

HIA REF:  
 NAME: DL 509  
 DATE: 6<sup>th</sup> October 2014

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of DL 509

1. Background

- a) I make this statement in 2014 on the basis of my present recollection of past events and having had the benefit of reading my previous interviews with police. I do not necessarily recall specific details now. I do know I never abused, either physically or sexually, any child over and above that for which I was convicted in May 1982.
- b) I was born on the [REDACTED] I was married but separated in and around [REDACTED] I do not have any children.
- c) I have been provided with a bundle of documents relating to the Historical Institutional Abuse Inquiry detailing allegations that have been made against me by boys at De La Salle Boy's Home Kirkubbin.
- d) I have admitted committing sexual offences against two named persons. My admissions are contained in an interview transcript that recorded an interview with police on the 7<sup>th</sup> June 1980. My admissions are accurate and truthful to the best of my recollection and belief.
- e) I was sentenced at [REDACTED] Crown Court on the 7<sup>th</sup> May 1982 for three offences of indecent assault and three offences of gross indecency, to a period of three years imprisonment suspended for three years.
- f) I am ashamed of the offences I committed and deeply regret what I did.
- g) I became involved in Nazareth House Children's Home sometime in 1974/75, when my wife and I answered an advertisement in a newspaper seeking adults to take children out for day trips. I am unsure whose idea it was to answer this advertisement. At this time I was working in [REDACTED]
- h) We initially took a child called [REDACTED] out for weekends. This would have required us to visit Nazareth House when collecting [REDACTED] and returning him when the weekend was finished.
- i) In Easter 1976, we started to take four children from the [REDACTED] family for the weekend, two brothers and two sisters, including DL 56 and HIA 149 [REDACTED]. The [REDACTED] would have stayed in our home in [REDACTED] on a number of occasions. My wife would have been present

some of the time they were there, but she also worked shifts so there would have been occasions when I was on my own with the children.

- j) My marriage ended in [REDACTED] and I sold my house in [REDACTED] in December 1977. HIA 149 and DL 56 stayed at my house a number of times after my marriage broke down.
- k) In 1977/1978 I applied for and was given a job at De La Salle, Rubane House, Kircubbin as an Outdoor Pursuits Instructor. As part of the job, I was given private accommodation on the farm at Rubane House. I worked in this position for 3 years (up until 19 June 1980). At this time I did a lot of mountain climbing and walking. I also taught the children Table Tennis and organised a team to compete in tournaments around the country.
- l) The children I was responsible for were aged between 12-16. Each Unit in Rubane House had approximately 20 children. The children were predominately from single parent families or were orphaned. There were also some children from the travelling community.
- m) My duties included responsibility over Unit 1. During the day I would have commenced at 10/11am. I would have supervised the schoolyard between 6 o'clock and 8 o'clock I finished each day when the Brothers came on at 8/9 o'clock in the evening. My contact with the children would have been outside of their schooling.
- n) Whilst at Rubane House, I received no training in relation to looking after children. Whilst I was aware that the Brothers used corporal punishment to discipline the children, I was never involved in this, nor did I see this taking place. I never saw any violence taking place in Rubane House, either from the Brothers or the children. I am aware of an incident where the brothers punished some children by leaving them outside in the winter time, but I did not witness this, I became aware of it when the children came back and their feet were cold.
- o) I am aware the Brothers would have used a belt or cane to physically chastise the children. The children would also have had privileges withdrawn if they misbehaved. If some of the children misbehaved while under my supervision, I would have reported them to their House Mother, I did not discipline them myself.
- p) I regularly drove a minibus for the children in Chalet 4, to the Swimming Pool in Ards or the Disco in Downpatrick, I was accompanied by another member of staff on these occasions. The minibus would have held between 12 and 15 children.
- q) The only children I would have taken on trips would have been from Chalet 4, I would not have been permitted to take children from any other chalets.
- r) On 07/05/1982, I pleaded guilty and was convicted at Newtownards Crown Court of 3 counts of indecent assault and 3 counts of gross indecency against

two boys, **DL 56** and **DL 57** I received a sentence of 12 months imprisonment, suspended for 3 years.

2. Allegation of Gross indecency on **DL 59** -- Unspecified date/location

- a) I have been provided with a statement of **DL 59** dated the 24<sup>th</sup> November 1994 in which allegations have been raised against me.
- b) I was interviewed by police about this in April 1996 at Newtownards Police Station, these allegations were put to me and I denied that they had occurred.
- c) I maintain my denials these allegations occurred. I have never witnessed and I am not aware of any boys having anal sex in the back of my van. Furthermore, **DL 59** was resident in chalet 3, Rubane House. My responsibility was over the boys in chalet 4, who I would have taken on trips. I would not have been permitted to take children from chalet 3 away on trips and never had **DL 59** in my van.

