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HISTORICAL INSTITUTIONAL ABUSE INQUIRY

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being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Wednesday, 26th November 2014

commencing at 10.00 am

(Day 73)

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

1 Wednesday, 26th November 2014

2 (10.00 am)

3 WITNESS DL509 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. Can I remind
5 you, as always, to ensure, please, your mobile phones
6 are either switched off or at the very least placed on
7 "Silent/Vibrate", and I also have to remind that you no
8 photography is permitted anywhere, either in the Inquiry
9 chamber or anywhere on the Inquiry premises.

10 MS SMITH: Morning, Chairman, Panel Members, ladies and
11 gentlemen. The first witness today is DL509. He is
12 designated "DL509". DL509 wishes to take the religious
13 oath. He has been afforded anonymity by the Inquiry
14 insofar as while he has been convicted of certain
15 offences and the fact of those convictions can be
16 reported and he can be identified in relation to those,
17 he is not to be identified in relation to other matters
18 that were not the subject of those convictions,
19 Chairman.

20 CHAIRMAN: Yes. Well, I remind the media, as I did
21 yesterday when Mr Aiken mentioned this in relation to
22 one of yesterday's witnesses, what Ms Smith has said
23 must be very carefully considered. The Inquiry has its
24 anonymity provisions set out clearly. Anything which
25 might tend to result in what lawyers call jigsaw

1 identification must not occur.

2 MS SMITH: Thank you, Chairman. As I have indicated, DL509
3 is willing to take the oath.

4 WITNESS DL509 (sworn)

5 CHAIRMAN: Thank you very much. Please sit down, DL509.

6 Questions from COUNSEL TO THE INQUIRY

7 MS SMITH: I'm sorry. There is an appearance to be
8 announced, Chairman.

9 CHAIRMAN: Mr McCraner.

10 MR McCRANER: Mr Chairman, I appear with Mr Chris Holmes.

11 We are instructed by Grainne Heaney of Stewarts
12 Solicitors on behalf of DL509, designated "DL509".

13 CHAIRMAN: Is your instructing solicitor here?

14 MR McCRANER: She is, sitting behind us.

15 CHAIRMAN: Sorry. I didn't see her there. Thank you.

16 MS SMITH: Now, DL509, I know you do have hearing
17 difficulties. We have a system in the chamber and
18 I just want to check --

19 **A. I can pick you up dead on.**

20 Q. You can hear me?

21 **A. Yes.**

22 Q. That's great. Now you provided a statement to the
23 Inquiry, which can be found at RUB5548 to 5552. If we
24 could just pull that up, please. Again this is "The
25 Witness Statement of DL509", which is DL509. If I can

1 just go to the last page of that at 5552, and can I just
2 ask you to confirm, DL509, that you have signed this
3 witness statement on 6th October of this year?

4 **A. I did, yes.**

5 Q. And you wish the Inquiry to take this into account as
6 your evidence together with anything else that you tell
7 us this morning?

8 **A. Yes.**

9 Q. Now if we go back to paragraph 1 of your statement, and
10 I deal with this right at the outset, DL509, you were
11 convicted in Newtownards Crown Court in May 1982 of
12 three counts of indecent assault and three counts of
13 gross indecency. Those offences date back to 1975. As
14 you say, apart from those offences, you have never
15 abused physically or sexually any other child. You
16 received a 12-month suspended sentence, suspended for
17 three years. You admitted those offences to police when
18 you were interviewed in June 1980, and you say in your
19 statement and you have said to me this morning that you
20 are ashamed and deeply regret what you did.

21 **A. I do, yes.**

22 Q. Now the details of those are set out in your statement
23 at (g) through to (j), at paragraphs 1 (g) through (j).
24 I don't think we need to go into them in any great
25 detail, but they are there and the background as to how

1 you came to be convicted of those offences against
2 children is there.

3 What I want to talk about today, DL509, is your
4 involvement in the Rubane Children's Home at Kircubbin.
5 You talk about this in paragraphs 1(k) through to (q).
6 There are a number of things that I want to raise with
7 you. It says at (k) that in 1977/1978 you:

8 "... applied for and was given a job at De La Salle,
9 Rubane House, Kircubbin as an outdoor pursuits
10 instructor."

11 Now can you remember -- I know it is some time ago,
12 but can you remember how you came to apply for that job,
13 or how that came about, or how you heard about it?

14 **A. I can't honestly remember how I heard about it or how**
15 **I got to know about it.**

16 Q. At that time you, in fact, were working in Donaghadee --

17 **A. Carpets.**

18 Q. -- Carpets. So you had not had a background as
19 a physical instructor or anything like that.

20 **A. No.**

21 Q. You say as part of the job you were given private
22 accommodation on the farm at Rubane. You worked in that
23 position up until June 1980. At that time you did a lot
24 of mountain climbing and walking. You also taught the
25 children table tennis and organised a team to compete in

1 tournaments around the country.

2 Now a number of people who have spoken to us
3 describe you as a housemaster. You weren't, in fact,
4 a housemaster. Is that right?

5 **A. No.**

6 Q. Although you did have some duties in regard to one of
7 the chalets.

8 **A. I did, yes.**

9 Q. What exactly did that entail, DL509?

10 **A. That would have entailed being there at dinner -- at**
11 **teatime just to make sure everything was all right for**
12 **teatime, or staying with the boys up till the Brother**
13 **took over.**

14 Q. Roughly if we just look at (m) here, you say that your
15 duties included responsibility over unit 1, but that is
16 not, in fact, correct. It was chalet 4 that you had
17 duties with.

18 **A. No, it was chalet 4.**

19 Q. During the day you say you would have started about 10
20 or 11 o'clock in the morning. What would you have done
21 during the day, DL509?

22 **A. Basically I would have just done my own thing, but**
23 **I wouldn't have been involved with any of them unless**
24 **they were off school or something like that there.**
25 **Otherwise no.**

1 Q. You say you would have supervised the school yard
2 between 6 o'clock and 8 o'clock.

3 **A. Correct.**

4 Q. One of the Brothers who spoke to the Inquiry yesterday
5 said that he -- and he was essentially brought in to
6 Rubane to help set up various after-school activities,
7 and he was heavily involved in the sporting side of
8 things at that time of day. That was BR10. Do you
9 recollect him being involved at that time?

10 **A. I can't remember him being involved in that, but**
11 **I remember him involved in -- his playing guitar and**
12 **using groups and things like that, getting people to**
13 **just be involved with singing and things, you know.**

14 Q. He did say that he helped set up a folk group in the
15 home.

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

17 Q. And what he -- but what he did tell us was that after
18 school he and DL149, who was a teacher in the school,
19 would have been involved in dealing with the sports for
20 the boys.

21 **A. Probably would. I couldn't tell you.**

22 Q. What exactly then did you do after school with boys
23 maybe? Did you look after a different group or
24 something?

25 **A. No, I would have just been -- just being my own thing**

1 around the yard or down, you know, the farmhouse or
2 something, but I wouldn't have been involved again until
3 about 6.00, when I would come up for the unit's tea or
4 something like that there.

5 Q. And you say you finished about 8 or 9 o'clock in the
6 evening --

7 **A. Yes.**

8 Q. -- when the Brothers came on duty.

9 **A. Yes.**

10 Q. You say that any contact that you had with the children
11 was outside of the school hours and outside of their
12 schooling.

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

14 Q. You do point out that you received no training in
15 relation to looking after children and we know that you
16 hadn't come from that kind of background --

17 **A. No.**

18 Q. -- before you came to the home, but you also go on to
19 say here that whilst you were aware that the Brothers
20 used corporal punishment to discipline the children, you
21 yourself were never involved in that, nor did you see
22 any of it take place.

23 **A. I never seen any being -- taking place. You heard**
24 **general talk, but I never seen any and basically**
25 **I didn't do any myself either.**

1 Q. You say -- when you say you heard general talk, who
2 would have been talking about the Brothers using
3 corporal punishment?

4 **A. Probably the boys themselves in the yard talk, you know.**

5 Q. You say that you were aware of an incident you say where
6 Brothers punished some children by leaving them outside
7 in the winter time, but you didn't witness that either.

8 **A. No.**

9 Q. You became aware of it when the children came back and
10 their feet were cold.

11 **A. When they came for their tea.**

12 Q. Can you tell us anything more about that, DL509? What
13 exactly --

14 **A. I would say it would have been something to do with the**
15 **farm. Probably they might have been bringing the cows**
16 **in from the fields or something. I don't know.**
17 **I couldn't tell you.**

18 Q. You just have a recollection of some time the children
19 coming in and complaining --

20 **A. Wet feet, being cold.**

21 Q. -- of being cold. You describe it in your statement as
22 being punished for something.

23 **A. Aye.**

24 Q. Can you remember why you felt that this was some sort of
25 punishment?

1 **A. I don't know. I couldn't honestly tell you.**

2 Q. You go on to say that you are aware that the Brothers
3 would have used a belt or a cane to physically chastise
4 the children. Again I just wanted to ask you, DL509,
5 how you became aware of that if you didn't actually see
6 it yourself.

7 **A. I'd say it would be general -- general talk, but I never
8 ever seen it myself. I definitely didn't, you know.**

9 Q. Do you ever remember the boys in the chalet saying
10 anything to you in particular about a Brother hitting
11 them or anything like that?

12 **A. No.**

13 Q. You say that the children also had privileges withdrawn
14 if they misbehaved. If some of the children misbehaved
15 while under your supervision, you would have reported
16 them to their housemother and you didn't discipline them
17 yourself.

18 **A. No.**

19 Q. Do you remember who the housemother was in chalet 4?

20 **A. Her first name was [REDACTED]. That's all I can remember.**

21 Q. It's a lady called DL 89 who was in charge in that chalet?

22 **A. [REDACTED] DL 89 [REDACTED] DL 89.**

23 Q. [REDACTED] Thank you. You also go on then to talk
24 about regularly driving a minibus for the children in
25 chalet 4 to the swimming pool in Ards or the disco in

1 Downpatrick. You say you were accompanied by another
2 member of staff on these occasions. The minibus would
3 have held 12 to 15 children. Just to confirm, there is
4 only the one minibus in the home?

5 **A. There is only one minibus in the home.**

6 Q. We heard yesterday from a witness who said his duties
7 during the day -- it was BR10 again -- that he would
8 have been driving the minibus during the day.

9 **A. He probably was, yes.**

10 Q. And that -- so would you have been accompanying him on
11 these trips?

12 **A. I probably was, yes --**

13 Q. You do say --

14 **A. -- or some other member of staff -- member of staff.**

15 Q. Do you remember who the other member of staff might have
16 been?

17 **A. Not offhand. It could be any -- it could have been
18 a Brother or it could have been a lay member. It could
19 have been a school teacher.**

20 Q. But you say there was always somebody else with you when
21 you were driving?

22 **A. There was always somebody else with you.**

23 Q. So can we take it then there ought to have been somebody
24 else with BR10 when he was driving?

25 **A. Yes, could have been, yes.**

1 Q. Now you say in paragraph (q) here that:

2 "The only children I would have taken on trips would
3 have been from chalet 4. I would not have been
4 permitted to take children from other chalets",

5 but I take that when you did go on the camping
6 trips, which I am going to talk to you about, there were
7 children from other chalets on those?

8 **A. There would have been children from five different
9 units.**

10 Q. And can I just confirm -- and we talked about this
11 earlier -- there was you and there was a particular
12 Brother in the home who organised the camping trips.

13 **A. He did all the camping trips, yes.**

14 Q. And that was Brother?

15 **A. BR77.**

16 Q. In fact, we have heard from a number of boys that you
17 and he did take them on camping trips. You would have
18 gone to Ardnabannon, which I understand is outside
19 Castlewellan. Is that right?

20 **A. Yes, that's right.**

21 Q. Do you remember going to the Mournes?

22 **A. Well, that's where -- Ardnabannon, close to the Mournes,
23 and that's where you would be using the outdoor pursuits
24 as in Castlewellan for canoeing or ...**

25 Q. I think we talked about the boys went bouldering.

1 **A. Bloody Bridge I think was the other one. There was**
2 **bouldering. We did Bloody Bridge and ...**

3 Q. You talked about there was one occasion you went over to
4 Scotland --

5 **A. Yes.**

6 Q. -- and stayed in a youth hostel in Glencoe.

7 **A. That was Glencoe.**

8 Q. Did you ever -- some boys talked about a trip to
9 Donegal. Were you part of that trip?

10 **A. Never was in Donegal with them.**

11 Q. Now just talking again about the camping trips, you say
12 that you -- at one stage you said you would have been
13 tail end charlie. Is that right?

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

15 Q. And that was -- am I right in thinking --

16 **A. That was to make sure that nobody lagged behind, that**
17 **you wouldn't let the leader get too far ahead, that the**
18 **young fella or whoever was at the back was slow. So you**
19 **stayed behind him so as there was always somebody behind**
20 **the person in front.**

21 Q. Now some of the boys have complained about these camping
22 trips. One in particular said that BR77 put rocks into
23 his rucksack. Were you were you aware of that having
24 happened at all?

25 **A. Well, BR77 was at the front. If there was twelve boys**

1 **in between, I couldn't honestly see, you know.**

2 Q. Or did you ever hear BR77 threaten to put stones into
3 the rucksack to make sure that they kept up?

4 **A. No, no, no.**

5 Q. Now if I can just come on to -- there is just one
6 photograph -- I know there are others in the bundle, but
7 I will just have a quick look at one, which is 90035.
8 If we look, this is -- there is a number of boys in the
9 top photograph. If we look at the bottom photograph
10 here, that's the minibus, is it?

11 **A. That's the minibus and that's the school yard.**

12 Q. This -- there's a gentleman to the -- as we look at it
13 to the right-hand side. Is that BR77?

14 **A. Yes.**

15 Q. And the person on top of the minibus, is that, in fact,
16 you, DL509?

17 **A. I don't know.**

18 Q. I know it is difficult to see. Maybe if we can perhaps
19 expand it. There are other photographs which I am
20 afraid I can't just put my -- it is hard to see from
21 that photograph, but can you even remember sort of
22 packing the minibus up in that fashion --

23 **A. No. BR10 is in that photograph.**

24 Q. It is BR10?

25 **A. Yes. He is in that photo as well. He is beside BR77.**

1 Q. Just behind him? Is that him just behind?

2 **A. Or is that BR77? I don't know if that is BR77.**

3 Q. The person in the white jumper, is that BR77?

4 **A. It could be.**

5 Q. And you say --

6 **A. It could have been -- I honestly don't know.**

7 Q. It's perhaps not the best of photographs, but you think
8 that the gentleman behind him with the dark hair --

9 **A. Yes.**

10 Q. -- that's BR10.

11 **A. Yes, definitely BR10.**

12 Q. And might it be yourself on top of the minibus?

13 **A. I don't think so.**

14 Q. Okay. It is just that you see here it says -- down
15 below it says:

16 "DL509 on bus."

17 I don't know who has written that, but that is
18 certainly why we thought that might be you.

19 **A. It might be, but it doesn't look like me. Well, it
20 could be. I don't know. It's 35 years ago.**

21 Q. I appreciate that.

22 **A. I can't honestly say.**

23 Q. I had hoped to be able to show you a clearer one.

24 **A. Yes.**

25 Q. There is a photograph I know was shown to a witness

1 earlier of you standing beside a group of boys along
2 a stone wall on one of these trips. Do you remember
3 photographs being taken when you were on the camping
4 trips?

