

THE HISTORICAL INSTITUTIONAL ABUSE INQUIRY

CLOSING SUBMISSIONS ON BEHALF OF HIA 147

1. On 20th November 2014 HIA 21 gave evidence. He claimed that he had been repeatedly raped by HIA 147 over a period of approximately two years. HIA 147 denies that this occurred.
2. In his evidence HIA 21 stated that permission had to be sought to leave the grounds of Rubane House. HIA 147 allegedly sought such permission with the result that HIA 147, together with another teenage resident of the home and HIA 21 left the grounds with apparent permission from the authority. HIA 21 then described how they walked down a country road for approximately one mile until they reached a deserted building. It was inside this building that HIA 21 was pinned to the ground and raped by HIA 147.
3. Notwithstanding the fact that this abuse allegedly occurred repeatedly over a two year period and is not alleged to have occurred anywhere else other than the ruined building referred to above, it is incomprehensible why HIA 21 would have allowed himself to be taken from the grounds of Rubane House and walk one mile down a country road without protest. It is even more incredible that notwithstanding the nature and frequency of such abuse that at no stage did he draw the same to the attention of anyone in authority. In short the evidence of HIA 21 on this issue is not credible.
4. HIA 21 did say that he had been living in a chalet in the grounds of Rubane House with a number of other residents and that the chalet was overseen by two house parents. He stated that the male house parent asked him to remove his towel when showering and stood watching HIA 21 as he stood there naked under the shower. On another occasion he took HIA 21 into the house parents' room and when they were alone together asked if he knew what his penis was for. This, understandably, HIA 21 found entirely inappropriate. He described the house parent as "creepy". He made complaints, along with others, to the Brothers and the house parents were eventually dismissed.
5. When HIA 21 was asked by Counsel to the Inquiry if he had ever reported the abuse allegedly suffered at the hands of HIA 147 he said that he had not and the reason being that he did not like to talk about such things. It is simply incredible that the Plaintiff would see fit to complain about the inappropriate behaviour of the house parent yet not complain about the alleged repeated rapes over a two year period. It does seem as though the Plaintiff is accurate when he says that he complained about the house parents as indeed it is accepted that they were dismissed. If he is correct in this then the Inquiry should give no weight to his evidence in relation to the alleged rapes as he did not at any stage during the course of the two year period make any complaint to anyone. The Inquiry is also invited to consider the various Police statements made by HIA 21 to see when he first raised any complaint in relation to this two year period.

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6. HIA 21 also stated that on his very first day at Rubane House one of the brothers suddenly slapped him hard on the cheek knocking him over – it was clearly a very significant blow, and stated “you are not at Nazareth House now!”. He then went on to say in his evidence, almost in his next breath, that he did not blame the brother for this unprovoked and serious attack and indeed they became close friends respecting one another. He went on to say that there was firm discipline within the home but he never saw any excessive force. Once again the Inquiry should look very closely at this evidence as it is submitted on behalf of HIA 147 that it does not have the ring of truth about it and once again calls the credibility of HIA 21 into question.
7. Finally at page 28 of the transcript HIA 21 stated that in general he was “very very happy” during his time at Rubane. This is simply incredible if there is any truth at all in his allegations that he was repeatedly raped over a two year period by HIA 147. Taken together with his failure to report the matter at any time during his stay at Rubane, this statement given to the Inquiry must completely undermine the credibility of HIA 21 and the Inquiry should give no weight whatsoever to his allegations made against HIA 147.



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