3. Allegation of Child Cruelty on **HIA 362** Unspecified Date

- a) I have been provided with a statement by **HIA 362** dated the 12<sup>th</sup> May 1995. **HIA 362** is a former resident of Rubane House. I have read and considered the allegation he has made against me in his statement.
- b) These allegations were put to me in April 1996 by police. I denied the allegations then and I maintain my denials now.
- c) I was never involved in the disciplining or corporal punishment of children in Rubane House. This was the role of the Brothers of the De La Salle Order. I never struck **HIA 362** nor did I ever hit or kick any of the boys in my care.

4. Allegation of Child Cruelty on **HIA 170** Unspecified Date

- a) I have been provided with a statement of **HIA 170** a former resident of Rubane House. This is a statement made to the police and dated the 11<sup>th</sup> April 2011.
- b) I was interviewed by police on the 13<sup>th</sup> August 2012 about these allegations.
- c) These allegations raised by **HIA 170** are untrue, I was not involved in the corporal punishment of children in Rubane House nor did I hit any of the boys in my care at any time.
- d) I have denied these allegations during interview with the police and I maintain my denials.

5. Allegation of s18 GBH against DL 125 - November 1977

- a) I have been provided with a statements of DL 125, a former resident at Rubane House, dated the 14<sup>th</sup> November 1995 and the 29<sup>th</sup> October 1996, in which allegations have been raised against me.
- b) I was interviewed by police about his allegations on the 18<sup>th</sup> April 1996 when I denied any wrongdoing.
- c) I maintain my denials against the allegations of DL 125
- d) Specifically, with reference to some of the alleged facts surrounding the allegation I can say that my motorcycle, was not kept in the yard in Rubane House, but was kept in the farmyard. It would only have been kept in the yard on a few occasions and was never knocked over by any of the boys resident in Rubane House.
- e) There was an incident when I was carrying one of the boys, who I believe to have been DL 47 as a passenger on the back of my motorcycle, when it fell over on the way out of the gate of Rubane House. However, he was uninjured in this incident.
- f) I cannot recall DL 125, HIA 41 or DL151 from my time at Rubane House. I was not involved in the physical chastisement of boys in Rubane House, nor did I ever strike any of them with my hands, nor did I kick any of the boys in my care at any time.
- g) If DL 125 did sustain an injury during his time at Rubane House, it was not caused by me.
- h) I do not recall any of the boys in Rubane House throwing a crutch at me, nor was there ever an ambulance at Rubane House to take any of the boys in my care to hospital.

6. Allegations of Indecent Assault/Gross Indecency against DL 56

- a) I am aware that in June 1980, DL 56 made a number of allegations against me in a statement to police.
- b) I admitted to police in interview on the 7<sup>th</sup> of June 1980 that I had committed sexual offences on DL 56 when he was a child. The admissions made represent the full extent of my offending behaviour. I deny committing any other acts of unlawful sexual activity involving DL 56
- c) DL 56 made a further statement was made in February 1995. These allegations were put to me by police in interview in April 1996 and I denied committing and further sexual acts on DL 56

- d). I also understand that **DL 56** made an allegation in a statement to police in 1995, that while he was 6 or 7 years old and was visiting the farmhouse in Kircubbin, he walked into the living room and saw me and one of the Brothers standing, masturbating each other. I understand that he alleges that this was either with **BR 1** or **BR 77**
- e) I deny this allegation in its entirety. I did not engage in any sexual activity as described with any of the members of the De La Salle Order at any time.

7. Allegations of **HIA 149**

- a) I am aware that **HIA 149** a former resident of Nazareth House and Rubane House, has made allegations of a sexual nature against me. I have been provided with a statement that **HIA 149** made to police on the 21<sup>st</sup> May 1980, together with an interview transcript with **HIA 149** dated the 26<sup>th</sup> January 2012 and a statement for the Historical Institutional Abuse Inquiry.
- b) I was interviewed by Police about these allegations on the 13<sup>th</sup> August 2012.
- c) I deny all the allegations that are raised against me by **HIA 149**
- d) In respect of the allegations made by **HIA 149** to police in interview on 26<sup>th</sup> January 2012, I received a letter indicating no prosecution from the Public Prosecution Service on 31<sup>st</sup> January 2013.