5 **A. Now and again, yes.**

6 Q. Did you yourself take some photographs?

7 **A. Not in them camping trips, no, not that I can remember.**

8 **That one there, I can't ever remember that being taken,**
9 **but I know it is in the --**

10 Q. The school yard?

11 **A. The school yard. Well, it's through the -- there was**
12 **the farmhouse and then there was a gateway and in to the**
13 **right-hand side of it was where they kept their**
14 **equipment, their camping gear equipment. So that's**
15 **probably where the camping gear equipment was coming out**
16 **and being put in, you know.**

17 Q. We have heard talk from some boys of there being
18 a camping store in the home. Is that -- is that --

19 **A. That's probably it.**

20 Q. And is that what you remember is where the camping
21 equipment was kept?

22 **A. Yes. It would have been in it. That particular place**
23 **there it would have been in, yes.**

24 Q. Sort of like a garage type place. Is that right?

25 **A. Correct, yes.**

1 Q. If I can come on now, DL509, to discuss some of the
2 specific allegations that have been made by people about
3 you.

4 **A. Uh-huh.**

5 Q. Now HIA362 -- and again I am using the names that are
6 not to be used outside this chamber -- he is "HIA362" --
7 he spoke to the inquiry, and I am going to summarise
8 what he said. He talked at paragraph 16 of his
9 statement, which is at RUB710 -- basically he said that
10 he got fed up with his brother following him and --
11 because he had been absconding, the brother had been
12 told to stop him running away. He got fed up with this
13 and he turned and told his brother to "Fuck off". He
14 then felt a slap to the side of his face. He turned
15 round and swore again, and you beat him, as he put it,
16 from the TT room to the chalet, kicking and slapping
17 him. You nearly took his head off his shoulders. You
18 told his brother -- you told his brother to go down to
19 the sports complex and you put him into the chalet and
20 locked him in. He described you as being bald with a
21 bad leg and driving motorbikes, which you would accept
22 would have been a description of you.

23 **A. I don't know about the bald part, but ...**

24 Q. Certainly maybe not in those days.

25 **A. Well, I had hair, some hair then, but I haven't got it**

1 **now like, you know.**

2 Q. But certainly would you accept the bad leg and the
3 motorbikes description?

4 **A. Oh, I had a bad leg.**

5 Q. He gave evidence to the Inquiry on Day 68 at pages 127
6 to 131. In the course of that the relevant parts of
7 your statement were read to him. Sorry. The relevant
8 paragraph was read to him together with statements he
9 made to the police in 1980 and 1995. Now he didn't even
10 remember speaking to the police on those occasions, but
11 he did accept that the account of the allegation that he
12 had made against you was slightly different in 1995 to
13 what he told the Inquiry.

14 **A. Uh-huh.**

15 Q. What you said to police was put to him --

16 **A. Uh-huh.**

17 Q. -- and what you had said in your Inquiry statement,
18 which we can look at shortly. If we just maybe look at
19 that now, which is at paragraph 3 at 5550. There at
20 paragraph 3 you say:

21 "I have been provided with the statement of HIA362
22 dated 12th May 1995. He is a former resident of
23 Rubane."

24 Do you remember the boys' names?

25 **A. I can't remember him, no.**

1 Q. But you have:

2 "... read and considered the allegation he has made
3 against me in his statement.

4 The allegations were put to me in April '96 by
5 police. I denied the allegations then and I maintain my
6 denials now.

7 I was never involved in the disciplining or corporal
8 punishment of children in Rubane House. This was the
9 role of the Brothers in the De La Salle Order. I never
10 struck HIA362, nor did I ever hit or kick any of the
11 boys in my care."

12 Now that was read to HIA362 when he gave evidence
13 and his response was that you are lying. Is there
14 anything you want to say to that, DL509?

15 **A. Well, I would have to say to HIA362 definitely I never**
16 **hit a person in the home. I definitely didn't do any**
17 **corporal punishment. I didn't lock him up, because**
18 **I hadn't got the keys for the chalets.**

19 Q. Another person who made an allegation against you, and
20 if we go on to discuss him, that was HIA170 -- again
21 name not to be used outside -- HIA170. Now he didn't
22 say anything about you in his statement to the Inquiry,
23 but he did make a police statement where he made
24 an allegation. If I can just check where that is.
25 Certainly in evidence on Day 68 at pages 40 to 41 it was

1 put to him that you had denied the allegations and he
2 said -- he described you as having had polio. Now
3 I know from talking to you that's not correct, but it is
4 possible the boys might have thought that.

5 **A. Could have done, yes.**

6 Q. And he said you were still a big man. You would take no
7 hassle from any of the boys at all and his recollection
8 was in accordance with his police statement, which, if I
9 can just find that. Sorry. I don't have that to hand.
10 I ought to have it, but I just can't put my hand on it
11 at the moment, but you deal with it in paragraph 4 here
12 of your statement, where you were provided with his
13 statement, and you again were interviewed by the police,
14 and you said that again the allegations raised by him
15 are untrue, because you weren't involved in the corporal
16 punishment of the children, nor did you hit any of the
17 boys in your care at any time. You have denied those
18 allegations during interview with police and maintain
19 that denial.

20 **A. I'm still denying it, yes.**

21 Q. A third person who complained about you to the Inquiry
22 was HIA149, HIA149. At paragraphs 19 to 22 of his
23 Inquiry statement he described you as "the worst beast".
24 He said that you drove him and his brother to Portrush
25 where you anally raped him in the back of a van, causing

1 him to bleed. You threatened him on the Carrick-a-Rede
2 Rope Bridge that you would throw him over if he ever
3 told anyone, although he said he did tell his elder
4 sister, who was very angry.

5 In evidence on Day 67 at pages 77 to 94 he said that
6 you took him and his brother DL56 to your house and
7 abused him as well as his brother DL56 and you were part
8 of one big paedophile ring in Rubane.

9 Now, just to be clear, I have not gone into the
10 details of your convictions, but his brother DL56 is one
11 of the two of children that those convictions relate to.

12 **A. Yes.**

13 Q. You accept that you did take DL56 --

14 **A. Yes.**

15 Q. -- out to your home. Did you -- you also accept
16 I believe that you did take HIA149, but you don't accept
17 that you ever abused him.

18 **A. I never abused him.**

19 Q. In paragraph 7 of your witness statement, which is at --
20 you deal with it, and you say that you are aware that he
21 was a former resident of Nazareth House and he has made
22 allegations of a sexual nature against you. You have
23 been provided with a statement that he made to police in
24 1980, together with an interview transcript dated 2012
25 -- again that was for the police -- and his statement to

1 this Inquiry.

2 You were interviewed in August 2012. You deny all
3 the allegations that are raised against you by HIA149,
4 and in respect of those allegations you received
5 a letter indicating that there was to be no prosecution
6 in respect of those allegations, and that was in
7 January 2013.

8 One other person who wasn't actually complaining
9 about you himself, but related an occurrence that he
10 said that he witnessed, and that was HIA41, HIA41. He
11 told police that:

12 "DL509 had had a fight with a boy called DL125, who
13 got his leg broken, and when he came back from the
14 hospital, he threw the crutch at DL509."

15 In evidence on Day 67 at pages 60 to 62 he said that
16 he saw the incident from about two feet away. He
17 described it as a tussle or a fight between you and
18 DL125. He said DL125 went down and he heard the crack
19 of his leg breaking. He said that when DL125 came back
20 from the hospital, he threw a crutch at you, but it
21 actually missed and hit a boy called Perkins.

22 Now in paragraph 5 of your witness statement you
23 deal with that allegation. You were provided again with
24 the statement of DL125, who again indicated -- and
25 I will just -- to be fair, just to say that what he --

1 DL125 had told police, and that's at 61103, he said
2 that:

3 "I remember when I was at the home and I was in the
4 smoking room, I was messing about. A member of the
5 civilian staff, DL509, told me to behave. I took no
6 notice of him, so he hit me a slap on the head. I ran
7 outside crying and I pushed his motorbike over in a fit
8 of temper. Someone told him. He came back in a rage
9 and kicked me on the right knee. As a result of this
10 I was taken to Newtownards Hospital and then to Musgrave
11 Park Hospital. I underwent two operations on the right
12 knee due to this assault and I have lost about 60% use
13 of the leg. It just goes from under me. I do recall
14 when I came back to the home, I was in plaster. I threw
15 my crutches at DL509. I think I hit him. A crutch also
16 hit another kid, but I don't know who it was."

17 You were interviewed again by police about that and
18 you denied ever doing this, and you also denied anybody
19 ever knocking over your motorbike. You talked about
20 another boy called DL47, who had fallen off your
21 motorbike on an occasion. Do you remember telling the
22 police that?

23 **A. Sorry?**

24 Q. Do you ever remember telling the police about a boy
25 called DL47? That's the only person you remember --

1 **A. He was the only person who --**

2 Q. -- on your motorbike.

3 **A. He was on the back of it and he fell off it actually,**
4 **but he was all right.**

5 Q. But there was nothing -- I mean, you denied this
6 allegation that was being made by DL125.

7 **A. I deny it 100%.**

8 Q. You deal with that in paragraph 5 of your witness
9 statement. That's at 5551. You say there at (b) that
10 you were interviewed by police about his allegations in
11 April '96, when you denied any wrongdoing. You maintain
12 those denials, and specifically with reference to some
13 of the alleged facts you say that your motorcycle was
14 not kept in the yard at Rubane House.

15 **A. It wasn't kept in the yard at all, no.**

16 Q. You say it was--

17 **A. It was kept down beside the house.**

18 Q. And that was in the farmyard?

19 **A. That was way down the farmyard, the very bottom of it.**

20 Q. You say it would only have been kept in the yard on
21 a few occasions. It was never knocked over by any of
22 the boys who were resident in Rubane.

23 **A. No.**

24 Q. You go on to talk here about the incident involving a
25 boy called DL47, who was a passenger on the back of the

1 motorcycle --

2 **A. Yes.**

3 Q. -- when it fell over on the way out of the gate at
4 Rubane, but he was uninjured as a result of the
5 incident.

6 **A. Yes.**

7 Q. You don't remember DL125 or HIA41?

8 **A. I don't remember DL125 or HIA41, but I couldn't have ran**
9 **after him anyway. I can't run, never have been able to**
10 **run since I was 2-year-old. So how could I -- how could**
11 **I have caught him? If he's any fit sort of child at**
12 **all, he would get away from me.**

13 Q. You go on to say --

14 **A. And --**

15 Q. Sorry.

16 **A. And I can -- never used or kicked anybody. So ...**

17 Q. Did you have a stick when you were in Rubane, DL509?

18 **A. No.**

19 Q. But you would have had -- some of the boys describe you
20 as having had a limp. Would that be fair?

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

22 Q. You say that if DL125 did sustain any injury during his
23 time at Rubane, it wasn't caused by you.

24 **A. Yes.**

25 Q. You don't ever remember any of the boys throwing

1 a crutch at you, nor if there was ever an ambulance at
2 Rubane to take any of the boys to hospital.

3 **A. Not my thing.**

4 Q. I know BR10 said he would have taken boys to hospital or
5 for doctors' or dentists' appointments.

6 **A. He probably would have, yes.**

7 Q. But you certainly don't have any recollection of anybody
8 going?

9 **A. Nothing, no.**

10 Q. Now there are a number of other allegations that were
11 made to police, and I am just going to look at those.

12 The first was by a boy -- again the names aren't to
13 be repeated elsewhere. His full name is DL59, but DL59.
14 If we look at page 60396 and just -- it says just about
15 the second line down:

16 "I also remember a member of staff called DL509. He
17 was in charge of chalet 4",

18 not Channel 4:

19 "He had a camper van and he used to take some of the
20 boys out in it."

21 That is correct, isn't it, DL509, that you did have
22 a camper van?

23 **A. I did have a camper van, yes.**

24 Q. "I remember he used to take us all over the country,
25 north and south, and he would have had six to eight boys

1 in the camper."

2 **A. That would have been right.**

3 Q. Did you ever take them out north and south in the van?

4 **A. I wouldn't have took chalet --- any other chalet.**

5 **I wouldn't have had permission to take any other chalet.**

6 **I only had chalet 4 people.**

7 Q. Was this boy in chalet 4?

8 **A. No, not the -- I can't remember him, but I don't think**
9 **he was, no.**

10 Q. Well, he said -- what he describes you as having done is
11 you would watch some of the boys, including himself,
12 having full anal sex in the back of this van.

13 **A. No, no, definitely never.**

14 Q. He names a boy whom he says he had sex with. He said to
15 his knowledge, this is DL59's knowledge, you never took
16 part in any of the sex acts.

17 **A. No, definitely not.**

18 Q. You deal with that in paragraph 2 of your Inquiry
19 statement, where -- we don't need to go back with it,
20 but you were provided and interviewed again by police
21 about that allegation. You denied it and you maintain
22 your denials of those allegations. You say you have
23 never witnessed and are not aware of any boys having
24 anal sex in the back of your van, and you say he was
25 actually in chalet 3, not chalet 4, and it would only

1 have been chalet 4 boys that you would have taken away
2 on trips and he was never in your van.

3 **A. He would never have been in it.**

4 Q. Now we have dealt with the situation about DL125, and
5 you know he hasn't spoken to the Inquiry, but what he
6 said in the police statement was put to you in
7 interview, and again you have looked at that at
8 paragraph 5.

9 DL56, who is a boy against --

10 **A. Yes.**

11 Q. -- you have convictions for, he spoke to police about
12 other offences than that for which you were convicted.
13 That's at 61024. He said there that -- he said that he
14 hadn't told police all that happened to him. He goes on
15 to -- he remembers:

16 "During a week-end visit to the farmhouse at De La
17 Salle Christian Brothers Home at Kircubbin that DL509
18 made me suck his penis."

19 That would have been on a week-end visit from
20 Nazareth Lodge, when you would have taken them down in
21 the red caravanette. Now I know you accept you did take
22 him down from Nazareth Lodge --

23 **A. I did take him down.**

24 Q. -- but you say you never abused him there.

25 **A. Never abused him, no.**

1 Q. You said that he stayed in the farmhouse with you and
2 that's correct. He then said that was the incident that
3 he described in his first statement to police and for
4 which you admitted and were convicted.

5 **A. Yes.**

6 Q. He then gives further details of that, and he then in
7 the statement talks about other occasions, and remembers
8 you taking him and his brothers to Achill Island and
9 other places, but at page 61027, if we go down to the
10 bottom of that page, he says:

11 "The only other thing I remember is when I was 6 to
12 7 years old during one of my week-end visits to
13 Kircubbin, I walked into the farmhouse and into the
14 living room and saw DL509 and one of the Brothers
15 standing there playing with each other. Both of them
16 had their trousers and pants down round their ankles and
17 they were masturbating each other. As soon as I saw
18 this I just walked back out again."

19 He said:

20 "The Brother I saw is either BR1 or BR77."

21 Again I am using names that are not to be repeated
22 outside.

23 Just to be clear, BR77 has spoken to the Inquiry and
24 he has said that that absolutely did not happen, and in
25 evidence to the Inquiry yesterday he said that it did

1 not happen and that he was not a homosexual. You deal

2 --

3 **A. It never happened with me either.**

4 Q. Pardon?

5 **A. It didn't happen with me either.**

6 Q. And you did deal with that in paragraph 6 of your
7 witness statement, where you say that you admitted to
8 police in interview in 1980 the offences that you had
9 committed against DL56, but those admissions made were
10 the full extent of your offending behaviour, and you
11 deny committing any other acts of unlawful sexual
12 activity involving this child.

