And you describe in -- if we just scroll down a little,
23 you are saying:

24 "DL12", DL12, "was my houseparent. She was also
25 a trained nurse."

1 I don't think the Order think she was a trained
2 nurse per se, but she said to you that your nose was
3 broken?

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

5 Q. She was going to take you to hospital but didn't have
6 a car. I think the Order would say they don't accept
7 that they would ever have prevented anybody being taken
8 to hospital who needed to go to hospital.

9 **A. Well, I'm not the only one.**

10 Q. But what you do say to the Inquiry in paragraph 8, you
11 say that there were -- there was more than one incident
12 with DL149. If you didn't get out of the changing rooms
13 on time and down on to the football pitch, DL149 would
14 be standing at the top of the steps of the all weather
15 pitch and he would hit you a punch and tell you to hurry
16 up. Where was that? Was that to your body area?

17 **A. Anywhere. As you run by he swung at you.**

18 Q. You also describe getting extra training on the pitch as
19 a punishment. That might not be that unusual, but the
20 punching might be a different matter.

21 You then describe:

22 "On one occasion we were to play a football match",
23 and you say that:

24 "DL149 had beaten the crap out of us. So we got
25 together and decided we would let the other team beat

1 us, as he hated losing, and that would get our own back
2 on him."

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

4 Q. Can you remember:

5 "He had beaten the crap out of us",
6 when you say "us", is that --

7 **A. The team.**

8 Q. -- the football team? Can you remember --

9 **A. Not all the football team. Those that disobeyed his
10 order.**

11 Q. And what was his order?

12 **A. His orders were we were to have a football match that
13 evening. Half the day at school. We went out to the
14 beach, and we weren't allowed to -- there was a wee
15 island. The tide was out. We weren't allowed to walk
16 over to it, but we did, us only being kids, you know,
17 and because we done that, when we got back to the
18 school, he punished us for it --**

19 Q. And --

20 **A. -- and then later that evening, well, we lost the match.**

21 Q. And I presume that didn't go down terribly well?

22 **A. No.**

23 Q. And you mention other boys who were on the team with
24 you. I think one of your would have played on
25 that team with you. Is that right?

PRIVATE

24. Other boys that tried to run away were [DL 73] [DL 415] and [DL 29] [DL 29] When I was about 12 or 13 we tried to steal a speed boat and a yacht. We were caught and we ended up in court.
25. I was bullied and sexually assaulted in Rubane.
26. I was bullied by the older boys. The staff were paying the bullies to bully us.
27. We were given pocket money on a Friday. If you were good at your school work or worked in a chalet you got pocket money. I bought bars of chocolate with my money but the bullies took the chocolate off me.
28. Boys who were sexually assaulted by the staff in Rubane sexually assaulted other boys.
29. Strangers came to the home and took young boys who were about 10 or 11 years old out. They returned the boys a couple of hours later. The boys were being sexually assaulted. I don't know the names of these people. It could have been a local farmer or anybody.
30. I was taken out of the home some weekends by a woman called [REDACTED] from [REDACTED] She worked at the swimming pool. She was very good to me.
31. I was physically and sexually assaulted by [DL 149] He was the [REDACTED] teacher.
32. He started teaching us how to [REDACTED] but he was rough with us. If you didn't get the ball or do what he told you he would kick you on the backside or hit you on the back of the head with his fist or he would put his knee in your back. He used to sweep your feet from under you to make you fall. He did it to all the boys.

1 this happened in the home and when it happened?

2 A. Let me see. In the home there was called boundaries,
3 wee dark spots you weren't allowed, like down in the
4 farmyard. Out of bounds. If you got caught down there,
5 you got grounded. If you went down the woods, you were
6 grounded. If you went out of the circle, out of the --
7 out over the gate on the main road, you got grounded.
8 You got punished for it. You got a severe beating and
9 then -- that was by the Brothers themselves. You know
10 what I mean? Some Brothers in there were okay, but some
11 were real devils, disciples in disguises wearing their
12 big flacks -- their big black robes, and sometimes when
13 they were talking to you in the yard, they were playing
14 with themselves, putting their hands in their pockets
15 and having a wank, and we caught on to them what they
16 were doing.