8. Allegation of Gross Indecency on DL44 **[REDACTED]**

- a) I am aware that in April 1980, **DL 51** a resident of Rubane House, alleged that another boy, HIA 244, told him that he had caught DL44 **[REDACTED]** masturbating me in the back of my minibus.
- b) I categorically deny this allegation. This allegation was put to me in interview by police in 1980.

Statement of Truth

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

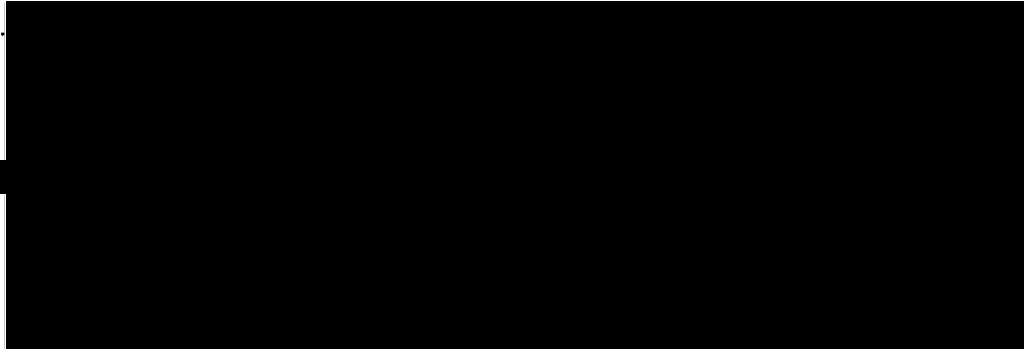
Signed

**DL 509**

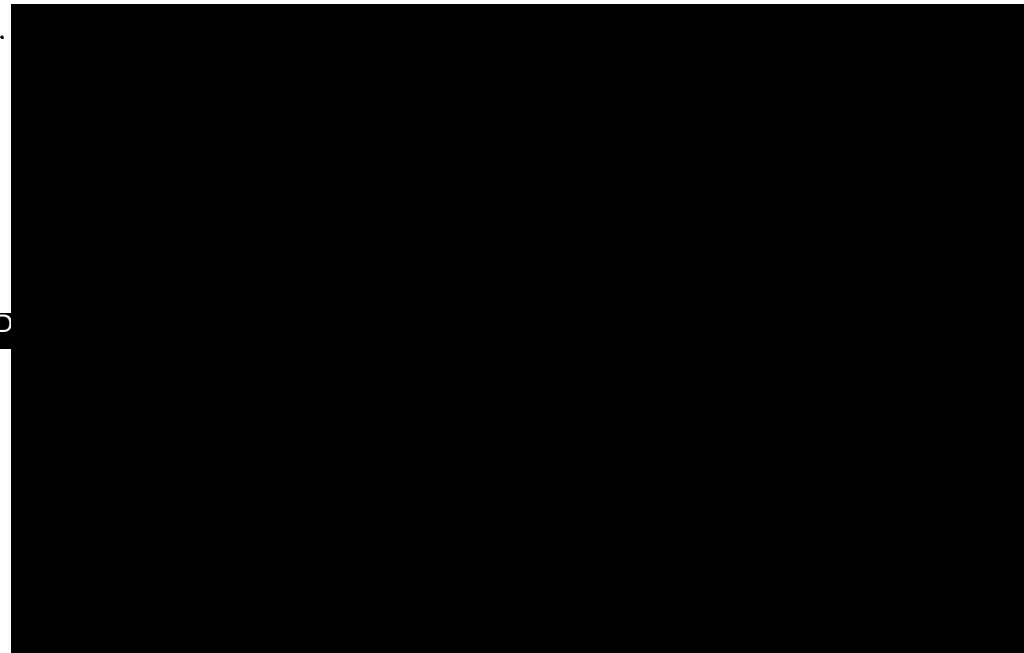
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14.



15.