13 He made a further statement and those allegations
14 were put to you and again -- that's the statement we
15 have just been looking at, and you again deny that
16 allegation in its entirety. You did not engage in any
17 sexual activity as described with any members of the De
18 La Salle Order at any time.

19 **A. It never -- never happened. It definitely never**
20 **happened.**

21 Q. Just to be clear, that again that was reported by police
22 and that resulted in a no prosecution as well -- isn't
23 that correct -- those allegations that he made?

24 **A. I haven't been charged for any of them.**

25 Q. Now one other person who said something is someone

1 called **DL 51** I am not going to go to his
2 statement, because I am going to come back to it for
3 another reason, but he basically said that he had been
4 told by a boy that this boy had caught another boy
5 called DL44 wanking off DL509, the chalet parent for
6 chalet 4.

7 "This was in DL509's Volkswagen minibus. It was
8 parked down in the farmyard beside DL509's house."

9 You again in your statement deal with that at
10 paragraph 8 and you say that that too never happened.

11 **A. It never happened.**

12 Q. Certainly you weren't involved in that incident as
13 alleged and deny the allegation.

14 Now you were interviewed by police in April 1996,
15 and we talked about this earlier this morning, DL509.
16 I-am going to come to some of the things that were in
17 your police interview. It is true to say that you were
18 denying all of the allegations they were putting to you.

19 Police asked you -- and if we look at this at
20 RUB63057 -- the interview I should say in its entirety
21 is at 63023 to 63067, but on this particular page, if we
22 can look at this, the police are asking you just towards
23 the bottom of this page about how you felt that the home
24 was being run at the time that you were there. If we
25 can just go on down, please, you said:

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

4 If you can go on to the next page, the police then
5 say to you:

6 "Right. Can you name those Brothers?"

7 A. Brother -- what do you call him? Brother ..."

8 You give two names there that I am going to use so
9 we know who you are talking about:

10 "BR40 and BR18."

11 The police say:

12 "BR40 and BR18. Did you ever take any complaints
13 from the inmates of sexual or physical abuse?"

14 You say:

15 "No'.

16 Q. So no boy ever came to you and said he was --

17 A. No."

18 They say boys fought among themselves and they go on
19 to talk about who was the person in charge of the home
20 at that time. You said:

21 "BR1 and Brother -- what is the other Brother's
22 name?"

23 Q. Was it BR2?

24 A. BR2 was the one I signed up with, BR2."

25 A. That's right.

1 Q. So he was the person who employed you to work in Rubane?

2 **A. Correct.**

3 Q. Now later at 63061, if we can just go to that page -- in
4 fact, if we just go to the previous page, please, which
5 is at the bottom of that page, you are being asked about
6 punishment and just -- in fact, just go up to the top of
7 that page. You say:

8 "If something happened -- if something happened in
9 a unit, a particular unit, a person -- if the
10 housemother didn't administer what she wanted and it was
11 away out of hand, he was sent over to the house."

12 Now I was asking you about this and this is the
13 passage that I was talking about. Were boys -- if the
14 housemother couldn't chastise a boy or, you know, it was
15 something more serious than she could handle, was he
16 sent over to the main house?

17 **A. I honestly don't know, because the only one I would have
18 sent them to would have been the housemother. If she
19 sent them, that would have been up to her, not up to me,
20 you know.**

21 Q. No, I appreciate you wouldn't have sent them to the main
22 house, DL509 --

23 **A. Yes.**

24 Q. -- but what I'm saying is you were telling police that
25 you understood that's what would happen. If she

1 couldn't handle the situation, she sent the boy on to
2 the Brothers for punishment.

3 **A. I can't honestly remember. It could be right. It could**
4 **be wrong. I don't know.**

5 Q. You don't remember telling the police that --

6 **A. No.**

7 Q. -- but you accept that's what you did tell the police
8 from this passage, or if I have got that wrong, please
9 correct me.

10 **A. I can't honestly remember saying that. It is 30-odd**
11 **years ago. So I can't say it is true. I can't say it**
12 **is untrue.**

13 Q. You go on then to talk about --

14 "What -- right. What do you mean?",
15 the police say.

16 "The instructions were that a housemother could
17 administer punishment to you."

18 You said:

19 "No, no, no way. None of -- no. In other words,
20 his privileges would have been stopped."

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

22 Q. This is what you were talking about what the housemother
23 could do.

24 "... and he wouldn't be allowed to go to a disco,
25 wouldn't be allowed to go to pictures or any particular

1 outdoor -- his privileges would be stopped. He wouldn't
2 be allowed to get his money. Whenever he went out the
3 week-end he'd be deducted so much. He'd get so many
4 points against him, but if it was serious, really,
5 really serious or something, but in -- it would be the
6 house. Right."

7 The police then say:

8 "Did you ever witness anybody administering corporal
9 punishment?"

10 You say you never witnessed it:

11 "But there was a fella got -- I was in a camping
12 outfit and this particular man liked using a rope."

13 The police say to you:

14 "I know who exactly you are talking about there.
15 That's BR77."

16 You say:

17 "Yeah. I had to stop him one night for doing --"

18 The police say:

19 "Do you remember who it was? I know who it was he
20 hit, but do you remember who it was he hit?"

21 You say:

22 "Yeah, it was ...",

23 and the name that is given there is **DL 51**

24 Now, just to be clear, **DL 51** did give
25 a statement to the police, and I just want to look at

1 what he said about BR77 in that at page 60105. It is
2 quite difficult to make out here, but you will see just
3 before the "DL41" there he says:

4 "One day" -- he gives the boy's name -- " **DL 41** ,
5 who is class A2, and myself had been fighting with
6 **DL 106** He has since left. BR77 called **DL 41**
7 and myself into the hurley store and beat us up. He
8 didn't cut me, but he hurt me and I cried. I heard from
9 other boys that BR77 has beat up boys before and cut
10 them."

11 Then he names the boys that he said BR77 had beaten
12 up. Now there is no mention in that statement of a rope
13 having been used. What I wondered about you was is it
14 possible when you spoke to police that you got the name
15 of the boy wrong?

16 **A. I could have done.**

17 Q. The reason that I want to ask you that is if we look at
18 another statement, this is a statement of DL44, who is
19 DL44. He made a statement to the police, which is at
20 60089. If -- I just want to go -- he talks about two
21 things that involve you. If we go down to the bottom of
22 that page, he says that, about six lines or seven
23 lines up or so:

24 "On one other occasion on the all-weather pitch we
25 were doing some sport. I was talking to ...", a boy he

1 names there as **DL 23**. "One of the Brothers called me
2 down. I asked him to wait a minute as I was talking to
3 **DL 23**. BR77 came up to me and hit me with his fist in
4 the stomach. He then pulled me down and kicked me four
5 to five times in the stomach and side. I vomited as
6 a result of this. I had a wild pain in my side and
7 stomach. DL509, one of the houseparents, told me to lie
8 on the grass. DL509 couldn't say anything to BR77, as
9 the Brothers are higher than the houseparents."

10 Now if I can just pause there, this boy is saying
11 that you either witnessed this assault or were certainly
12 present --

13 **A. I can't honestly remember it.**

14 Q. -- after it. You told him -- but you would have been --
15 I mean, you were saying you would have been around after
16 school time.

17 **A. If it was after school, yes, but if it was in the school
18 play time, you know, or school games, I wouldn't have
19 seen it.**

20 Q. Although he does -- what he is saying is that you told
21 him to lie down on the grass. Whether you -- he is not
22 actually saying, although the implication I think is
23 there, that you would have witnessed this.

24 **A. Yes. I honestly can't remember it, no.**

25 Q. He then goes on to talk here:

1 "At the beginning of last year we were camping in
2 Ardglass."

3 Is that one of the places that you would have gone
4 camping?

5 **A. We would have used a school in Ardglass.**

6 Q. He said:

7 "Me and another boy were arguing -- I think the
8 boy's name is **DL 26** -- were arguing over table tennis.
9 DL509 told to us sit down. BR77 came over and took me
10 out of the TV room and made me bend down. He whipped me
11 several times with a camping rope. This left bruises
12 around my back and legs. Apart from the things I told
13 you nothing else happened to me."

14 Now it is clear from this that he's not actually
15 saying you witnessed what BR77 did?

16 **A. I didn't witness anything, but again I can't say,
17 because I would have still been in the room with the
18 other boys, you know.**

19 Q. But what -- what you told the police was that you had to
20 stop this Brother hitting a boy with a rope.

21 **A. Well, I probably would have had to stop him some time.
22 I just said I didn't go for that sort of thing, you
23 know. I didn't go to corporal punishment of any sort.
24 I just don't believe in it.**

25 Q. Well, again you were interviewed in 2012, DL509, and

1 that was at 66300 to 66317. You said again to police at
2 that time that the Brothers used the belt or cane,
3 although you didn't see it, that it happened behind
4 closed doors.

5 **A. It probably did, but, as I say, I didn't see it, because**
6 **I didn't go -- I wasn't involved in the main house and**
7 **that's where all the Brothers were situated bar the ones**
8 **that stayed at night in the chalets.**

9 Q. At the -- just to be clear that the entry where you say
10 that:

11 "I wouldn't have seen that anyway. As I say, they
12 done it behind closed doors. So the lay persons
13 wouldn't have seen it."

14 **A. No.**

15 Q. You told police that at 66309.

16 Just to look at a document here, the police view of
17 what they had been told is given in a document at
18 RUB63103. This is where the police are reporting the
19 allegations that have been made against you to the
20 Public Prosecution Service, and they said that the
21 allegations had been fully investigated. They go on
22 down to say that, if I can just scroll down to the
23 bottom:

24 "Overall the evidence contained in these papers is
25 I believe insufficient to warrant criminal proceedings

1 and I support the recommendation that the file be marked
2 'No prosecution'."

3 63102, which is the next page. Sorry. It is the
4 previous page, in fact. This is the direction from the
5 Public Prosecution Service saying that there's no
6 reasonable prospect of a conviction for any of the
7 offences that have been reported and they direct no
8 prosecution against you.

9 Now your position --

10 CHAIRMAN: Can we go to the page we saw first, please?

11 MS SMITH: Sorry. The next page. The police --

12 CHAIRMAN: Just a moment. Thank you.

13 MS SMITH: The position as you sit here today, DL509, is
14 that you make in paragraph 1(a) of your Inquiry
15 statement, and that is that you -- aside from the
16 convictions that we have looked at or talked about:

17 "I do not -- I do know I never abused either
18 physically or sexually any child over and above that for
19 which I was convicted in May 1982."

20 Now speaking to me earlier, I know that you wanted
21 to say something about your convictions and how you feel
22 and how your life has been since.

23 **A. Well, my life has changed. I have turned it round**
24 **completely. I do not get involved with any children**
25 **whatsoever. I work with the elderly, which I am myself.**

1 I try to keep out of everybody's way, keep to myself and
2 that's basically what I do. I was and still am -- worry
3 every day and I listen to the doorstep, listen to things
4 coming in through the door. I regret doing this, deeply
5 regret it, but I just have to try and keep going, but
6 definitely I wouldn't -- if it happened again, it would
7 never have happened to me again.

8 Q. Certainly you have not been in trouble with the police
9 --

10 A. I have never been in trouble with the police --

11 Q. -- since that time.

12 A. -- since that day. I have said I turned my life round,
13 worked at the business, looked after my mother for
14 thirty years, who died last year, and -- it was her
15 birthday was yesterday, so -- but we have to carry these
16 things on, you know.

17 Q. Well, DL509, is there anything that you feel that you
18 haven't had the opportunity to say about either the
19 allegations that were made against you or about your
20 time in Rubane? This is your opportunity to tell the
21 Inquiry if there's anything.

22 A. The only thing I can say is I didn't see anything
23 happening. It might have happened. It probably did
24 happen. You only heard what people said, people talked
25 about or children talked about, but again I never seen

1 **anything. I can't go down and say, "A did this and B**
2 **did that". I can't say that.**

3 Q. DL509, can I just ask you you say that the children
4 talked about it. Did you yourself ever decide to do
5 anything about what you were being told by the children?

6 A. **Not really, no, no, because they had social workers.**
7 **They were probably telling their social workers that**
8 **this was happening and why were they not doing**
9 **something?**

10 Q. Thank you, DL509. I have no further questions for you,
11 but the Panel Members may have some things they want to
12 ask you.

13 A. **Right. Fair enough. No problem.**

14 **Questions from THE PANEL**

15 CHAIRMAN: DL509, can I just ask you about what you have
16 just said about the children talking? What did the
17 children talk about that you heard?

18 A. **The children would have talked about maybe, you know,**
19 **having a hard day at school or something like that**
20 **there, or maybe a hard day at the football, perhaps**
21 **games and things like that, but basically didn't talk**
22 **about anything else but their own life, what they were**
23 **going to do that night or what they were going to do**
24 **that day, you know, or where they were going.**

25 Q. Well, did any of the children say anything in your

1 hearing that might have indicated that a particular
2 Brother or more than one Brother had ill treated them in
3 any way?

4 **A. Not offhand that I can remember, but I'm sure one or two**
5 **of them did complain about one of the Brothers or so,**
6 **you know. I think the farmer was complained about**
7 **a bit, you know.**

8 Q. Well, complained about in what way?

9 **A. Probably bringing animals in in the cold winter night.**

10 Q. You mean that the boys had to help doing that?

11 **A. Oh, yes, I think so.**

12 Q. But do I take it from what you are saying that you
13 didn't hear any boy complain of any sexual approach by
14 any of the Brothers or any sexual abuse?

15 **A. Never heard anything like that in the whole time I was**
16 **there. I never heard anything like that there and**
17 **I never was involved with any of the Brothers**
18 **whatsoever. The only time I would be involved with the**
19 **Brothers was when I was working with them. Again**
20 **I wouldn't been allowed into their house.**

21 Q. A number of the people who have come to speak to us have
22 said, to put it in a very general way, that some of the
23 Brothers were very free with their fists.

24 **A. Sorry?**

25 Q. Were very free with their fists. They would strike for

1 the boys for no reason --

2 **A. Well, I never --**

3 Q. -- or other Brothers would administer very severe
4 corporal punishment. Were you aware of any children
5 talking about things like that?

6 **A. Just at that camping trip that the boy was saying that**
7 **he -- the Brother took him into another room, but again**
8 **that's the only thing, but I never heard anything else.**
9 **I'm sorry.**

10 Q. Thank you.

11 MS DOHERTY: Thanks, DL509. Can I just check when you took
12 the boys away in your camper van, did you stay away
13 overnight?

14 **A. Yes.**

15 Q. And you were the only member of staff that went with
16 them?

17 **A. It would have -- in my camper van?**

18 Q. Yes.

19 **A. In my camper van there would have been only the two --**
20 **one or two boys. There wouldn't have been over five --**
21 **four or five. In one year they went to the North-West,**
22 **but there was another person went with us, who would**
23 **have -- another staff member, a school teacher, met up**
24 **with us.**

25 Q. Met up with you there?

1 **A. Yes.**

2 Q. But you would take away a few boys, three or four boys,
3 in your camper van?

4 **A. No.**

5 Q. No?

6 **A. No.**

7 Q. So who -- what -- who would you take away or ...?

8 **A. The first two -- one -- from Nazareth Lodge.**

9 Q. But in Rubane --

10 **A. No.**

11 Q. -- when the boys talk about you going out in the camper
12 van with them, you didn't take them out in the camper
13 van?

