

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 Thursday, 22nd October 2015

commencing at 10.00 am

(Day 154)

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

1 Thursday, 22nd October 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (11.20 am)

5 WITNESS HIA268 (called)

6 CHAIRMAN: Good morning, ladies and gentlemen. Can I, as  
7 always, remind everyone to ensure that they have turned  
8 off their mobile phone or at least placed it on  
9 "Silent"/"Vibrate", and I also have to remind everyone  
10 that no photography is permitted either here in the  
11 chamber or anywhere on the Inquiry premises.

12 Yes, Ms Smith?

13 MS SMITH: Good morning, Chairman, Panel Members, ladies and  
14 gentlemen. Our first witness today is HIA268. She is  
15 "HIA268". HIA268 wishes to affirm, Chairman, and she  
16 also wishes to maintain the anonymity afforded by the  
17 Inquiry.

18 WITNESS HIA268 (affirmed)

19 CHAIRMAN: Thank you, HIA268. Please sit down.

20 Questions from COUNSEL TO THE INQUIRY

21 MS SMITH: Now, HIA268, as I explained to you, I am just  
22 going to tell the Panel Members where papers relating to  
23 you can be found in our bundle of papers.

24 HIA268's witness statement is at RGL070 to 075.

25 The Health & Social Care Board response is at 209 to

1 251.

2 The DoJ response is at 2... -- sorry -- 845 to 864.

3 We have received a substantial bundle of material from

4 the DoJ at 43307 to 44002 and 47534 to 57535. That

5 seems -- I think that should be 47535, because the

6 Social Services material is at 54995 to 5585... --

7 ...845.

8 There is also police material, which is not directly

9 relevant to HIA268, but is relevant to two of the people

10 that she names. I don't think I need give you the page

11 references for those at this time, but there is

12 a statement of one of the persons that HIA268 names at

13 RGL4795 to 4799 and another statement from a second

14 person at 4831.

15 I should say, Chairman, that there is an appearance

16 to be announced this morning.

17 MR MCAULEY: Good morning, Chairman. Thompson NI Solicitors

18 in Belfast. I am the legal representative for the

19 individual referred to as RG33 in the papers.

20 CHAIRMAN: Thank you very much.

21 MS SMITH: Okay, HIA268. HIA268, if we can just go to your

22 statement, please, that's 070. It is just going to be

23 pulled up on the screen. Hopefully you will be able to

24 see it because I know you have not got your glasses.

25 Hopefully it is clearer for you on the screen than it

1 was in the hard copy. If this -- if we can just scroll  
2 up, you will see, HIA268, instead of your witness  
3 statement it says "The witness statement of HIA268",  
4 which is the reference number, as I explained, that we  
5 have given to protect your identity, but can I just ask  
6 you to confirm that this is the statement that you  
7 provided to the Inquiry and that you signed that  
8 statement on 16th April of this year?

9 **A. Yes.**

10 Q. And your personal details, HIA268, are set out there in  
11 paragraph 1. You are now aged 45. Isn't that right?

12 **A. Uh-huh.**

13 Q. And paragraphs 2 to 17 of this witness statement deal  
14 with your time in Whiteabbey Training School until --  
15 you were there until it closed in 1985, but I just  
16 wanted to reassure you that the Panel have read what you  
17 have said and are well aware of the allegations you make  
18 about what happened to you in Whiteabbey, but today we  
19 are dealing with what happened to you when you  
20 transferred to Rathgael.

21 You transferred there on 3rd June 1985. You went  
22 there after a foster placement had broken down and you  
23 had to go back into the training school environment.  
24 There is a reference to that, which I don't think I need  
25 to call up, but it is at 43384.

1           Now I was asking -- we have had a statement from  
2           someone, HIA268, who said that there was a fire at  
3           Whiteabbey, which led to it being closed and the girls  
4           being transferred. I was asking whether you had any  
5           memory of that.

6   **A. Uh-huh. I think it was           I know she lit a fire.**

7   Q. But you are not sure if that fire that you remember  
8           caused them to move you more quickly to Rathgael than  
9           they might otherwise have been doing?