17 Then DL149 came in. The Brothers -- BR3 told us
18 DL149 was coming in, ,
19 . We went, "Who the heck is
20 he? Who is DL149?" We never heard of him before. We
21 were meant to give him -- when he came in, we were meant
22 to stand up and give him a round of applause. We all
23 left (inaudible) sitting there and he is a gobshite.
24 Then he started bullying us. He -- in his staff room
25 where he got changed -- when we came in the back, we

1 went straightforward into the cloakroom where we changed
2 into our footwear, you know, for the school, and then
3 you had a wall where the boys went and changed. Then
4 you had another wall where the showers were. DL149's
5 office had like a survey like you see in prison cells.
6 You could open it and close it. He was watching boys
7 undressing and taking showers. So if he is not
8 a paedophile, why did he have that hatch? I caught
9 DL149 playing with himself when boys were taking
10 showers, and any other time when DL149 used to say,
11 "Boys, right, put your hands out", the boys would have
12 one hand down covering their privates and the other one
13 out and he used to slap you. "Put your two hands out"
14 and he would look at your privates and go, "That's not
15 big enough. You haven't grown yet". Know what I mean?
16 You are only a wee child like that, haven't even matured
17 yet and he's slagging you about that, "Look at the size
18 of your manhood. You are no good to me".

19 Then one time I came back from an outside
20 appointment. My school mate was in unfortunately. It
21 was the last Friday on the day they were in doing the
22 last activity doing ■. DL149 got them all undressed,
23 showered and all. I came in. He grabbed me, stripped
24 me naked, pulled me by the hair. He assaulted my
25 privates and he was to stick something up my arse in the

1 shower. I broke free.

2 BR3 was in -- let me see -- in his office upstairs
3 in the school, and when I ran into the assembly hall,
4 I shouted "BR3". BR3 popped his head out of the pigeon
5 hole looking in to the assembly hall and he shouted down
6 to DL149, "You were told about this before. Any more
7 sexual behaviour towards the boys you have to be excused
8 from the home" and DL149 turned round and said to BR3,
9 "Who the fuck are you talking to?" Know what I mean?

10 That's not the first time DL149 has done this to me.
11 He is done it twice, on two occasions. I'm just already
12 saying.

13 There is another thing I haven't told yous about
14 what happened to me in the home about where that
15 paedophile Smith, he got me down in towards the
16 farmyard. He sexually assaulted me, pulled my pants
17 down. He played with me for no reason at all. I didn't
18 know what to do. He said, "If you tell any of the
19 Brothers or any of the staff, I am going to slit your
20 throat and I am going to bury you down in amongst the
21 rubbish". So I never told anybody that for years. I am
22 terrified of priests. Know what I mean? Anybody I seen
23 in the cloth I run away from them. I don't believe in
24 God, because when I was there, I was forced to go to
25 mass, forced to be an altar boy, forced to be everything

1 Now after BR 2 slapping me the night
2 before and they giving me it black and blue all over
3 round my privates, the only place I was not bruised was
4 my face and here. They knew where to hit me. That
5 lasted for two hours. I couldn't sit down. I wasn't
6 allowed to see the Welfare. I don't know if it is in
7 your report saying I fell off a 45 foot tree, and I am
8 scared of heights. So how can I climb up a tree and I
9 don't like vertical? I'm scared of heights. These two
10 nuns stated that I fell out of a tree. When I asked
11 them ones to bring the police in, "Oh, sure, the police
12 won't do nothing. You ran away". You know what I mean?

13 Now Brother -- I'll probably get the two Brothers
14 confused. BR1 and BR77, they were two devious ones as
15 well, and BR10 from , he was a predator with
16 DL149. When certain boys were getting beat up by DL149,
17 DL149 and BR10 ganged up on the two -- on the boys and
18 battered them and sexually assaulted them.

19 Now in '78 DL149 done what do you call it to me.
20 I got a [REDACTED] off him. Right? He didn't like it.
21 He put me in a corner, tied my hands behind my back,
22 spread my legs and kicked me with the ball in my
23 privates, knowing fine rightly I have a medical
24 condition down there by passing blood. He didn't give
25 a shit. That wasn't good enough for him. He put my

1 hands behind my back again without the [REDACTED]. He
2 kicked me in the privates several times. Nothing done
3 about it. I pissed blood. I pished -- I actually
4 pished a pint of blood the next day. I told the
5 Brothers what happened. I was passing blood. They sent
6 me out to a doctor. The doctor sent me to hospital and
7 the doctor turned and says in front of them ones, "It
8 shouldn't be happening. He is getting hit down there
9 too much" and they says, "Ah, sure, kids will be kids
10 because they play [REDACTED]. Boys will get kicked down
11 below with balls", but I wasn't there to tell the doctor
12 by myself that it was DL149, because every time you went
13 to see a doctor, they were in. They were trying to keep
14 you quiet for other people not to say things to them
15 ones.