14 **A. Not camper van I didn't, no.**

15 Q. So you are saying you never took them out in the camper
16 van and did --

17 **A. In the camper van the only person would have been taken**
18 **would have been the two boys that -- to start with.**
19 **They wouldn't -- one of them by that time was down in**
20 **there. No.**

21 Q. So when the boys describe you taking them away in
22 a camper van, you are saying that didn't happen, that
23 you wouldn't have taken any boys from Rubane?

24 **A. Not that I can remember.**

25 Q. Okay. Can I say we have heard quite a lot about

1 incidents happening round the sports field and the
2 all-weather pitch and boys talking about getting hurt in
3 matches with staff playing with boys.

4 **A. Sorry. Say that again.**

5 Q. Boys getting hurt in matches where staff members were
6 playing with boys.

7 **A. At football or something?**

8 Q. Uh-huh. Gaelic.

9 **A. I didn't --**

10 Q. Do you --

11 **A. Sorry. I never played Gaelic.**

12 Q. No, but you -- if you were down supervising down at the
13 --

14 **A. Well, if they were playing Gaelic, that would have been
15 in school --**

16 Q. Okay.

17 **A. -- and I wouldn't be supervising that.**

18 Q. But after school when they were playing down in the
19 sports field, did you see any incidents of violence or
20 --

21 **A. No.**

22 Q. None?

23 **A. Definitely not.**

24 Q. Just finally, can I just clarify -- I am just trying to
25 work out what you did. You started work at 10.00, but

1 you didn't start supervising the boys until after
2 school?

3 **A. Yes.**

4 Q. So between 10.00 and 4.00 what were you ...?

5 **A. Just round the house or something or down at the house
6 or in Newtownards or something till it started.**

7 Q. So you weren't actually working -- you didn't really
8 start work until after school hours?

9 **A. I wouldn't start work until after school hours. I would
10 be there maybe at 10.00 in the morning, but I can't
11 remember what I did in between, but I wouldn't --
12 definitely can't remember what I did in between, but
13 I didn't start till 5.00 or 6.00 when I took them for
14 their tea, but that was basically it.**

15 Q. Then you would finish at 8.00 or 9.00?

16 **A. I finished at 8.00 or 9.00, yes, night-time, yes.**

17 Q. Thank you.

18 MR LANE: Looking back now, what do you feel was the sort of
19 general quality of care and education offered at Rubane?

20 **A. Their education was very good, because it had a very
21 good school. Care I thought was dead on, but then again
22 I'm not -- I wouldn't have known much about care. There
23 were so many boys to each room or each chalet and so
24 many boys to the house. I think three of the chalets
25 had housemothers. (Inaudible) the Brothers I don't**

1 think -- well, maybe they had a houseparent. I don't
2 know. Again with the -- it's one of the other chalets.
3 I don't know whether it had a housemother or not.
4 I never heard.

5 Q. And the activities you were offering you felt were good
6 as well?

7 A. Pardon?

8 Q. The activities you were offering, they were good?

9 A. I only done outdoor pursuits and basic table tennis,
10 because I like doing table tennis.

11 Q. How does that generally good impression square up with
12 the allegations that you are aware of?

13 A. I couldn't honestly say. I don't know. I'm not into
14 that sort of thing. I really couldn't say.

15 Q. Okay. Thank you.

16 CHAIRMAN: Well, DL509, that's all we need to ask you about
17 today. Thank you very much for coming to speak to us.

18 A. No problem.

19 (Witness withdrew)

20 MS SMITH: Chairman, the next witness is to be taken by
21 Mr Aiken. If we could take a short break, I am sure he
22 will be ready to start shortly.

23 CHAIRMAN: Yes. We will take a break anyway now for
24 a few minutes.

25 (11.30 am)

1 (Short break)

2 (11.40 am)

3 WITNESS DL149 (called)

4 CHAIRMAN: Yes.

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

6 The next witness today is DL149, more commonly known as

7 DL149. He is "DL149". He is represented by

8 Mr Rafferty, solicitor, who is present.

9 CHAIRMAN: Yes. Mr Rafferty.

10 MR AIKEN: DL149 is aware, Chairman, you are going to ask

11 him to take the oath.

12 WITNESS DL149 (sworn)

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

14 Questions from COUNSEL TO THE INQUIRY

15 MR AIKEN: Now, DL149, coming up on the screen is your first

16 witness statement to the Inquiry, which is at 5542. Can

17 you just have a look at it? Apart from the black marks

18 and the designation "DL149" that you can see, you

19 recognise that as your statement?

20 **A. Yes.**

21 Q. If we go to 5544, please, and if you can just confirm

22 that's the back page. Don't worry about the --

23 **A. Yes.**

24 Q. -- grey redactions that we can see. Names can't be used

25 outside the chamber.

1 **A. Yes.**

2 Q. You have signed that statement?

3 **A. Yes.**

4 Q. And you want to adopt that as your evidence before the
5 Inquiry?

6 **A. Yes.**

7 Q. Then you have provided a second statement at 5893. Can
8 we look at that, please? It as yet does not have any
9 black marks, but will have when it is published. We
10 move into the second page at 5894. Can you confirm
11 again, DL149, that you have signed that statement?

12 **A. Yes, I have.**

13 Q. And you want to adopt it as your evidence to the Inquiry
14 as well?

15 **A. Yes.**

16 Q. And, as I was discussing with you beforehand, the
17 purpose of the black marks, although some of this has
18 not black marks as yet, is the Inquiry's anonymity
19 policy in operation, and you want to keep your
20 anonymity?

21 **A. Absolutely.**

22 Q. And, as I said to you beforehand, everyone involved with
23 the Inquiry is aware of the Inquiry's restriction
24 orders, and while we will use names today as we are
25 going through your evidence, those names are not to be

1 used outside the chamber, including your own, in
2 line with the Inquiry's anonymity policy that's at work.

3 **A. Okay. Thank you.**

4 Q. What I am going to do to begin with, DL149, is ask you
5 some general questions and then I am going to summarise
6 a lot of the material that you have already had the
7 opportunity to look at, which the Panel has also had the
8 opportunity to consider.

9 **A. Okay.**

10 Q. I am going ask you some general questions about your
11 time in Rubane to begin with.

12 **A. Okay. Okay.**

13 Q. You were born on [REDACTED].

14 **A. Yes.**

15 Q. You have just turned [REDACTED].

16 **A. Yes.**

17 Q. And you were in Rubane between September 1977 and
18 June 1982.

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

20 Q. That was almost a five-year period when you were 22 --

21 **A. Yes.**

22 Q. -- until you were 27.

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

24 Q. When you arrived in September '77, BR1 was taking over
25 as the Head Brother, head of the community of Brothers

1 --

2 **A. Uh-huh.**

3 Q. -- and he was the person in charge of the children's
4 home.

5 **A. Uh-huh.**

6 Q. You had BR3 or BR3, as he became known, as the Principal
7 of the school.

8 **A. Yes.**

9 Q. Your role was as a teacher in the school --

10 **A. Yes.**

11 Q. -- and working effectively to the Principal Brother,
12 BR3.

13 **A. Yes.**

14 Q. There were six or seven teachers you recall teaching the
15 sixty boys in effect who were there at your time in
16 1977, although those numbers reduced by the time you
17 were leaving in 1982.

18 **A. That's true, yes.**

19 Q. Your background, you had been -- you had gone to what
20 was then St. Joseph's, now St. Mary's, Teacher Training
21 College.

22 **A. Yes.**

23 Q. You were telling me beforehand you had some -- you make
24 this point in one of your police interviews -- you
25 had -- you came from the country. Fortunate to have

1 a good upbringing and good opportunities, but you had
2 from your time in St. Joseph's a particular individual
3 who did help you to understand that not everyone's life
4 was like that.

5 **A. Yes.**

6 Q. Do you want to just say a bit about that, because you
7 came with that knowledge --

8 **A. Yes.**

9 Q. -- to Rubane.

10 **A. Yes. Well, I did [REDACTED] as my main subject and I did Youth
11 and Community Studies as a subsidiary subject. I had
12 Willy McCarney as my tutor on that particular course,
13 and he was involved in the juvenile courts and that, and
14 he would often have spoken about the difficulties young
15 people might have had in a life different very much to
16 the one that I was reared in and brought up in. So I
17 was aware to some extent when I came to Rubane, you
18 know, of the idea of maybe the background of some of the
19 young men or young boys that we had to work with.**

20 Q. This was your first teaching post, in effect, your first
21 permanent job.

22 **A. Yes.**

23 Q. You would have done some work placement presumably
24 during your teacher training.

25 **A. Yes, I would have done teaching practice in a primary**

1 school in my first year in [REDACTED] in County Tyrone, and
2 then in my second and third year I did it in [REDACTED]
3 [REDACTED] in the secondary school.

4 Q. Ultimately after you left Rubane in 1972 that was to
5 take a full-time post up in [REDACTED]?

6 A. In 1982.

7 Q. Sorry. 1982.

8 A. Yes.

9 Q. You did that for about 22 years.

10 A. Yes, 22 years until 2003, and then other things took
11 over, like [REDACTED] and stuff, and I left the
12 profession.

13 Q. What I want to do as far as we can -- I appreciate there
14 is a long number of years have passed since 1977 -- at
15 that point in time when you took --

16 A. Excuse me.

17 Q. -- you took the post in Rubane, you initially for about
18 a year before you got married to your wife [REDACTED] you
19 lived in the farmhouse on the Rubane site, which was
20 down at the farm --

21 A. Uh-huh.

22 Q. -- along with DL509 and --

23 A. On occasion he was there in one part of it and DL81.

24 Q. DL81.

25 A. And at a later stage maybe [REDACTED] would have

1 **been an art teacher who would have stayed there**
2 **sometimes as well.**

3 Q. You had that facility to live there and on occasions you
4 did reside there.

5 A. On occasion I did. I was playing with [REDACTED] at
6 the time and I'd have been going home maybe two nights a
7 week to training back to [REDACTED]. So on those nights
8 I wouldn't be staying. I'd go back, and my wife-to-be
9 lived with some other girls in Belfast. So on occasion
10 I would stay there. So probably Mondays and Wednesday
11 nights would have been the ones I would have stayed in
12 the farmhouse in Rubane, if at all. It would have been
13 no more than that and not even -- not always even that
14 amount, but that would have been it, yes.

15 Q. Then after you got married in [REDACTED] you moved with your
16 wife and lived in Glengormley --

17 A. That's right, yes.

18 Q. -- and then travelled to teach in Rubane.

19 A. Yes.

20 Q. You also said to me that you in addition to teaching
21 would have done [REDACTED]

22 [REDACTED] --

23 A. Yes.

24 Q. -- before going home.

25 A. There was [REDACTED] activities on the four days of

1 **the week, Monday, Tuesday, Wednesday, Thursday, and**

2 **I would have participated in that, yes.**

3 Q. In the school with you at the time who also did ■ and
4 was also the science -- doing science -- it was science
5 he was doing was BR77 or BR77. Do you remember him?

6 A. **I do, yes.**

7 Q. DL6 was the woodwork teacher.

8 A. **Yes.**

9 Q. You have mentioned the art teacher. I think it changed
10 at various points.

11 A. **It changed a few times, yes, yes.**

12 Q. BR6 also taught.

13 A. **Yes.**

14 Q. The class sizes would have been ten to fifteen boys. Is
15 that --

16 A. **Something like that. I would have had certainly no more
17 than that, yes.**

18 Q. In one of your police interviews you say in addition to
19 teaching ■ and you mention ■, you would have also
20 done a general basic teaching across the subjects,
21 because the level of teaching, although it was -- often
22 included boys beyond the age of 11, the level that they
23 were at was not necessarily their age.

24 A. **Yes. That's true. Academically it would have been more
25 sort of basic learning than something that you might**

1 find in a secondary school setting. It was kind of the
2 primary school standard in many ways of the basic
3 subjects, because many of them hadn't been to school as
4 often as they probably would like to have been or could
5 have been in other circumstances. So they were always
6 behind academically, the majority of them, yes.

7 Q. If you can, transport yourself back to when you are
8 coming into Rubane for the first time to teach. What
9 guidance, if any, can you recall being given about the
10 type of boy or type of background of boy that you were
11 going to be teaching and how you might need to manage
12 yourself or them differently from a different type of
13 school, perhaps the ones you had done on your teaching
14 placement? Do you remember getting any guidance about
15 that?

16 A. No, I don't remember getting any specific guidance.
17 I mean, I felt I was there to teach in the school.
18 I suppose I was made aware of the fact that this was
19 different in that there was a home and a school
20 environment, if you like, on the one campus, and that
21 was all I knew, that these boys lived on site and that
22 they weren't all from the one family, but they were sort
23 of trying to be placed in a family environment, if
24 possible, within the chalets that existed there, but
25 they came to school to learn, and no specific sort of

1 guidance as to say what to expect or anything else.

2 I just -- I was there to do the job I had been trained
3 to do, which was to teach young people.

4 Q. And the -- if I -- was it a shock when you began
5 teaching in that environment with the types of boys that
6 you then came across in '77 to '82 from your previous
7 experience or was it not really much of a shock? How
8 would you describe going in there?

9 A. Well, I do really think that my engagement with Willy
10 McCarney and the information that he imparted to us
11 through that particular youth and community course gave
12 me some grounding for the fact of the type of young
13 person that I might be in contact with there. So
14 I think that was beneficial to me. So to say shock I'm
15 not sure, because I went in there with a very open mind,
16 you know. I didn't -- I went to do the best I could.
17 I come from the country, as I said, and I expected
18 everybody to sort of be like me, and therefore I was
19 prepared to look at life through that lens until I found
20 it to be different, if it was going to be different, and
21 it turned out I suppose that it was different to what
22 I had been used in teaching practice.

23 Q. And one of the -- at various times during the evidence,
24 if I can try to pull it together in this way, the boys
25 would have talked about fights between them. Other

1 people have talked about how that violence maybe went
2 beyond the use of a knife being pulled, weapons being
3 used in some form, glue sniffing, various difficulties
4 with the group of children who made up that sixty.
5 Others have talked about homosexual practices going on
6 with them and so on.

7 To what extent were you aware of those types of
8 issues affecting the boys that you were dealing with?

9 A. Uh-huh. No. I wasn't very aware of much of that at
10 all. I just saw them in a school environment. I knew
11 there was a home environment where maybe they spent more
12 time there. I am hearing now that there was other
13 things happening there that I was not aware of at all.

14 What I heard of in my environment was people --
15 those young men slagging each other off with that kind
16 of language about being queer, being this or the other.
17 They would openly use that against each other. I didn't
18 like to hear that and I didn't advocate it or -- you
19 know, I thought there was better ways of speaking
20 towards each other, but that's what happened, and I just
21 thought it was just bravado talk between them just to
22 try and insult each other, and my thinking never went
23 beyond that.

24 Q. Were there occasions whenever -- in the sporting context
25 and potentially in the classroom context that, you know,

1 there were verbals between boys and square-ups between
2 boys and you had to intervene to put that to an end?