10 **A. I can't remember. That's the only fire I remember. So**  
11       ...

12 Q. You don't remember whether that was just at the end of  
13       your time in Whiteabbey or not?

14 **A. I don't remember that bit, no.**

15 Q. But certainly when I was asking you about whether or not  
16       there was any planning or preparation, there was  
17       actually a phased move to Rathgael --

18 **A. Aye.**

19 Q. -- that you remember. You were telling me that for  
20       a while you used to go -- for about a couple of months  
21       before you actually moved to Rathgael you went to the  
22       school at Rathgael --

23 **A. Aye.**

24 Q. -- and then went back to Whiteabbey in the evenings, and  
25       I was asking whether you were shown around your

1 accommodation and you actually remember you got to pick  
2 your own room.

3 **A. Uh-huh.**

4 Q. You said you picked one at the corner, because you would  
5 be able to see out, look around.

6 Paragraph 18, if we can go to that on your witness  
7 statement, please, HIA268, at 073, please. Now in 1985  
8 you say you were moved to Rathgael, as Whiteabbey  
9 closed.

10 "All the teaching staff at Rathgael were male and  
11 I often saw them slap or punch the male inmates."

12 I was asking you a little bit more about that. You  
13 named some teachers, HIA268, to me. I am going to use  
14 names, but just want to remind everyone that the names  
15 I give are not to be used outside of this chamber.  
16 There was a RG73. Is that correct?

17 **A. Uh-huh.**

18 Q. You say that he taught .

19 **A. Uh-huh.**

20 Q. And if you can remember the other names then that you  
21 were giving to me.

22 **A. RG27, RG 82 and RG17.**

23 Q. I think you said RG 82 taught .

24 **A. .**

25 Q. RG27 .

1 **A.**

2 Q. RG73 and RG17

3 **A.**

4 Q. I asked how they slapped and punched the boys and  
5 whether that only happened in class. You confirmed that  
6 it did only happen in class. It wasn't --

7 **A. Aye, but what went on in the units, because we were  
8 separated? So I don't know what went on down there.**

9 Q. So the male teachers didn't -- we know from evidence  
10 that we have seen that teachers also helped out in the  
11 houses in the evenings. There's evidence in our  
12 documents that show that they received extra money for  
13 doing that, but these men who taught you didn't actually  
14 help out in the girls unit then. No?

15 **A. No. RG27 did.**

16 Q. We will come to talk a little bit more about him in due  
17 course. What kind of circumstances would these teachers  
18 have slapped or punched the boys and where did they slap  
19 and punch them?

20 **A. Just if you were mucking about in class, or not doing  
21 any work, or giving -- answering back, you got a slap  
22 across the head or a punch in the stomach.**

23 Q. At paragraph -- well, you go on to say that you had more  
24 freedom in Rathgael than you had had in Whiteabbey and  
25 you felt that you were able to stand up for yourself.

1 Would it be fair to describe you -- a word that we were  
2 using in terms of someone else -- that you were quite  
3 streetwise, HIA268?

4 **A. Aye.**

5 Q. You say that soon after arriving at Rathgael your  
6 teacher -- and again this is RG27 -- and I asked you  
7 what his first name was, because we have been able to  
8 identify two as being in Rathgael at  
9 different times, or they might have overlapped, but the  
10 person you are talking about is a RG27. Is that right?

11 **A. Yes.**

12 Q. And you said that he started to take a personal interest  
13 in you, started by sending you to do messages on his  
14 behalf:

15 "... and it soon progressed to him organising  
16 fishing trips away so we could sit in the van together  
17 and kiss while the other residents went fishing. He  
18 would also have taken me to bars and bought me alcoholic  
19 drinks and given me cigarettes."

20 If we can scroll on down, please, you say he would  
21 make excuses to get you on your own and kiss you.

22 I take it that's in Rathgael that this was happening?

23 **A. Aye.**

24 Q. "This continued over a period of around two years.

25 There was no sex, just kissing and friendship. We did



1 attempt to have sex, but he could not achieve an  
2 erection."