16 Now they had their own personal doctors. If
17 anything -- like say somebody broke an arm, broke a jaw,
18 got a nose busted or anything like that. They bought
19 a doctor from outside in, paid the doctor to bandage you
20 up. Know what I mean? I time I got stabbed, it took
21 them two hours to take me from Kircubbin, De La Salle
22 Boys' Home into hospital after being stabbed in the
23 back. It took them two hours. I lost what, two, maybe
24 three, four pints of blood and they took their sweet FA
25 time to take me down to the hospital. Know what I mean,

File 61

Prosecutorial Decision for

DL 149

56) M (

S. DCU: F, DCU: DAST, Station: CLOG), 1100674, Causeway #:231050175

Relating to Offences:

- CC2010021200738 CRUELTY TO CHILDREN 08/12/2010 Resulted 19/09/2011 Withdrawn / Summary only
- CC2010021200738 CRUELTY TO CHILDREN 08/12/2010 Resulted 19/09/2011 Withdrawn / Summary only
- CC2010021200738 INDECENT ASSAULT ON MALE CHILD 08/12/2010 Resulted 19/09/2011 Withdrawn / Summary only
- CC2010021200738 ASSAULT OCCASIONING ACTUAL BODILY HARM 08/12/2010 Resulted 19/09/2011 Withdrawn / Summary only
- CC2010021200738 ASSAULT OCCASIONING ACTUAL BODILY HARM 08/12/2010 Resulted 19/09/2011 Withdrawn / Summary only

Decision Type

No prosecution

Reason

1

Comments

The advices of Senior Counsel Mr Hunter QC have been obtained and considered in this case. The case has also been considered at a Senior Level within the PPS. It was the conclusion of counsel that there was not a reasonable prospect of a conviction owing to such factors as the length of time since the commission of the alleged offences and the absence of supporting eyewitness evidence. It is considered that the directing test is not passed and I direct no prosecution.

Causeway #: 584855200 | 19/09/2011

PRIVATE

was afraid of going down the alley outside his class - I would go around the greenhouse to avoid it. That was all the sexual abuse I suffered in Rubane, but as for the physical and emotional abuse - I could go on forever.

35. There was a civilian woodwork teacher called **DL 6** who was the most hateful person you'd ever meet. Nobody liked him because he had a terrible temper. One minute, he'd be fine, the next minute he'd be crazy. One day in class, I was whispering to my friend and he threw a chisel straight across my fingers. I still have the scars to this day. I'm not the only one that happened to. He would often get angry and throw chisels and hammers. **DL 6** used to carve wooden items to sell and one day when I was about thirteen years old I broke one of his models. We had an argument and we were pushing and shoving each other. Then he just emptied out his pipe on my hand like it was an ashtray. But whenever you complained to anyone or any of the other Brothers they said it was always our fault.
36. The headmaster of the school was nicknamed **DL 6**. He came from the local area and he was massive and built like a tank. One of his favourite tricks was to say he wanted to search us for contraband so we had to stretch our arms out. Then he would hit us a dig on the chest. We would be winded and sent flying - you wouldn't be yourself all day. If you tried to report something to him and he was in a bad mood, he would kick you, chase you or slap you.
37. Every other Christmas we would do a Christmas show in Rubane, which members of the public came to watch. All our names were on the wall and people would pick boys out by their name and give them a present. We were never given the chance to talk to anyone in private. Even when the man from the Welfare came out, he never spoke to me on my own. Every time before a case conference you were warned not to say anything. Anyway, you knew if you told the Welfare, they would go home but you were still going to be left there.
38. I became a real rebel. I would stand up to them and fight back. Anything they told me to do, I would do the opposite. When I was fifteen years old I fought two of them - **DL 149** and **BR 10** **DL 149** was a civilian

PRIVATE

teacher and he had a mobile classroom. He was a very rough man. I remember once playing down on [REDACTED] one cold day. We didn't want to play because if you fell on the gravel you would cut yourself. I [REDACTED] [REDACTED] DL 149 grabbed me by the back of my hair - I had long hair in those days. He hit me a dig in the face. I saw stars. I had a black eye and a busted nose. I went up and showed [REDACTED] DL 11 I got beaten because a grown man couldn't take being made a fool of. He should have known better no matter how much we provoked him. [REDACTED] DL 149 would often hit us over the head or arms with a metre stick.