3 **A. Yes. I mean, when young people are playing sport, they**
4 **do run across each other and get aggressive at times.**
5 **I mean, any walk of life, never mind the environment we**
6 **are speaking about, and sometimes you have to stand**
7 **between people and get them to settle down. That would**
8 **happen on occasion, but it's not something that sticks**
9 **in my mind as something you really had to be thinking**
10 **about all the time. It was just an occurrence that**
11 **happened from time to time, and to me it wasn't a big**
12 **issue, you know. They would be aggressive because**
13 **somebody run across somebody or somebody hit somebody a**
14 **tackle that they didn't think was very fair. That**
15 **happens. It happens all the while, you know. So**
16 **I didn't see anything particularly different about that**
17 **aspect of life there.**

18 **Q. I was asking you beforehand obviously you taught**
19 **alongside BR77, for instance, or BR77, and he in, as it**
20 **turns out, October '79 punched and split a boy called**
21 **DL48. I was asking did you remember him. You didn't**
22 **remember him in particular.**

23 The sequence of events thereafter is that somehow it
24 makes its way to Father Peter McCann, who is in charge
25 of the Management Committee, so overall responsible, as

1 it were. He comes in and tells BR1, "That behaviour is
2 not acceptable. If he does it again, we will have to
3 throw the book at him". Some communication makes its
4 way potentially back to BR77 about how that's not
5 acceptable.

6 Do you -- did you at any stage become aware that --
7 I want to try, if I can, to stay in October '79, so
8 before the subsequent matters that become more public --
9 do you remember it being a subject of discussion at any
10 stage by the Principal with you or the Principal with
11 the staff of which you were part about what he had done
12 and how you should generally behave with the children?

13 **A. No, I'm not aware and there was no such discussion**
14 **either individually or collectively about it, and until**
15 **you mentioned it to me this morning, I was not aware**
16 **that BR77 had been charged with anything.**

17 Q. What then happens after that incident and that exchange
18 that takes place in the hierarchy, as it were, there are
19 two further incidents where he again assaults boys and
20 draws blood and he is ultimately charged and convicted
21 in May of 1981. I was asking you, because he had moved
22 from Rubane the year previous, so in 1980. In and
23 around April/May Father McCann has explained he required
24 him to absent himself. The Order moved him to
25 Downpatrick.

1 **A. Uh-huh.**

2 Q. What were you aware of as to -- were you ever made aware
3 of the incidents two and three that he ultimately was
4 convicted of and the reasons why he was being moved?

5 **A. No, I was not aware of any of those incidents at all.**
6 **I just took it again for face value that he's a De La**
7 **Salle Brother. Within the Order they move people around**
8 **to different schools. That happened when I was at CBS.**
9 **Different Brothers came and went. I just thought that**
10 **was par for the course. So I had no inkling that that**
11 **was a forced move, if you like. I thought it was just**
12 **par for the course, normal procedure.**

13 Q. And again was there ever a discussion between BR1 or BR3
14 or both of them with the staff about the fact these
15 events had occurred?

16 **A. Not to my knowledge. I'm not aware of any such meeting**
17 **or any such talk. Not in my memory at all.**

18 Q. And in fairness it would have been BR2 coming back in,
19 as it were, because BR1 himself had been suspended.
20 I was asking you to what extent you were aware of the
21 reasons why BR1 disappeared, as it were.

22 **A. Uh-huh.**

23 Q. What had you been told about what happened to him?

24 **A. I had been told just he had been ill with cancer and he**
25 **was moved off to Dublin. In my thoughts or mind was he**

1 **was to go there just to die just. That's what I**
2 **believed and that's the story I was told.**

3 Q. So there was no discussion again with you in particular
4 or the staff generally about the fact his move was
5 because of allegations of indecent behaviour with
6 a number of boys?

7 **A. No, not at all. Not at all.**

8 Q. You discuss at various times during -- you have been
9 interviewed a number of times by police and we will look
10 at those. One of the issues that's covered is the issue
11 of discipline within the school and references to
12 corporal punishment.

13 **A. Uh-huh.**

14 Q. You make the point that you never had a cane --

15 **A. Uh-huh.**

16 Q. -- and never used a cane.

17 **A. No.**

18 Q. But you were saying to me earlier today you were aware
19 that others did use a cane and some used a strap.

20 **A. Uh-huh.**

21 Q. Can you describe the strap to the Panel?

22 **A. Just like a piece of leather that's about maybe 18**
23 **inches** long, just something similar that would have
24 been used in school when I went to school in my own day.
25 It was that kind of strap just, a thickish strap, not

1 one you would wear around your trousers or belt or
2 anything. Just something for the purpose I think.
3 That's all -- my memory of it.

4 Q. Was it flexible enough?

5 A. Flexible enough, yes, but not something you would roll
6 up, but flexible enough at the same time.

7 Q. Whenever -- to the extent that you can, whenever you
8 have come into the school and you are being told what
9 the discipline policy is --

10 A. Uh-huh.

11 Q. -- within the school --

12 A. Uh-huh.

13 Q. -- can you remember what was to happen when there was
14 discipline issues?

15 A. There was a reward and debit system in that if people
16 behaved well, they got so many points, if you like,
17 towards maybe some privileges in the home or more pocket
18 money or whatever it was. If you had things against
19 them, then you put the opposite, debits on them. At the
20 end of the week that would decide how well off they
21 would be in terms of the privileges they would get. So
22 that was the main way of dealing with the discipline.

23 Q. And that affected their money?

24 A. It did. I believe so, or their privileges or their
25 pocket money or whatever at the end of the week. Now

1 that was a home or a chalet matter in the detail of it,
2 but that was the essence of it anyway.

3 Q. You mention in your police interviews that there were
4 occasions whenever you would send somebody to the
5 Principal --

6 A. **Yes.**

7 Q. -- to BR3 to deal with whatever it was he had done.

8 A. **Yes.**

9 Q. But in the classroom itself the administering of
10 corporal punishment was not something that you engaged
11 in.

12 A. **No, no.**

13 Q. You have said that the hierarchy, as it were, the head
14 of the home and the head of the school, never told you
15 about BR77 hitting boys.

16 A. **Uh-huh.**

17 Q. Did you ever become aware of that through the boys
18 talking? How did they describe him?

19 A. Well, I suppose they just described him as, you know,
20 that he was very firm with them and kind of, you know,
21 sharp with them. I suppose that's the way they would
22 have seen it. He was pretty sharp and pretty strict and
23 probably they were more wary of, you know, him demanding
24 things off them to do it the way he wanted it done just,
25 you know. He was a firm and strict disciplinarian

1 I suppose that way.

2 Q. Did you ever hear allegations, rumours, about any other
3 Brothers being overly physical with the boys? Was there
4 anyone in particular you remember?

5 A. No, I don't have any memory of anybody else, no.

6 Q. You lived for a time in the farmhouse, which obviously
7 was connected to the farm.

8 A. Uh-huh.

9 Q. The farm at the time I think BR18 looked after.

10 A. Uh-huh.

11 Q. The Inquiry has heard various pieces of evidence about
12 him.

13 A. Uh-huh.

14 Q. How would you rec... -- can you recollect him? What was
15 he like?

16 A. Yes. Well, I just know that he was spoken about that he
17 was sort of a man you didn't sort of mess about with,
18 you know. He was about that -- he was never in the
19 school and he was -- you know, I didn't see much of him,
20 but he just had this reputation that BR18 was a rough
21 kind of a guy that you didn't mess with sort of thing.
22 That's what the boys would say. You'd jump out of his
23 road sort of thing, you know. That's the impression
24 I got, that you just steered round him if he was about,
25 you know. You didn't get in his air space, you know.

1 Q. From a sexual perspective --

2 **A. Uh-huh.**

3 Q. -- did you ever hear discussion amongst the boys or the
4 boys talking to you about any Brother being
5 inappropriate with them in a sexual way?

6 **A. Not ever. Not ever did I hear the boys talking about
7 that, no.**

8 Q. We will come to one -- there is one particular incident
9 you are aware of that a witness to the Inquiry, HIA41,
10 says he told you about another boy, [REDACTED], interfering
11 with another boy, DL69.

12 **A. Uh-huh.**

13 Q. I think you said in police interview you genuinely don't
14 remember him ever speaking to you about that.

15 **A. That's right. Never, never spoke to me. The only time
16 I ever heard language like that was in the general run
17 of the -- the environment that we worked in of people
18 slagging each other off about having orientations of
19 various kinds, but never did I go into the detail about
20 any individual or have anything spoken to me about any
21 incident of that nature, any specific incident of that
22 nature, just the general talk that went on.**

23 Q. If that -- if any boy had brought to you a story like
24 that, given you have described your background and your
25 perspective, is it the sort of thing that you would

1 forget?

2 **A. No, absolutely not. I would be disgusted and alarmed**
3 **and I just -- I don't know how I would have dealt with**
4 **it then, because it's still -- still very difficult for**
5 **me to think about anything like that. I just -- it's**
6 **not in my -- on my radar at all, and, you know, if**
7 **something like that had been said to me, I certainly**
8 **would have been very much -- it would have been**
9 **something shocking to my system and I wouldn't have kept**
10 **it to myself.**

11 **Q.** Were you aware -- I mentioned to you when the 1980,
12 May -- April/May 1980, matters arose initially to do
13 with BR1 and him moving off, can you remember the police
14 took over a chalet and interviewed in total in the end
15 124 boys over the course of a period of time? Do you
16 remember that taking place on the site?

17 **A. I really do not remember it. That's the truth. I do**
18 **not remember it. I was just coming into the school,**
19 **doing my work, going home. If that was happening in the**
20 **chalets, it was kind of outside my zone, and it wasn't**
21 **something that was big in my agenda. I really do not**
22 **remember anything of that detail at all.**

23 **Q.** Again you don't remember BR3 or BR2, who would have come
24 in, or if it was him.or somebody in the interim between
25 him and BR1 for a short period until he arrived back --

1 at no stage you were brought together to talk or be told
2 about what was going on?

3 **A. No.**

4 Q. The police didn't come to you, for instance, as another
5 teacher in the school to say, "Do you know anything
6 about this?"

7 **A. No, no. I have no recollection of any issue around that
8 at all or me talking to anybody about it, no.**

9 Q. What I want to do, as you know from our discussion
10 earlier then, I want to try and go through the matters
11 that are alleged against you.

12 **A. Okay.**

13 Q. As I said to you, to put them in context, in 1980 the
14 police spoke to 124 boys who were in the home between
15 1977 and 1980. So that's your -- that covers part of
16 your window, as it were.

17 **A. Uh-huh.**

18 Q. I will just make it clear, as you have made clear in
19 your statement in relation to a couple of specific
20 individuals who have said something about you, in 1980
21 in all of those people no-one made any allegation
22 against you at all that you are aware of.

23 **A. No.**

24 Q. And certainly from what the Inquiry has found there is
25 nothing in any of those statements that make any

1 allegations against you, but in 1995 then, by which
2 stage you were teaching in [REDACTED] --

3 **A. Uh-huh.**

4 Q. -- and were you then in your [REDACTED] still? [REDACTED]

6 **A. I would have been [REDACTED] at that time, the
7 [REDACTED], yes.**

8 Q. So you were heavily involved in that. Then the police
9 arrived to talk to you about matters that were said to
10 have taken place involving you in Rubane.

11 **A. Uh-huh.**

12 Q. As I was explaining to you earlier, Operation Overview,
13 case 29 of it, involved Rubane. It produced 41 files.
14 So it covered a range of individuals, of which you were
15 one, and file [REDACTED] of 41 related to you. I have to give
16 the Panel various page references as we go. So just
17 bear with me while I am doing that. Members of the
18 Panel, that file runs from 63104 to 63195.

19 Now I am going to look at this with you now, DL149.
20 It involved four boys of the at that time 150 who were
21 spoken to, many of those who had been spoken to before,
22 but many others beyond the original 124. So some
23 repeats, if I can put it that way, but not necessarily
24 all repeats. Four boys who were spoken to as part of
25 the '95 investigation made allegations involving you,

1 one of whom only, and that's HIA41, who we will come to
2 talk about later as well, is a witness to the Inquiry.
3 So the other three matters that I am going to talk to
4 you about, these individuals have not come forward for
5 whatever reason to the Inquiry.

6 I will deal, first of all, with just showing you the
7 HIA41 allegation that's made on 16th January 1995. If
8 we can look, please, at 63126, and the -- you will see
9 a mark on the right-hand side of the page, a line that
10 just highlights the area we are talking about:

11 "I recall a time when I was assaulted by a teacher
12 called DL149."

13 That is you, DL149.

14 "It was in his ■ class. He gave us books to read.
15 I said I had read the book the previous time and he said
16 'Read it again'. I said, 'Could I not change it to
17 another book?' and he lost the head and started to punch
18 me, and the beating was that severe that the rest of the
19 class stood up and he turned and faced them. He had
20 punched and kicked me and tramped on me."

21 You -- we'll just take the allegation and we will
22 look at the other three and then we'll look at the
23 interview you did where you explained what you had to
24 say, but essentially you've said that did not happen.
25 You'd never --

1 **A. It absolutely did not, no.**

2 Q. You would not treat a child like that.

3 **A. Absolutely not.**

4 Q. You did not treat this child like that.

5 **A. No way.**

6 Q. This allegation is not true.

7 **A. Not true.**

8 Q. We will come back to look at it in more detail.

9 **A. Okay.**

10 Q. Then the second allegation is by an individual called
11 DL131. If we look, please, at 63132, he made
12 a statement on 6th March 1995. He is DL131. You can
13 see he says:

14 "I can remember one other occasion I was in the
15 [REDACTED] room. DL149, who was a teacher there, came in.
16 He told me to get a move on. I answered him back. He
17 just laid into me with his fists and boots. He punched
18 me and cut my lip. He seemed to know where to hit where
19 it hurt the most but didn't show. I can't remember any
20 other incidents because it is so long ago."

21 Have you any recollection of DL131?

22 **A. I would know who he is, yes.**

23 Q. You know who that is --

24 **A. Yes, yes.**

25 Q. -- that's speaking?

1 **A. Yes.**

2 Q. Can you remember any incident in a [REDACTED] room
3 involving him?

4 **A. No, absolutely not. That did not happen.**

5 Q. Well, that's what he -- in 1995 obviously he said to the
6 police that's what he says you did.

7 **A. Uh-huh.**

8 Q. We will look at your position, but effectively you are
9 saying that didn't happen.

10 **A. No.**

11 Q. You did not assault a boy like that.

12 **A. I did not, no.**

13 Q. The third incident is one that you do recognise
14 involving a DL121. You recount it differently than he
15 does, but before we look at what you say, this came
16 about -- he had actually already spoken to the police,
17 given a statement and there was no discussion about you
18 in that statement, but another boy, DL85, if we just
19 look at his statement of 13th June 1995 -- it is at
20 63138 -- again the line on the right-hand side of the
21 page, he says:

22 "A fellow called DL121", that's DL121, "was in the
23 [REDACTED] room one day."

24 I am not sure what [REDACTED] means. Do you know what
25 that means?

1 **A. Aye. I suppose the old word for** [REDACTED]
2 **I suppose instead of** [REDACTED]
3 Q. "He went on to go to the toilet without asking -- he
4 went to go to the toilet without asking permission. The
5 [REDACTED] teacher, who was called DL149 -- he was from
6 [REDACTED] -- tried to stop **DL 121** [REDACTED] from -- DL121
7 from leaving. DL149 tried -- DL121 tried to walk on and
8 DL149 punched him in the face. There was a scuffle
9 between them and the boys broke it up."