3 You thought he was 32 years older than you and you  
4 thought that because that's -- he told you that he was  
5 48 when you were --

6 **A. 16.**

7 **Q. -- 16.**

8 "He was more of a father figure to me and I had  
9 a bond with him. I believe that staff in Rathgael were  
10 aware about our relationship. I believe someone  
11 reported him and he was sacked or made to take early  
12 redundancy. No-one from Rathgael ever asked me about my  
13 relationship with him."

14 Now you will be aware from the conversation that we  
15 had earlier that we set about trying to locate RG27 and  
16 all we could identify were that there were at  
17 the time, and the Department of Justice confirmed for us  
18 that they had staff files but they were  
19 destroyed seven years after they left their employment  
20 and that was in accordance with standard destruction  
21 policies.

22 However, we have seen a reference to -- in the Board  
23 of Management meetings, which I mentioned in opening  
24 this module -- it is at RGL22971 -- which was about in  
25 1987 a member of staff being given a final warning after

1 taking an underage resident to a pub.

2 We have, however, managed to find out a little bit  
3 more with a little detective work from our bundle. If  
4 we could look, please, at 28515. I should say we  
5 haven't managed to find anything that makes mention of  
6 fishing trips in any of the unit logs in respect of you,  
7 but this is something that was actually -- seems to have  
8 been misfiled in someone else's disciplinary file, and  
9 we are not sure by whom it is handwritten or when, but  
10 it says:

11 "We are all aware of the circumstances of RG 27  
12 precautionary suspension. He was observed in licensed  
13 premises and, pending further investigations,  
14 a precautionary suspension was invoked according to the  
15 Management Board's disciplinary procedures.

16 To indicate what has happened since:

17 The Chairman of the Board was informed.

18 The Northern Ireland Office were also informed.

19 I have been instructed to investigate the  
20 allegations. A part of the brief is to give RG27 the  
21 opportunity to give his side of the story. When I have  
22 completed this, I shall lay the facts before the Board's  
23 Staff Committee for adjudication."

24 Then:

25 "Would you like to give me some indication of the

1 events of the evening of Friday, 29th May?"

2 Now this seems to be this man making or person who  
3 was tasked to investigate making notes of the questions  
4 he would be asking RG27. So something happened around  
5 29th May. You -- I was asking you about whether you  
6 were ever aware of anybody seeing you and RG27 in the  
7 pub, and you don't remember anybody speaking to you  
8 about it, but he told you the next day that someone had  
9 seen you.

10 **A. Aye.**

11 Q. Was it a Friday that --

12 **A. I can't remember what day it was.**

13 Q. You can't even remember. There was more than one  
14 occasion. Isn't that right, HIA268? He goes on here:

15 "In the course of my enquiries certain other  
16 information has been given to me, which I also have to  
17 enquire about."

18 Then he set out other questions that he wished to  
19 ask RG27:

20 "On the afternoon of the same day you borrowed a car  
21 belonging to another member of staff. Would you tell me  
22 why?"

23 Did you take HIA268 with you? Why? Whose  
24 permission did you ask to take the girl? Would you give  
25 me an indication of how long you were out? Why did you

1 borrow a car and not use your own car?

2 On the morning of Saturday, 30th May you again  
3 borrowed a school vehicle. Did you take the girl with  
4 you? Why? Timescale."

5 Then the next bit, which is cut off, seems to be  
6 something about asking him whether it was a wise move.  
7 Then the next page, if we can scroll to that, please,  
8 28516, it continues:

9 "Did you take this girl out of school on any other  
10 occasion during the week beginning Monday, 25th?

11 Did you take her out on her own?

12 NB. Check on these two with "

13 That might have been RG33, but I am not sure about  
14 that.

15 "Have ascertained from RG152 that he borrowed  
16 van on Tuesday, 26 or Wednesday, 27 to go out on  
17 another 'errand' again with HIA268."