39. Another time I had gone from my chalet over to my brother's chalet. We were in the snooker room playing snooker when [REDACTED] BR 10 came in and told me to get out. I said that I had been in the home longer than him and he should get out. He tried to grab the cue out of my hand - I used it on him. They couldn't punish me then because I was bigger than most of them.
40. There was a group of us who started to fight back as we got older. We had 'chalet bullies' and when I got older I was a 'chalet bully'. There were three others and then there was the overall school bully, who was top of the pecking order. He was the best fighter in Rubane. If anything was stolen out of the staff quarters it had to be divided up under this regime. When I use the term 'bully' I just mean that we were in charge. Even the Brothers came to us to sort things out like if the younger boys were fighting. I was getting too rough for the Brothers by then. I would occasionally get out and would hang around with my older brothers.
41. There was a man who was interfering with one of the younger kids - we would go over and wreck his room to let him know we knew what was going on. We were becoming young men - we had done a lot of gym and we were pretty fit. There was a lot of bullying and nothing was ever done about it. They had their own wee paedophile ring going on in there. When we were fifteen or sixteen we would say to some of the brothers - why are you allowing this to go on? They would say there was no proof. I had an argument with [REDACTED] BR 5 one day - he was in chalet 1.

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punched you on the face and he says then, I don't know how many times he punched me, I can't remember. We were playing [REDACTED], DL 149 had a quick temper do you know you seen that sitting in the classroom and you saw other things that we were witnessed but I never thought he would lose it just over trouble do you know what I mean. Em, he says so there was one time we were playing on the [REDACTED] and I can remember that much we were shooting away from the school cause there'd be one [REDACTED] close to the school and the other [REDACTED] that would have the hill before it and we never like if you [REDACTED] you had to run down past to where and then go a long way to go and retrieve the ball, em so we always, we had to get to pick, we would always play that way and [REDACTED] do it, that sounds, I hope you're sort of ...

DL 149

Ah hm, yeah, hm.

... it, it's just it's him talking.

DL 149

Yeah, yeah, no that's alright.

So it's a complete regurgitation of what he says.

DL 149

Ah hm.

Em he goes on to say I don't know how long the [REDACTED] had started for but I've [REDACTED] and he grabbed me by the back of the hair as I was running. He trailed me back and as he trailed me back I don't know he just started punching the face off me so he did not know, em I know I'd one black eye, I'd a busted nose and a big fat lip over him. Did I report it, didn't need to report it cause the staff would have seen it, especially my chalet master DL 11 So basically he's saying that I'm taking through that he nut nutmegged you.

DL 149

Ah hm.

And that you grabbed him by the long hair and started punching the face off him and he resulted in him having a black eye, a busted nose and a big flat lip, did that ...

DL 149

Absolutely not, not a figment of truth in that and it's a figment of imagination, there's not an element of truth in that at all.

Okay.

DL 149

Definitely not.

Okay em he says that em he thinks his chalet master DL 11 had seen it em, I believe that that person's called DL 11

DL 149

Yeah.

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DL 149

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DL 149

Ah hm.

In relation to that, I'm just really going to summarise it. At any point in time did you ever assault or ah hit any of the HIA 25, 31, 18 (inaudible).

DL 149

No I never did.

Okay.

DL 149

No.

Okay and everything that I've put to you, you've, you've denied that it's happened.

DL 149

Absolutely and I deny every, every inch of it.

Okay.

DL 149

No, no that's, that's, that's fiction.

Okay I'm not going to go through about what time you were there and what your roles were.

DL 149

No.

Cause I think [REDACTED] would have covered that ...

DL 149

Ah hm.

... and I don't want to really go over old stuff.

DL 149

No.

Is there anything you want to ask [REDACTED]

No, no.

Is there anything you want to add or clarify HIA 149 or anything you want to say on your behalf.

DL 149

No I'm just I'm, I'm shocked that kind of stuff is coming out and, and it's so untrue it, it's insulting to me to say that em and I know that I had great empathy for all of the young people there.

Ah hm.