10 So he says that to police and then as a result of
11 him saying that the police go back to DL121 and ask him
12 about it. He makes a statement on 18th July of '95.
13 That's at 63136. He says:

14 "Further to my statement I made in February '95",
15 which says nothing about you, "I have been asked about
16 an incident involving a teacher called DL149. I can
17 remember this particular incident. I was in the [REDACTED] room
18 one day during school hours. I asked him if I could go
19 to the toilet. He refused to let me go. When his back
20 was turned, I sneaked off and went to the toilet. When
21 I returned, he came walking towards me and was taking
22 his watch off. He said, 'I have been waiting for this'
23 and something else which I didn't make out. He punched
24 me into the corner. I gave him back as good as I got.
25 Some of the other lads split us up a couple of times.

1 It stopped when BR3 came down the stairs and shouted.
2 I was brought before BR3 about the incident and gave him
3 my side of the story. DL149 was also spoken to about
4 the incident. Brought back in and was told there would
5 be no further action. It appeared to me BR3 thought we
6 were both at fault."

7 He says he got a chance to look at the punishment
8 book on one occasion, and if he is right, there was
9 a note in it about the incident, saying that he had
10 attacked you, which, of course, is what you say he did
11 --

12 **A. Uh-huh.**

13 Q. -- which we will come to.

14 **A. Uh-huh.**

15 Q. That's how he is describing it. So he is describing it
16 slightly differently from DL85. He is saying he got out
17 to the toilet --

18 **A. Uh-huh.**

19 Q. -- and was coming back. DL85 was saying it was when he
20 was going out to the toilet that you stopped him.

21 **A. Uh-huh.**

22 Q. Either way they are saying you engaged with him and
23 a punch was thrown.

24 **A. Uh-huh.**

25 Q. As to that, you remember this boy.

1 **A. Uh-huh.**

2 Q. You remember he was a physically big guy.

3 **A. Yes.**

4 Q. You explain to the police in your interview that what
5 you are saying happened was that he asked to go. You
6 wouldn't let him, because you had a view about whether
7 he needed to go or not.

8 **A. Uh-huh.**

9 Q. And he was defiantly going to go anyway.

10 **A. Uh-huh.**

11 Q. You just could not let -- in terms of controlling the
12 class could not let a pupil just ignore you blatantly in
13 front of the children. So you blocked him from going.

14 **A. Uh-huh.**

15 Q. Then he grabbed you by the hair.

16 **A. Yes.**

17 Q. Do you want to just explain -- you can remember this
18 incident, because it was --

19 **A. I do remember. This incident did happen, yes. This did
20 happen for sure.**

21 Q. This was the worst one for you in your time in Rubane?

22 **A. It was, it was, yes. He did want to go out. I didn't
23 allow him to go and I stood in front of him and stood at
24 the door not to let him out. That's what I wanted to
25 do. I thought, "When I physically stand in front of**

1 him, at least he will turn back and not continue to go",
2 but at that he just grabbed me, grabbed me by the back
3 of the head, and I had a lot more hair in those days
4 than I have now, and he had plenty to grip, and that was
5 a wrestling match that ensued and there was no punches
6 thrown at all. It was just an engagement, if you like,
7 of that sort, which was him involved really pulling my
8 hair for a minute or two, or seemed like a minute or
9 two. I am sure it wasn't that long, but that's where the
10 incident happened. He made the move. I stayed to stop
11 him and there was no punches thrown at all, but the
12 incident did happen.

13 Q. As that scuffle is going on or the wrestling match, as
14 you describe it, is going on, BR3 eventually comes in,
15 breaks it up.

16 A. Yes. He came down the stairs. Obviously he heard
17 whatever was going on, heard the commotion. He came
18 down and that ended it, yes.

19 Q. You and he spoke about it then in his office.

20 A. Yes, yes.

21 Q. And if DL121 is right, he spoke to BR3 about it as well.

22 A. Uh-huh.

23 Q. And I was asking you then when we were speaking earlier
24 whether that changed your relationship with the boys or
25 coloured how things went after that and you were saying

1 it really was forgotten about.

2 **A. Uh-huh.**

3 Q. It didn't really make any material difference in the
4 school.

5 **A. No, no, it didn't. It was just it happened. It's over.
6 It's done with, and you would hope that it wouldn't be
7 happening again or it didn't, either before or after.**

8 Q. The one other incident that is in those 1995 papers,
9 there was a DL96. I don't know if you remember him. He
10 made a statement on 26th July 1995. If we look at
11 63141, please. In that statement just down at the
12 bottom of the page, he says:

13 "The only other thing I can remember is DL149, who
14 was in charge of chalet 2 ..."

15 Of course, you were never in charge of a chalet.

16 **A. Never.**

17 Q. He says:

18 "... he gave DL64", that's DL64, "a severe beating
19 on a [REDACTED] one day in front of 22 people.
20 I didn't tell the other detectives about this as they
21 arrived out the blue and caught me by surprise."

22 I think he is referring back to when he spoke to the
23 police in 1980 --

24 **A. Uh-huh.**

25 Q. -- being taken by surprise, but there is a police record

1 of -- they then phoned or got in touch with DL64, if we
2 look, please, at 63114, and what he -- the Detective
3 Sergeant McArdle, who was the investigating officer on
4 your -- the file involving you, spoke to this man by
5 telephone.

6 "He", DL64, "confirmed the assault as described by
7 DL96 and also a further assault in a classroom. He
8 stated he didn't wish to make a complaint about the
9 assaults, because he was partly to blame."

10 Do you remember any altercation with him on the
11 [REDACTED] about something?

12 **A. No, I do not, no, and I don't remember DL96, the man you**
13 **mention or the boy you mention. I don't remember him,**
14 **but no, there's nothing -- there's no truth in that at**
15 **all, no truth.**

16 **Q.** As you said, you were then interviewed on 14th May 1996.
17 Members of the Panel, that begins at 63149. You
18 explained to the police -- I am just going summarise
19 this or we will be here for a very long time, DL149 --
20 you taught various subject at basic level. You were
21 asked about HIA41, who made -- he was a boy who made one
22 of the allegations. You said he was sly. He sneered
23 a lot and you said he was cute rather than clever.
24 I will just give the Panel the reference for that.
25 That's at 63155 and 6, but you said you never assaulted

1 him in the way -- at all or in the way he is describing
2 in the ■ class.

3 **A. No.**

4 Q. I will come back to look at that in more detail. You
5 said if you had to punish a boy, you operated a reward
6 system. Beyond that the only time physically was
7 involved was trying to restrain or separate fights
8 whenever they occurred.

9 **A. Uh-huh.**

10 Q. You wouldn't administer corporal punishment. The DL131
11 incident you said you had no recollection of any
12 involvement with him in the way that he was describing.
13 The police suggested to you that, you know, if somebody
14 was not doing what you asked, would it not be natural to
15 maybe hit them a slap? That's the word they put and
16 your reply to that was that you just didn't do that.
17 That's not your profession.

18 **A. Uh-huh.**

19 Q. The reference for that is at 63168. You describe then
20 the incident involving DL121. You describe it as you
21 were indicating just now. You said that he was
22 physically strong and you describe it as happening in
23 a different way from he says it happened.

24 **A. Uh-huh.**

25 Q. I was asking you about that earlier. What -- there was

1 obviously a need to keep control if a boy was just going
2 to defy you.

3 **A. Yes.**

4 Q. This was one occasion when that got out of hand. I was
5 saying to you, looking back on it, you probably wish you
6 had let him go to the toilet at the time.

7 **A. Yes. Well, I mean, it is just a decision you have to**
8 **make on the spot, you know. If you are in charge of the**
9 **class and people can see they can just do what they**
10 **want, walk out whenever they feel like it, that's not**
11 **good practice either. So you try to stop it in as easy**
12 **a way as you can and you would never expect it or**
13 **I didn't expect it to turn into the row or brawl that it**
14 **did. I can only reflect on that now. I made the**
15 **decision I made and I thought it was the right one at**
16 **the time.**

17 Q. That's the only one that you recall in terms of trying
18 to keep control where it spiralled out of hand.

19 **A. Yes.**

20 Q. As I was saying to you earlier, the way the police file
21 works is the investigating officer says something about
22 it. Then various officers review it thereafter.

23 On 1st August 1996 the detective sergeant who
24 prepared the file recommended no prosecution. That's at
25 63115. That was on 1st August '96.

1 His detective inspector -- I am just going to show
2 you as I was discussing with you earlier -- 63116 -- he
3 described it in his way. This is obviously just his
4 view he is expressing as a police officer investigating
5 the matter:

6 "It is obvious from reading these papers that DL149
7 used violence on the boys on occasions."

8 You don't accept that.

9 **A. No.**

10 Q. "However, although the alleged assault ... took place in
11 an ■ class, no-one corroborated it."

12 That's the one involving HIA41.

13 Then he points out in the other involving DL131,
14 there is no corroboration for that.

15 Then looking at the DL121, that account is somewhat
16 corroborated, though they disagree at what stage it took
17 place. Then points out that you describe the matter in
18 a different way and therefore unlikely ever to be
19 a successful prosecution, and he directed no
20 prosecution.

21 The superintendent, if we look at 63194, then writes
22 to the DPP in 1996 and says essentially the same thing.
23 He says:

24 "Whilst there is in my view substance in their
25 complaints, the evidence falls short of that required to

1 sustain a case against ...", you, DL149.

2 "I therefore recommend no prosecution."

3 Your position is he might have formed that view, but
4 you are explaining to the Inquiry what happened and you
5 didn't assault these guys in the way that they are
6 describing.

7 **A. No.**

8 Q. On 22nd August 1996 then the Director of Public
9 Prosecutions directed no prosecution. That's at 63195.

10 Now, as I was explaining to you then, four
11 individuals have come forward to the Inquiry to speak
12 about you.

13 **A. Uh-huh.**

14 Q. One of those four is HIA41, who was involved with you in
15 1995.

16 **A. Uh-huh.**

17 Q. The other three are the **HIA 15, HIA 25 & HIA 31**.

18 **A. Uh-huh.**

19 Q. We are going to look at what they have to say. I know
20 that you find some of that difficult to deal with and
21 you will just bear with me and explain to the Panel what
22 you want to say about the allegations that have been
23 made.

24 **A. Uh-huh. Uh-huh.**

25 Q. The first one -- I will deal with HIA41, because we

1 looked at that incident earlier. I just want to show
2 you what he describes the incident as in his Inquiry
3 statement. If we can look at 498, please. It is
4 a rather long paragraph:

5 "I have attached ... the [REDACTED] teacher at
6 the school was a man called DL149. I came to the school
7 in '78. I was around 14 years old. When we went into
8 the classroom he had his head bowed at his desk. He
9 said to us, 'Get a book and read it'. He produced a box
10 containing books. I was sitting at the end desk to his
11 right as he looked down the class. He threw a book
12 across to me. I said, 'Sir, I've read the book' and
13 passed it back to him. He threw it back and said, 'Read
14 it again'. I said, 'But, sir, I've already read the
15 book'. At this point he jumped up from his desk and
16 started swinging punches at me with both his fists. The
17 punches hit me about my head. He came behind me and
18 continued to punch me. Then he pulled me by the hair
19 out of the chair and punched me to the floor. Then he
20 started kicking me. He stamped on my head with his
21 foot. Some of the other boys in the class stood up and
22 said 'Sir, sir'. He told me to get up off the floor.
23 I was crying at this stage and had to sit down again.
24 My nose and mouth were bleeding. The whole class 4A and
25 4B witnessed this, but no-one intervened. As a result

1 of this assault I was totally terrified."

2 That in essence is what he says in his police
3 statement of 26th February 2010. If we just look at
4 that for completeness. It is at 67674. If you just
5 scroll down, please, you see he is describing the same
6 incident and you punching him to the floor and then
7 stamping on his head with your foot and him being -- his
8 nose and mouth bleeding.

9 Then he gave evidence to the Inquiry on Day 67.
10 I am just going to show you what he had to say about the
11 incident further to what he has said in his statement.
12 That's 80448, please. Just scroll down, please:

13 "Well, I think the point ..."

14 He begins talking about DL149, DL149. He says:

15 "I sat at that end."

16 He names -- HIA104 is HIA104. Can you remember him?

17 **A. I don't actually.**

18 Q. You don't?

19 **A. No.**

20 Q. "Some days you went into his class and he looked down
21 under the desk. He was in a bad mood. He never taught
22 the class",

23 he says. Presumably you don't accept you never
24 taught the class.

25 **A. I don't accept that at all.**

1 Q. "He had a brown box of books and he threw them round.

2 I said, 'Sir, I have read the book'."

3 Just scroll down, please.

4 "He threw it back and said, 'Read it again'."

5 He repeats what he is saying in his Inquiry
6 statement. It was witnessed by the class. None of them
7 intervened. Just scroll on down, please. He says:

8 "He carried out numerous violent assaults on the
9 boys in that home. He was a wicked white sepulchre full
10 of demonic evil and at no time did he show any care or
11 respect to the boys in that home. He was a complete
12 animal."

13 Then your denial was put to him by Ms Smith. If we
14 just scroll down, please, and it was put that you made
15 the point in your police interview that you were a
16 caring teacher and had compassion for the boys. He
17 expressed the view that you were not a caring teacher,
18 that you were an animal in the classroom.

19 You have obviously responded to that in your
20 statement, which the Inquiry is aware of.

21 **A. Uh-huh.**

22 Q. When you were interviewed about this on 8th December of
23 2010, you said --and I will just give the reference to
24 the Panel, 67509 -- you said this was a total
25 fabrication.

1 A. Uh-huh.

2 Q. That you would never stand on anyone's head, never mind
3 the head of a child, you as a teacher in the classroom.

4 A. Uh-huh.

5 Q. Do you want to say something more about your position as
6 regards that allegation that has been made that you did
7 this assault in this way in class?

8 A. Well, obviously I refute it and I say again that, far
9 from being an animal or non-caring person, I am quite
10 the opposite and I got that from my home upbringing. My
11 mother was a very good person and always had us looking
12 out for other people rather than exploiting anybody in
13 any shape or form. I had a lot of sympathy for all of
14 the young boys in the school environment that I was
15 teaching in, because I could see the upbringing I had
16 and I was comparing it to theirs. I could see the
17 security of the home environment that I had and I could
18 see what they had to contend with, and I really did care
19 about them, and, you know, I just felt that life had
20 dealt them a difficult hand and I wanted to try to give
21 them as positive a piece of myself as I could in terms
22 of, you know, could I give them something better than
23 maybe they had been used to in life. That's what
24 I wanted to do and I tried my best to do that. So
25 I wouldn't -- you know, I would not do any of those

1 things on any person, any human being. As a human
2 being, never mind anything else, a teacher, anything
3 else, it's not the way I'd behave or whatever, condone
4 that kind of behaviour.

5 Q. By way of example this witness gave the Inquiry -- if we
6 can just scroll on down, please -- he talks then about
7 the mask slipping a couple of months ago. If we just
8 scroll on down to the next page, he refers to you being
9 caught on camera, as he describes it, ranting and raving
10 for five minutes [REDACTED]. If we just scroll on
11 down. In fact, no. If we just -- go back up, please,
12 just above the -- keep going slightly. I think the
13 suggestion was that [REDACTED] -- if we
14 go to 80450, please. Right. What we are looking at on
15 the screen is the redacted -- just scroll down to the
16 bottom. We're reading -- that's the redacted transcript
17 so that you couldn't be described from it. I am just
18 going to read to you, HIA149, what was said. He said:

19 "He was a vile, vicious man. If you go back to
20 a couple of months ago where", and it's, [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

24 He said:

25 "The mask slipped."