18 Now that seems to be information that has been given  
19 to somebody who is carrying out an investigation that  
20 there were other occasions other than you being seen in  
21 the pub where you had been seen going out in other  
22 people's cars with RG27 and in the van, and you yourself  
23 talked about being in the van and going on the fishing  
24 trips.

25 **A. Uh-huh.**

1 Q. Was the case that you would have gone out in other  
2 people's cars as well as his?

3 **A. I don't remember. We went out in the minibus or his car**  
4 **usually.**

5 Q. This went on over a period of two years.

6 **A. Uh-huh.**

7 Q. I was asking, HIA268, how you did that relationship end?  
8 You told me that it continued after you left Rathgael --

9 **A. Uh-huh.**

10 Q. -- and eventually just fizzled out. There is documents  
11 in the papers about another girl who makes comments  
12 about a I gave you her name, a girl  
13 . I don't need to give you the surname, but you  
14 don't remember her as someone who was there when you  
15 were there.

16 **A. No, unless she was in another unit.**

17 Q. She might have been in another unit.

18 **A. In reception or something.**

19 Q. So that's as much as the Inquiry has been able to  
20 ascertain about RG27. I know that the Department of  
21 Justice are trying to find out whether they have  
22 anything more, and certainly we received an e-mail from  
23 them today to indicate that they had held a disciplinary  
24 file in respect of a RG27, but they no longer hold that.  
25 So there obviously was a disciplinary file in respect of

1 him, and this particular document was misfiled in  
2 someone else's disciplinary file, but I know that  
3 certainly investigations are going on to see if we can  
4 find anything more out about it.

5 Paragraph 20, if we can go back to your statement --  
6 sorry. Just one other thing just before I move on about  
7 RG27. Still go back to the statement, though. You were  
8 saying that you thought the staff were aware about your  
9 relationship. Why did you think that, HIA268?

10 **A. Because we were always together. You know, if he was**  
11 **going somewhere, I was away, and maybe they would make**  
12 **smart comments or something. The girls would probably**  
13 **say, "Teacher's pet and all. Away you go" and stuff**  
14 **like.**

15 Q. Well, he resigned in 1987. We were able to ascertain  
16 that. I think there's a document to that effect.  
17 I have forgotten the number of that, but I can find  
18 document again where we have a note of the fact that  
19 they have recorded that he resigned in 1987, but we  
20 haven't managed to find any address for him or locate  
21 him to ask what he wants to tell us about his  
22 involvement with you and about the disciplinary  
23 procedures.

24 At paragraph 20 here on one occasion you say that  
25 you had been sniffing glue with two other girls whom you

1 name. Sorry. You don't name them. You say RG33,  
2 took you to his office. RG34 and RG35  
3 were also there. You say that RG33 was shouting at you.  
4 RG35 was standing at the door and there was a window  
5 open, so you attempted to leave via it. You had one leg  
6 out of the window and RG33 knocked you against the wall  
7 and pinned you there by your throat. You were knocked  
8 unconscious. When you retained consciousness, blood was  
9 running from your head and he again knocked you against  
10 the wall. You were taken to Newtownards Hospital by  
11 another member of staff, RG 36 , and you received  
12 stitches for the injury to your head. You told your  
13 mother about the incident, but you are not sure if she  
14 reported it to the police.

15 Now we were talking earlier and there are some  
16 documents which confirm that there was an incident.  
17 There is medical notes at RGL43749, which confirm that  
18 you required treatment after your head being cut and  
19 that's RGL43756.

20 There is a statement from RG33 about this. It is at  
21 RGL4795, please. If we could go, please, to  
22 paragraph 5 -- sorry. Just -- I have found the document  
23 where it is indicated that RG27 -- we have got a date of  
24 closure. We have actually "? 1987". So whether he was  
25 dismissed or resigned is not clear. That's at 101206,

1 Chairman.

2 RG33's statement here, he talks about his personal  
3 history and employment details. He also talks there at  
4 paragraph 5 about his duties at Rathgael Training  
5 School. He said during the time he had held various  
6 teaching positions. When teaching, he taught  
7 and as he was promoted, he taught less  
8 often, and his superior was RG34.