Em you know and, and that came from my mother, God rest her, that she was very that kind of person and even these boys sometimes come and they're representing the area in the (inaudible) competition and they came up to [REDACTED] sometimes and I allowed them back to our home where my mother

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DL 149

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lived and we made them grub and all so like you know I had a totally different outlook on those young people and I really cared about them.

Ah hm.

DL 149

And I certainly would not be involved in anything like that and that's, that's, that's the honest truth of the matter and I'm just so insulted that people would say that I was involved in that kind of action.

Yeah okay, okay. [REDACTED] is there anything you want to add.

SOLICITOR

No nothing.

Before we turn the tapes off, okay, it's still Friday the 31st of January 2014 and the time by the interview room clock is 1313 hours and I'll now conclude the interview.

CHECKED AND CERTIFIED AN ACCURATE TRANSCRIPT OF PACE TAPE
NO.T0440091A INTERVIEW OF DL 149 ON 31 JANUARY 2014
BETWEEN 1251 HOURS AND 1313 HOURS

1 Q. "He should have known better, no matter how much we
2 provoked him."

3 You say:

4 "DL149 would often have hit us over the head or arms
5 with a metre stick."

6 So was this just in [REDACTED] he lost his
7 temper in playing with you that day or how would you
8 describe what caused him to be like that?

9 **A. He was pure evil. The beatings he gave -- I witnessed
10 my brother getting beat up in the gym.**

11 Q. Which Brother are you talking about?

12 **A. HIA18.**

13 Q. HIA18?

14 **A. I was there. I know. He beat my brother up as if my
15 brother was a grown man, two grown men fighting. My
16 brother was on the ground and that man was punching him.
17 Now this was a fit [REDACTED] teacher hitting a child with fists
18 clenched. My brother was screaming, and BR3 heard it
19 and BR3 shouted down to him, "You have been warned
20 DL149" and that's when DL149 stopped beating my brother.
21 DL149 --**

22 Q. Your brother has explained that to the Inquiry this
23 morning.

24 **A. Okay.**

25 Q. On this occasion whenever he has attacked you, is this

1 just something that has happened out of the blue while

2

3 **A. It was. I hadn't enticed him in any way. I don't know**
4 **what went through DL149's mind when he was coming into**
5 **work, but he never came in in a good mood, that he was**
6 **always grumpy, that he was always fighting towards me,**
7 **my family and other boys.**

8 **Q.** He said to the Inquiry -- and I am not going to open it
9 all, because I put it to your brother earlier and the
10 Panel is aware of it -- that he was extremely
11 compassionate and caring. He never hit anybody. He
12 have never engaged in corporal punishment, never
13 assaulted anyone, and he said to the -- if we just look
14 at 5544, please, paragraph 23 of his replying statement,
15 he says this. This isn't signed yet. So that will have
16 to be remedied:

17 "In particular at no time did I in any way assault
18 ..." -- HIA25 is you, HIA25. "To suggest that I would
19 assault a pupil because they hit a [REDACTED] past me during
20 the course of [REDACTED] is simply ridiculous.

21 All the allegations made by HIA25 are untrue.
22 I reject them entirely."

23 So he is saying this just did not happen.

24 **A. Well, I had witnesses there. It was during a [REDACTED]**
25 **[REDACTED]. I am telling you now it did happen. If this man**

1 came to the police and said to the police, "I hit them
2 all", we wouldn't be here today. We would not be here
3 today. I'm talking about DL149. Of course we came to
4 this Inquiry knowing DL149 would say that he didn't do
5 things. The proof is it in the pudding. It's already
6 been proven what kind of man DL149 is. This man was
7 fighting from the minute he walked into that home till
8 the minute he left, not just all my family, but all the
9 boys. Anybody I knew DL149 had hit them in some way,
10 had been -- roughed them up in some way.

11 Q. And you describe then, HIA25, BR10 and you have
12 mentioned him in the context of that statement. If we
13 look at paragraph 39 at 854, please, you say:

14 "Another time I had gone from my chalet over to my
15 Brother's chalet. We were in the snooker room playing
16 snooker when BR10 came in and told me to get out.
17 I said that I had been in the home longer than him and
18 he should get out. He tried to grab the cue out of my
19 hand and I used it on him. They couldn't punish me
20 then, because I was bigger than most of them."

21 So was this an altercation between the two of you
22 that was --

23 A. I have always hated most of the staff in there, but BR10
24 stands out. At that age I knew what he was up to.
25 I couldn't prove it. I never seen it, but you knew what