16. My older brother **DL 67**, who was in Rubane at the same time as me, was told to look after me so I wouldn't run away. **DL 67** is two years older than me. He was told that anywhere I went, he had to be with me. He was following me that much that I got fed up and told him to "fuck off". Out of the blue I felt a big slap around the side of the face from behind. I turned and swore at the person, **DL 509** but he just kept beating me. He beat me from the TT room right over to chalet four. He was kicking me too, and slapping me because I was crying and still cursing at him. I swore back at him and said "what the fuck are you doing" and then he beat me more. I don't believe that I deserved that beating for cursing. He could have come and spoke to me and

STATEMENT OF [REDACTED] DL 59

never performed oral sex on me and I never masturbated him or performed anal sex on me. I also remember a member of staff called Jimmy McGuigan he was in charge of chalet 4. He had a camper van and he used to take some of the boys out in it. I remember he used to take us all over the country, North and South and he would have 6 to 8 boys in the camper. He would watch some of the boys, including myself, having full anal sex in the back of this van. The boy I had sex with was [REDACTED] DL 36 [REDACTED] DL 36 who was the same age as me. To my knowledge he never took part in any of these sex acts. I can also say that I mentioned this abuse on me by Father Smyth to [REDACTED] BR 1 but after he started on me I said nothing more. When I left the De La Salle school I went to live in England with legal guardians. Because I had been passed about from one person to the next when I came to England I never really got to talk to anyone about what had happened. I only realised at the age of 24 that what had happened to me was wrong and since then I have been too embarrassed to tell anyone until now and following my recent awareness of Father Smyth when I heard a very recent radio broadcast about him only now can I make this statement.

SIGNATURE OF WITNESS

[REDACTED] DL 59

CHECKED AND CERTIFIED A TRUE COPY OF THE ORIGINAL SIGNED :

STATEMENT OF **DL 56**

but I think she was in Cupar Street in Belfast. This is the time I told about all the things that is on my original statements. **DL 509**

**DL 56** was not the only person who abused me at Nazareth Lodge. I was also abused by a priest his name was Father Smyth. I remember Father Smyth used to come and visit my group in Nazareth which was called the 'Bethlehem Group' which **SR 29** was in charge of. I remember when I was about 7 1/2 to 8 years of age, on a Sunday during the afternoon, I was walking into the living room on the ground floor of Nazareth Lodge. Father Smyth came up from behind me and put his hand down the back of my trousers on the inside of my clothes and began feeling my backside. I pulled his hand away and immediately he pulled out a sticky lollipop from inside his coat and gave it to me. He just smiled at me and I walked away into the living room. This happened to me again later on that day and he did exactly the same thing when I was standing in the hall beside the living room. After this second time I went and told **SR 29** She just looked at me and said nothing. I did not hear anything more after this. These are the only 2 times that Father Smyth done anything to me. I can say that on both occasions he had his hand on the inside of my pants and on the second occasion he put his hand down my trousers, he rubbed my anus with his fingers but he did not put his fingers inside me. This only lasted for a short while until I pulled his hand away. I was not abused by anyone else whilst at Nazareth Lodge or during my stays at Kircubbin. The only other thing I remember is when I was 6 to 7 years old during one of my weekend visits to Kircubbin, I walked into the farmhouse and into the living room and saw **DL 509** and one of



Right and eh, you left the home in 1980.

DL 509

Yeah, yes.

But you ehm, you actually lived on, you were married weren't you.

DL 509

Yes.

At one stage, right, you and your wife, did you live at the De La Salle -

DL 509

No.

No. Right, it was you and your wife went up to Nazareth Lodge to collect boys -

DL 509

- Yeah -

- Right that solves that. And in your opinion how do you feel the home was run at that time.

DL 509

Well there's a few of the Brothers were a wee bit heavy handed. Two of them were definitely, shouldn't have been Brothers.

stopped, he wouldn't be allowed to get his  
ehm, money whenever he went out the weekend,  
he'd be deducted so much.

Yeah.

**DL 509**

He'd get so many points against him. But if  
it was serious, really really serious or  
something, but in, would be the house.  
Right did you ever witness anybody  
administering corporal punishment.

**DL 509**

Never witnessed it but was there when a fella  
got ehm, I was in a camping outfit and eh,  
this particular man liked using a rope -  
  
- I know who exactly you're talking about  
there. That's Brother Alphonsus.

**DL 509**

Yeah, I had to stop him one night for doing -  
  
- Do you remember who it was, I know who it  
was he hit but do you remember who it was he  
hit.

**DL 509**

Yeah it was **DL51**

**DL 509**

Yeah well it's, honestly speaking I never ever touched any of them kids.

Right.

**DL 509**

And I never knocked one of a bike or kicked him.

Anyway I think we covered that quite well in the interview.

**DL 509**

And as far as the other one, **DL59** I never had him with me at all.

Right. Well the time is now 7.46 and actually you've got a copy of the PACE 21 anyway so it's, that's just to tell, I mean your solicitor knows all about it. I'm now switching off the tape.

Checked and certified a true copy of the original

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