9 He goes on then to respond in paragraph 7 to your  
10 allegations, HIA268, and we were looking at this  
11 earlier. That's just the next page, please, at the top  
12 of that page. He says -- he relates what you say in  
13 paragraph 20 of your statement and then at paragraph 8  
14 he says:

15 "I recall HIA268. I believe that she was a  
16 ",  
17 which is probably accurate:

18 "I categorically deny that I assaulted HIA268 at any  
19 time. I categorically deny that I knocked or pinned  
20 HIA268 against a wall. I categorically deny that I held  
21 HIA268's throat. The allegations made against me by  
22 HIA268 are false and without foundation.

23 I recall an occasion when HIA268 was in an office  
24 and she attempted to leave through a window and was  
25 subsequently injured. I wish to make the following



1 points about this matter.

2 (a) HIA268 was present in RG34's office when  
3 I arrived at that office. I did not take HIA268 and two  
4 other girls to my office. There may have also been two  
5 other girls present in the office, but I am unable to  
6 recall their identity. I do not recall RG35 being  
7 present. I do not recall why I went to RG34's office.  
8 I may have had some responsibility for discipline at the  
9 relevant time. I believe that HIA268 and others had  
10 absconded shortly before or after a morning assembly and  
11 were subsequently located most likely by members of the  
12 care staff in the school's ground.

13 I recall that HIA268's behaviour was erratic and  
14 unpredictable. She was loud and obscene. She was in my  
15 view under the influence of some intoxicant. Whilst  
16 RG34 and I were behind his desk, HIA268 climbed on to  
17 his desk, which contained various items and papers. The  
18 desk was positioned under a window."

19 We were speaking, HIA268, and what you described to  
20 me was if the window was here, the desk was at right  
21 angles to it so that the narrow part of the desk was  
22 near the window. Is that correct?

23 **A. Uh-huh.**

24 **Q.** You say (sic):

25 "HIA268 opened the window and attempted to get out

1 through the window. I estimated there was an 8 to  
2 9 foot distance between the window and the ground  
3 outside.

4 I accept that I did take hold of HIA268 at this time  
5 in order to stop her from jumping out through the  
6 window. I think I caught hold of her arm. My intention  
7 was to then guide her away from the window and off the  
8 desk. HIA268 lost her footing at one point and fell  
9 back into the room. I believe that she slipped on  
10 papers present on the desk and hit her head on a  
11 bookcase. HIA268 was injured, as her head was bleeding.  
12 I do not recall her losing consciousness in my" -- can  
13 we scroll on down, please -- "in my presence. I believe  
14 that she did receive medical treatment in hospital. I  
15 do not recall how she came to be conveyed from the  
16 office to the hospital."

17 That's what RG33 has said about the incident,  
18 HIA268.

19 There are also a statement of RG35 at 4831, please,  
20 paragraph 1 of that statement. He says he has no  
21 recollection of this incident whatsoever.

22 "It supposedly happened 30 years and after leaving  
23 Rathgael Training School I taught for a further 19 years  
24 in main stream education.

25 If anyone was attempting to jump out of a window,

1 then surely someone would try to restrain them to avoid  
2 injury to themselves. Also if this incident did take  
3 place, then reports would have been completed and filed  
4 as per normal protocol."

5 Now, HIA268, those are the only two men who are  
6 alive that we have been able to hear from, but there is  
7 a document in the papers which is from RG34, which is at  
8 43726, please. This is dated 12th December. Now we  
9 know from the medical records that this incident  
10 happened on 3rd December and, in fact, he records that:

11 "On Wednesday, 3rd December I returned to my office  
12 at 3.30 pm approximately to find that it was occupied by  
13 RG 217 , HIA268, RG 218 and RG 219  
14 ..."