1 He talks about:

2 "This mental psychopathic outburst that he had", you

3 had, [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 He said:

9 "You can clearly see this irate, schizophrenic

10 person [REDACTED]."

11 Now I was asking you about that this morning.

12 **A. Uh-huh.**

13 Q. You remember the incident that he is talking about.

14 **A. Yes, I do. I do.**

15 Q. Do you want to just explain why you were exercised?

16 **A. Yes, yes. Well, I suppose it was about a [REDACTED]**

17 **[REDACTED], and if you lose it, you are out of the [REDACTED]**

18 **[REDACTED]. [REDACTED]**

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED] [REDACTED]

25 [REDACTED] [REDACTED],

1 [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED].

7 [REDACTED]

8 [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] So, you know, to take that as
13 a template of how I am as a person, there's so much more
14 there, where in victory and defeat I have been very,
15 very level headed and, you know, totally calm, and, in
16 fact, I think it is [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

24 Q. [REDACTED]
[REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED] [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]

10 Q. But the point that you are making, DL149, is that this
11 does not lend evidence or weight to you doing what he
12 claims you have done. He says it does.

13 A. No. I think that's taking -- that's taking connections
14 to the extreme, and in the context of what I have been
15 at as a person even in that [REDACTED] environment if
16 someone was to look at all of my reactions over all the
17 things I have been through in that [REDACTED] environment,
18 this is not reflective of how I've been at all.

19 Q. There then are the three **HIA 18, HIA 25 & HIA 31**. I am
20 going to deal with the first two, because you dealt with
21 them together with HIA41's allegations in your 2010
22 interview, and then we will look at [REDACTED],
23 which is HIA25, who gave a subsequent statement to the
24 police.

25 So HIA18, who is HIA18, if we look at 426 and

1 paragraph 6 and 7, he says you arrived at the school and
2 talks about your -- [REDACTED]. Under that
3 redaction, when we were speaking earlier, is a reference
4 to they were told they were getting the [REDACTED]

5 [REDACTED] You may not see yourself in
6 that way, but that's how it was described he says to
7 him.

8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 That's BR7, but I think it's meant to be BR10, BR10:

15 "... and DL149. DL149 started punching and kicking
16 me. He broke my nose, my jaw and busted my knee cap.
17 I wasn't taken to hospital. I was 13. BR10 told me to
18 go to the [REDACTED], get cleaned up and [REDACTED]

19 [REDACTED] They didn't care. When I arrived back to
20 the house, all the other boys saw me and said it was
21 a disgrace that I had not been taken to hospital. DL12
22 was my ..."

23 Just scroll down, please:

24 "... was my houseparent and she was also a trained
25 nurse."

1 She apparently told him that his nose was broken and
2 offered to take him to hospital, but the Brothers he
3 said wouldn't give her the car keys. He didn't get any
4 treatment. Then he said there was more than one
5 incident with you.

6 "If you didn't get out of the [REDACTED] rooms on time
7 on to the [REDACTED], he would be standing at the
8 top of the steps on to the [REDACTED] and he
9 would hit you a punch and tell you to hurry up and he
10 would give you extra [REDACTED] to do if you weren't on
11 the [REDACTED] on time."

12 Then he describes on one occasion [REDACTED]
13 [REDACTED] and you had beaten them up because they decided to
14 [REDACTED], as it were, and [REDACTED].
15 I think the suggestion was it might have been [REDACTED]
16 [REDACTED] that they went to possibly to BR10's old
17 school or your old school, [REDACTED]
18 [REDACTED].

19 **A. Uh-huh.**

20 **Q.** He then describes in paragraph 9 an incident in the [REDACTED]
21 where he says:

22 "... just messing about. When I got on to the
23 [REDACTED], DL149 grabbed me by the back of the head and took
24 me straight out on to the middle of the floor [REDACTED]
25 and started punching and kicking me."

1 Then he says:

2 "Above the [REDACTED] is a small hatch that leads on to an
3 office used by the Brothers. They could open it and see
4 what was going on."

5 I was asking you do you remember BR3's hatch, as he
6 is describing it?

7 **A. No.**

8 Q. But you don't remember it.

9 **A. It's not a significant thing in my memory. It may well
10 have been there. I can't say it wasn't there, but it's
11 not something -- this incident didn't occur anyway. So
12 it has no relevance to what we are talking about,
13 because whether it was there or whether it wasn't is not
14 here nor there. The fact of the matter is this didn't
15 happen.**

16 Q. But I am just asking you you don't yourself remember
17 whether there was a hatch there?

18 **A. I couldn't be sure. I couldn't be sure, no.**

19 Q. He said:

20 "The Principal of the school saw what was happening
21 and called DL149 and I up and he said to DL149,
22 'I warned you before about beating the boys up, but
23 I can't sack you. I'd love to sack you, but I can't'."

24 He expresses the view as to why.

25 He repeated or he had made those similar allegations

1 in his police statement of 26th November 2010.

2 I'll just give the Panel the reference for that. That's
3 at 67611 and 67612.

4 Now he gave evidence on Day 66 of the Inquiry.

5 I just want to show you at 80452, please, he -- just
6 scroll down, please. You can see it begins describing
7 various incidents involving DL149. Just scroll down.
8 Then I put the incidents to him. Just move on down,
9 please, the next answer. I was putting your denial that
10 you didn't do this as he is alleging:

11 "He did hit me. I know. I was there."

12 He repeats the same about another individual that
13 he's referring to. Just scroll down, please. Keep
14 going down, please. He says there was [REDACTED]

15 [REDACTED] Keep going down. I'm reading to him then the
16 part that I have read to you about what he says took
17 place.

18 **A. Uh-huh.**

19 Q. If we just scroll down, please. He was 13 at the time.
20 Keep going. I was asking him about the injuries that he
21 has described suffering, as he didn't get medical
22 treatment. He didn't get an x-ray. I was asking was it
23 just his belief based on the level of pain that he was
24 saying he had a broken jaw or broken nose. He said he
25 could see his nose. DL12 had told him about his jaw.

1 He then describes the incident. You sandwiched him
2 into -- he went into wire meshing and you started
3 punching him. Just keep going down, please. He said,
4 to be honest, you were always bad tempered with a short
5 fuse and you hated losing. Just scroll down. He says
6 he is not the only one and when he would have went past,
7 you would have swung at him. Do you recognise any of
8 that, DL149? Is there any --

9 **A. No. It's --**

10 Q. Can you think of any incidents that he -- you are saying
11 it didn't happen. So in that context can you think of
12 any incidents involving him where he might have
13 misconstrued what happened?

14 **A. No. I have no idea why he should come up with a script**
15 **like that. It's not true. It didn't happen, absolutely**
16 **did not happen.**

17 Q. His brother, HIA31 -- do you remember the HIA 18, HIA 25 & H
[REDACTED]

19 **A. I do. I do. Yes, I do.**

20 Q. Had you much interaction with them? Can you remember?

21 **A. No, just normal, like. They were part of a class, you**
22 **know, the same as everybody else. There was nothing**
23 **specific, nothing particular, nothing more, nothing less**
24 **than whatever your class contact would be.**

25 Q. You said in your police interview -- and I will

1 summarise this later -- you said they were rough and
2 tumble, vociferous boys. They would have engaged in
3 verbals with other boys and that sort of thing --

4 **A. Yes, yes.**

5 Q. -- but nothing out of the normal.

6 **A. No, no, no. They were maybe just easily risen, easily**
7 **annoyed, you know, and other boys would have known how**
8 **to rise them, you know, and that kind of thing, because**
9 **they were -- kind of tended to give out quite a bit, and**
10 **I suppose there was three brothers and there was kind of**
11 **this sort of standing up for each other, you know, or at**
12 **least they felt they had the comfort of numbers in their**
13 **own group, you know.**

14 Q. Well, **HIA 31** allegations, as you know, go
15 beyond allegations of physical assault.

16 **A. Uh-huh.**

17 Q. I am going to deal with those with you now. If we look
18 at, please, RUB915, if we just scroll down, he is saying
19 he was both physically and sexually assaulted. He then
20 wanted to explain in his own words to the Inquiry what
21 took place. So if we look at his transcript at 80466.
22 Just scroll down, please. Scroll down a little further.
23 Keep going down a little further, please, until we get
24 to the bit where it starts. Yes.

25 "Then DL149 came in. The Brothers told us he was

1 coming. We went, 'Who the heck is he? Who is DL149?'
2 We never heard of him before. We were meant to give
3 him -- when he came in, we were meant to stand up and
4 give him a round of applause."

5 Do you remember ever being --

6 **A. Never.**

7 Q. -- given a round of applause --

8 **A. No, I didn't, no.**

9 Q. -- when you came in?

10 **A. I didn't think in that league at all or expect any such**
11 **stuff.**

12 Q. "Then he started bullying us in the staff room when we
13 got changed. When you came in the back, straightforward
14 into the cloakroom where we changed our footwear, you
15 know, for the school, and then you had a wall where the
16 boys went and changed. Then you had another wall where
17 the showers were. DL149's offices had -- office had
18 like a servery -- survey like you see in the prison
19 cells."

20 I presume that's a window that you could look out of

21 --

22 **A. Uh-huh.**

23 Q. -- perhaps without glass.

24 "He was -- you could open it and close it. He was
25 watching boys undressing and taking showers. So if he

1 is not a paedophile, why did he have that hatch?"

2 The point you were making to me earlier was you did
3 not build the building.

4 "I caught DL149 playing with himself when boys were
5 taking showers, and any other time when DL149 used to
6 say, 'Boys, right, put your hands out', the boys would
7 have one hand down covering their privates and the other
8 one out, and he used to slap you, 'Put your two hands
9 out', and he would look at your privates and go, 'That's
10 not big enough. You haven't grown yet'. Know what I
11 mean? You are only a wee child like that, haven't even
12 matured yet and he's slugging you about that. 'Look at
13 the size of your manhood. You are no good to me'."

14 You say in your police interview -- you describe
15 this very strongly as this is a fabrication. It's
16 ridiculous.

17 **A. It's disgusting.**

18 Q. This never happened.

19 **A. Disgusting. That's all I can say. Just absolutely
20 disgusting and so untrue and just pathetic. That's what
21 it is.**

22 Q. Then he says:

23 "Then one time I came back from an outside
24 appointment. My school mate was in unfortunately. It
25 was the last Friday on the day they were in doing the

1 last activity, doing [REDACTED]."

2 He said you got them all undressed, showered and
3 all.

4 "I came in. He grabbed me, stripped me naked,
5 pulled me by the hair, assaulted my privates and he was
6 to stick something up my arse in the shower. I broke
7 free."

8 Then he says:

9 "BR3 was in -- let me see -- in his office upstairs
10 in the school, and when I ran into the assembly hall,
11 I shouted for BR3. He popped his head out of the pigeon
12 hole looking into the assembly hall and he shouted down
13 to DL149, 'You were told about this before. Any more
14 sexual behaviour towards the boys you have to be excused
15 from the home' and DL149 turned round and said to BR3,
16 'Who the fuck are you talking to?' Know what I mean?
17 That's not the first time that DL149 has done this to
18 me. He has done it twice, on two occasions. I'm just
19 saying."

20 Then he goes on to talk about something else. The
21 allegation here is that you were engaged in sexually
22 abusing him in some way and then that moved on into an
23 exchange between you and the Principal in front of him
24 and the Principal saying he had warned you about this
25 type of behaviour before. I know you are shaking your

1 head, but just can you form for the record -- if you can
2 just say what you want to say.

3 **A. Absolutely none of that is true. It did not happen.**
4 **Complete fabrication. It's just -- and a pathetic one**
5 **at that.**

6 Q. Can you -- I was asking you to reflect on this earlier
7 before you gave your evidence. Can you think of any
8 reason why the **HIA 18, HIA 25 & HIA 31** would -- because you
9 are going to say the same thing about HIA25's physical
10 allegation we will come to -- can you think of any
11 reason why they would want to say these things about
12 you?

13 **A. I really don't know. I don't understand it. I don't**
14 **know whether they think it's because I'm** [REDACTED]
15 **or something that this would be good to be**
16 **getting at me or whatever. I don't know. I really**
17 **don't understand it. I am so sorry that they feel that**
18 **way, that just -- it's a pity that, you know, life**
19 **hasn't been good to them and they haven't seen anything**
20 **different than to be making up that kind of story, which**
21 **they know very well is just not true.**

22 Q. He goes on to recount an incident -- if we just scroll
23 down a little further, please, to see if we can get it
24 on the screen. I am not sure we can. In fact, just
25 keep scrolling down for a moment, please, to see can

1 I get the -- he describes another incident where --
2 involving your brother (sic). Keep going. In fact,
3 this is -- he says -- just stop there -- that you -- he
4 was [REDACTED]. You couldn't get the [REDACTED] off
5 him. You didn't like it. You put him in his corner and
6 tied his hands behind his back, spread his legs and
7 kicked -- kicked the [REDACTED] in his privates, knowing he
8 had a medical condition. You didn't care in essence he
9 is saying. Is your position the same about that?

10 **A. Oh, absolutely. That's just -- I don't know how you**
11 **could dream up that. That's just so untrue.**

12 Q. If we just scroll down, please, he recounts -- just keep
13 going, please. Just keep going down. I will recount it
14 to you, because it is not coming up as part of that
15 transcript. He said -- and you dealt with in your
16 police interview -- that in 2000 or 2003 he had
17 confronted you in [REDACTED] after -- it was part of the
18 [REDACTED] --

19 **A. Uh-huh.**

20 Q. -- of the -- [REDACTED]
21 [REDACTED]

22 **A. Yes.**

23 Q. He claimed to have punched you a number of times in the
24 stomach because of what you had done to him back in
25 Rubane.

1 A. Uh-huh.

2 Q. I know you are shaking -- again you said to the police
3 that, first of all, you haven't seen the guy since the
4 time in Rubane.

5 A. Uh-huh.

6 Q. That you were never assaulted by him --

7 A. Uh-huh.

8 Q. -- and you never saw him in Rubane -- sorry -- you never
9 saw him in [REDACTED], that if he had turned up and did
10 the sort of thing that you are describing (a) you would
11 remember it, but (b) so would lots of other people --

12 A. Uh-huh.

13 Q. -- because there were lots of other people around.

14 A. Yes, yes. Obviously there was a lot of [REDACTED] around us

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED] You know, to believe that something like
18 that could have happened and nobody have seen it or
19 nobody reported on it is just beyond ridiculous. I also
20 would know that, you know, he wouldn't be able to do
21 that and run away, because there was [REDACTED]

22 [REDACTED]

23 [REDACTED] So there would be a serious incident if
24 that happened. It wouldn't go unnoticed. So it's just
25 a complete fabrication.

1 Q. You -- as I said, those three individuals, so HIA41,
2 HIA18 and **HIA 31**, when they made their
3 statements to the police in 2010, then you were
4 interviewed on 8th December 2010 and the interviews
5 run -- there is two parts to the interviews and they are
6 in the bundle in the opposite direction round. They run
7 from RUB67529 to 67549 and then from 67498 to 67528. In
8 similar terms to you are describing, you recount to the
9 police that your approach from your background was of
10 care and compassion, that you didn't engage in corporal
11 punishment. You said most of the teachers were there
12 for the right reasons. I was asking you earlier --

13 **A. Uh-huh.**

14 Q. -- whether you had somebody in mind that you thought
15 wasn't there for the right reasons --

16 **A. Uh-huh.**

17 Q. -- but you were saying that was a --

18 **A. No, that was just a bad choice of word. I think that's**
19 **all it was.**

20 Q. There is no particular teacher sticks out?

21 **A. There was no specific weighting on the word. It was**
22 **just a bad choice of word.**

23 Q. You acknowledge their difficulty in learning. You
24 describe HIA41 as a cunning character, but you were
25 asked, "Why would he make this up?" You don't know.

1 You have never had any involvement with him that gave
2 you a reason why you think he would say what he's
3 saying.

4 **A. No, no.**

5 Q. You were asked whether there had ever been any fall-out
6 in games with any of them. You couldn't remember any
7 time when you'd fallen out with them.

8 **A. No.**

9 Q. You describe, as I said, the HIA 18, HIA 25 & HIA 31 as "rough and
10 tumble and vociferous", but again you were asked why
11 they would make it up and you couldn't really think of
12 a reason why they would.

13 **A. No.**

14 Q. You were asked about the showers. I just want to pick
15 this up and let you explain what you mean to the Panel.
16 You were -- you said when you were being asked about the
17 HIA31 allegations, and you expressed your disgust at
18 those in the interview, but you went on to say you were
19 conscious about not being around the showers.

20 **A. Yes. Well, I did not --**

21 Q. Can you just explain what you mean by that?

22 **A. Just I wasn't going to force or push anybody into**
23 **a shower if they didn't want to go, and I believed they**
24 **were getting plenty of showers in the chalets they were**
25 **in during the rest of the day anyway. So it wasn't**

1 a matter that was essential for their hygiene or
2 anything. So it was a choice. If they wanted to take
3 a shower, they could take it. If they didn't, I had no
4 issue with it. So I wasn't in a position of making them
5 take a shower. So therefore I was never in that
6 environment of trying to make people go into the shower.

7 Q. You went on to say you were hurt that these allegations
8 had been made against you and they were fabrication and
9 that they were ridiculous.

10 A. Absolutely and disgusting to be saying those things
11 about me. I'm just absolutely disgusted about it.

12 Q. In September then of 2011, the police having submitted
13 their file to the PPS, the PPS directed no prosecution
14 in respect of you and that's at 67486.

15 The last individual that I want to deal with is the
16 fourth Inquiry witness, but who is one of the HIA 18, HIA 25 & HIA

████████████████████ HIA25. He is HIA25. Can we just
18 look at his statement, please, at 853 and paragraph 38?
19 Scroll down please. Thank you. He says:

20 "I became a real rebel. I would stand up to them
21 and fight back. Anything they told me to do I would do
22 the opposite. When I was 15 years old, I fought two of
23 them, DL149 and BR10. DL149 was a civilian teacher and
24 he had a mobile classroom. He was a very rough man.
25 I remember once playing down on the gravel ████████████████████

1 ██████ one cold day. We didn't want to play, because if
2 you fell on the gravel, you would cut yourself.

3 I ██████████ past him and ducked under his arm.
4 DL149 grabbed me by the back of my hair. I had long
5 hair in those days. He hit me a dig in the face. I saw
6 stars. I had a black eye and a busted nose. I went up
7 and showed DL11."

8 I think that's DL11.

9 "I got beaten because a grown man couldn't take
10 being made a fool of. He had known better no matter how
11 much we provoked him -- he should have known better no
12 matter how much we provoked him. DL149 would often hit
13 us over the head or arms with a metre stick."

14 He repeated -- he gave what's called an ABE
15 interview, an achieving best evidence interview, to the
16 police on 6th March 2013, which begins at 66776, and he
17 recounted in similar terms what he's describing to the
18 Inquiry.

19 You were interviewed about that on 31st January
20 2014. That runs from 67570 to 67582. If we just look
21 at 67573, the description of what's happened is put to
22 you. If you just scroll down, please. You say:

23 "Absolutely not. Not a figment of truth in that and
24 it's a figment of imagination. There is not an element
25 of truth in that at all.

1 Definitely not."

2 You concluded by saying, if we just go to 67581 --
3 you say:

4 "I deny every inch of it. It is a fiction."

5 If we just scroll down, you just say:

6 "I am shocked the kind of stuff is coming out. It
7 is so untrue. It's insulting to me to say that, and
8 I know that I had great empathy for all of the young
9 people there.

10 That came from my mother -- God rest her -- that she
11 was really that kind of person. Even these boys
12 sometimes come and they are representing the area in the
13 competition and they came to [REDACTED]."

14 That was your homeland, as it were?

15 **A. I live close by, yes. They were going [REDACTED]**
16 **there.**

17 Q. "I allowed them back to our home where my mother lived
18 and we made them grub and all, like, you know. I'd a
19 totally different outlook on those young people and
20 I really cared about them.

21 I certainly would not be involved in anything like
22 that and that's the honest truth of the matter, and I am
23 just so insulted that people would say that I was
24 involved in that kind of action."

25 He gave evidence to the Inquiry, HIA25, on Day 66.

1 That's at 80472, where he describes the incident. Just
2 keep going down, please, on to the next page, 80472.
3 That's it. He talked about hit with a metre stick. Can
4 you remember -- I was recounting to you a lot of pupils
5 no doubt can remember the teacher with the metre stick
6 in the classroom. Did you have a metre stick?

7 **A. No. I did not, no.**

8 Q. And he's recounting:

9 "... hit you over the head or arms with the metre
10 stick.

11 [REDACTED] he lost his temper."

12 He thought you were pure evil. That has been
13 described to the Inquiry. He said he had witnessed you
14 beating up HIA18 in the gym. We looked at that earlier,
15 where HIA18 was assaulted on the ground. Just scroll
16 down, please. Keep going, please, on to the next page.
17 He describes -- he doesn't know what went through your
18 mind coming to work. You never came in a good mood.
19 You were always grumpy and always fighting towards him,
20 his family and other boys.

21 Then the denials are put by me to him, and if we
22 just scroll down, please, he says:

23 "It was during a [REDACTED]."

24 He said:

25 "We would not be here today if he'd accepted that he

1 hit boys."

2 He says:

3 "Of course we came to the Inquiry knowing that DL149
4 would say that he didn't do things. The proof is in the
5 pudding. It has already been proven what kind of man he
6 is. This man was fighting from the minute he walked
7 into the home till the minute he left, not just all my
8 family, but all the boys. Anybody who knew DL149 had
9 hit them -- anybody I knew DL149 had hit them in some
10 way, had roughed them up in some way."

11 So that's how he is describing his recollection of
12 your period of time teaching him.

13 **A. Uh-huh.**

14 Q. Is that something that you recognise?

15 **A. No, I'm very sorry that that's his view of it, and
16 however he comes to that conclusion I don't know, but
17 I know several of the boys who were there, and I have
18 actually met some of them since that, and I have a very
19 good relationship with them, you know. So it's
20 unfortunate that's the lens through which he looks at
21 life and I can't -- I can't legislate for that, but it's
22 a pity that's the way he looks at life and it's not
23 true, and I have, as I say, a good relationship with
24 many of the boys that I taught in that time.**

25 Q. We ask each witness in your context who is having to

1 come and deal with the allegations that are made whether
2 there's anything else -- the Inquiry is looking at
3 systems failures --

4 **A. Uh-huh.**

5 Q. -- to try and ascertain why -- you say the things that
6 are alleged of you are not true, but there are others
7 where what has happened to them was true and is accepted
8 as having happened, and the Inquiry is looking at the
9 systems issues, the system failures that might have
10 allowed that to happen or might have not prevented it
11 when it should have been prevented.

12 **A. Uh-huh.**

13 Q. Is there anything else you can think of about your time
14 in Rubane that you consider might assist the Inquiry?
15 Obviously you will have been thinking about coming here
16 to give evidence and perhaps not looking forward to it.

17 **A. Uh-huh.**

18 Q. But is there anything else you can think of that would
19 assist the Inquiry with its work from your recollection
20 of your time in Rubane?

21 **A. Well, I mean, as I said to you earlier, it is just the**
22 **whole idea of the variables that the young boys had to**
23 **deal with in that environment. Now that's just the**
24 **system was the chalets and sort of substitute homes, if**
25 **you like, which were very different in each of their**

1 individual contexts, and then they had social workers to
2 deal with. Then they had school to deal with and maybe
3 struggling with their education.

4 So there were so many things that were difficult for
5 them and I appreciate that, but, you know, the system --
6 I think that wouldn't happen again, that you wouldn't
7 have the kind of set-up that was in Rubane, because
8 there were too many variables for young people to try
9 and find a path through life with some consistency in
10 it. It probably just didn't exist there. There was too
11 many different engagements with people. So, you know, I
12 don't know if that helps anything or not. I just think,
13 you know, there is an awful lot of learning.

14 I always felt again there was a lot of young boys in
15 there across the entire behaviour spectrum who were just
16 put together and expected to be able to work together
17 and have some kind of normality. I think it was always
18 going to be very difficult for them to do that, but
19 that's the way it was and that's what life happened at
20 that time, and, you know, I am sorry that some people
21 didn't get much value out of that, and yet it's very
22 encouraging to know that some other people did very well
23 for themselves from that very environment. So, you
24 know, it's a strange world.

25 Q. I am not going to ask you anything else, DL149. The

1 Panel may want to ask you some questions --

2 **A. Okay.**

3 Q. -- about what we have been discussing. So if you just
4 remain where you are for a short while --

5 **A. Okay.**

6 Q. -- until they do that.

7 **A. Okay. Thank you.**

8 **Questions from THE PANEL**

9 CHAIRMAN: DL149, can I just ask you to go back to the
10 questions you were asked about the matters which we now
11 know led to BR77 being prosecuted and appearing in front
12 of a court and pleading guilty to three matters?
13 I understand from what you say that you didn't know that
14 he had been in front of a court until today.

15 **A. No, I didn't know he had been charged or convicted or
16 anything, no.**

17 Q. Had there not been some rumour or talk that would have
18 got back to the staff? I appreciate the Brothers might
19 not have wanted to talk about it, but --

20 **A. No.**

21 Q. -- something in the newspaper or something like that?

22 **A. No, I never heard. I never heard anything of it at all.**

23 Q. Yes. Thank you.

24 MS DOHERTY: Thanks, DL149. Can I just check, when BR3
25 talked to you after the DL121 incident, the one that you

1 remember --

2 **A. The DL121?**

3 Q. Yes.

4 **A. Yes.**

5 Q. Can you remember what he said to you in relation to that
6 incident?

7 **A. Not the detail other than just it wasn't a good thing to**
8 **have happen in a school, you know, and it -- you know,**
9 **we'd try not to let anything like that happen again.**
10 **That's just about the essence that I could take out of**
11 **it, you know. It was something that ought not to have**
12 **happened but it did and we had to try and learn from it.**

13 Q. Okay. Did he give you any guidance about how you might
14 deal with that situation --

15 **A. Not particularly, no.**

16 Q. Were you ever talked to again about any incidents about
17 dealing with boys? Is that the only time you can --

18 **A. No, no other, never other -- nothing else at all, no.**
19 **No.**

20 Q. Okay. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED].

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED]

6 Q. Okay.

7 A. It's just that that happened that way, yes.

8 Q. I mean, given that [REDACTED] tempers can
9 flare up and whatever, how would you deal with that in
10 relation to the boys if they started tackling each other
11 and squaring up to each other? What way --

12 A. You just try to get them separated and tell them to
13 settle down, cool down and, you know, get over it, you
14 know. That's it. They might be angry for thirty
15 seconds or twenty seconds and then they do get over it,
16 you know. It seldom would continue on to be anything
17 more than that, or if it became too much, you might ask
18 someone to [REDACTED] TL 4 [REDACTED]

19 [REDACTED] cool down.

20 Q. But you never saw a teacher or Brother hit a boy or ...?

21 A. No, not at all. I never did. I never did.

22 Q. Okay. This is the last question. There is a Brother
23 that had a nickname BR 77. Do you remember nicknames?

24 A. Well, I presume that's BR77.

25 Q. Okay.

1 A. I'm presuming that, you know. He was BR77. I can only
2 imagine that's the name there. I didn't -- I wasn't
3 very much aware of that, but it sounds like the only
4 thing it could be.

5 Q. Okay. Thanks very much.

6 A. Okay. Thank you.

7 MR LANE: When you were appointed, who were the people who
8 were involved in appointing you?

9 A. To the school?

10 Q. Yes.

11 A. That's at interview?

12 Q. Uh-huh.

13 A. It's very difficult to remember now. That's a lot of
14 years ago. I'm presuming that BR3, the Principal, was
15 there, maybe BR6, who was a senior -- a Brother in the
16 school as well, and maybe -- I'm not sure there was many
17 others, because back in those days there wasn't the same
18 sort of formalised --

19 Q. Quite.

20 A. -- interviewing Panel that there would be nowadays.

21 Q. Was the local education authority involved at all?

22 A. Not -- not to my knowledge. I'm not aware of anybody
23 from -- I'm not saying there wasn't somebody there, but
24 it's not sticking out in my mind that there was somebody
25 from there.

1 Q. And you were actually employed by the Brothers at
2 Rubane?

3 A. I was employed by the Department of Education as a
4 teacher.

5 Q. You were employed by the?

6 A. Department of Education as a teacher --

7 Q. Right.

8 A. -- and appointed to that particular school.

9 Q. And so did they somehow second you, when you say
10 appointed to that school?

11 A. No. This job came up, but actually the Department of
12 Education is my employer. It happens to be a school run
13 by the De La Salle Brothers at that time, but I was
14 actually -- the Department of Education was my employer
15 always.

16 Q. So did you have supervision from somebody within the
17 Department at all?

18 A. You would. You would have to have your first year's
19 probation. I would have had somebody visit me for two
20 or three occasions without my first year of teaching.
21 You had to pass your year -- probation year to become
22 a fully qualified teacher, which I did.

23 Q. Right, but after that you wouldn't see any more of them?

24 A. After that you were on your own devices unless there was
25 a school inspection. In the four years I was there

1 **after that there wasn't an inspection.**

2 Q. Were you actually paid by the education authority as
3 well?

4 **A. Paid by the Department of Education, yes.**

5 Q. Okay. Thank you very much.

6 **A. Thank you.**

7 CHAIRMAN: Well, DL149, I am sure you will be glad to hear
8 that that's the last question we wish to ask you. Thank
9 you very much for coming to speak to us today.

10 **A. Thank you very much. Thank you.**

11 **(Witness withdrew)**

12 MR AIKEN: Chairman, that's the end of today's evidence,
13 because we were to hear from BR33 -- that was formerly
14 BR33 -- who has communicated with the Inquiry that he is
15 not going to attend to give evidence. The Inquiry
16 actually has his statement and the Panel can decide what
17 weight to attribute to what he has had to say.

18 CHAIRMAN: Yes. Very well.

19 Well, ladies and gentlemen, that completes the
20 hearings for today. We will sit tomorrow at the usual
21 time.

22 (1.20 pm)

23 (Hearing adjourned until 10 o'clock tomorrow morning)

24 --ooOoo--

25