15 Now you said when we were talking earlier you  
16 remember RG 217 being with you, but you didn't remember  
17 the other two girls.

18 **A. No.**

19 **Q.** "... with attendant members of staff (see below)."

20 So there is a difference here in that he is saying  
21 RG33 were in his office with you when he came into it.

22 "There had been -- they had been taken there after  
23 being involved in a glue sniffing incident in the school  
24 grounds. RG33 informed me about this incident before  
25 I entered the room.

1           The girls were in an excited state and it was  
2           difficult to communicate with them. HIA268 tried to  
3           leave the room but I refused to let her do so. Having  
4           failed to get out through the door, she tried to climb  
5           through the window. RG33, who was nearest, stopped her  
6           from doing so and he and HIA268 fell on the floor.  
7           Unfortunately HIA268 contacted the corner of my desk as  
8           she fell from the window. Her injury bled profusely and  
9           RG33 took her first of all to sick bay and subsequently  
10          to hospital to have this attended to.

11          RG35, RG33 and RG152 were the members of staff  
12          present in my office when this accident occurred.

13          There is a factual record of what happened in my  
14          office."

15          If we can just scroll down, he had signed that on  
16          12th December 1986 or he'd drafted it certainly at that  
17          date.

18          So you did not complain to the police about this  
19          incident, HIA268, but there was a letter of claim sent  
20          to Rathgael on December -- in December -- 17th  
21          December 1986. I know that came from a solicitors' firm  
22          in           I don't know that we need to look at them,  
23          but this document seemed to be prepared by RG34 in  
24          response to that letter. Sorry. Not -- it can't have  
25          been, because the letter was 17th, but it is in that

1 bundle at 43724 through to 43727.

2 Then in 1991 there is a further solicitor's letter  
3 at 43740 and documents to 43743. I was asking what  
4 actually happened to that claim that you made, HIA268?  
5 You said that, first of all, it was your mother's idea.  
6 She was living in at the time --

7 **A. Uh-huh.**

8 Q. -- the letter was sent. So she went to see a solicitor  
9 about it, but you -- what you explained to me is that  
10 the matter was passed back and forward between the  
11 Northern Ireland Office and Rathgael as to whose  
12 responsibility it was.

13 **A. Aye.**

14 Q. Is that right? That's what your understanding was, and  
15 then you said that after five years the legal aid had  
16 run out --

17 **A. Yes.**

18 Q. -- and you then had to drop it, because you could not  
19 afford to pursue it yourself. That's why you did not  
20 pursue this claim. Is that correct, HIA268?

21 **A. Aye.**

22 Q. So that's -- those are the documents about that incident  
23 that you relate about that time, but I know that --  
24 I didn't ask you when I was reading out RG33's  
25 statement, but you don't agree with what he has said

1 about what happened that day.

2 **A. No. (Laughing.)**

3 Q. You make the point that you had one leg --

4 **A. Well, if you read that, like, RG33 mentions my head went**  
5 **off the bookcase whereas RG34 says it hit the desk. So**  
6 **who is lying?**

7 Q. You had one leg out of the window and --

8 **A. I would have fell outways, not inways.**

9 Q. If you had slipped?

10 **A. Aye, and from the window I don't know how I got up being**  
11 **pinned up against a wall. So I was obviously knocked**  
12 **out.**

13 Q. You don't remember sort of coming round, being up  
14 against the wall. Is that what you are saying?

15 **A. I was pinned up against the wall by RG33 and the blood**  
16 **was running down my face.**

17 Q. You yourself don't remember actually hitting anything?

18 **A. No.**

19 Q. You did say that you told your mother about the incident  
20 and that's why she then went to a solicitor about it.

21 **A. Uh-huh.**

22 Q. Going back to your statement, please, if we can, 074,  
23 now at paragraph 20 -- sorry -- 21 here:

24 "During [your] time in Rathgael another resident and  
25 my friend" -- I will just use her first name and that's

1 RG37, who was from a certain area -- "advised staff that  
2 she did not want to return to live with her grandparents  
3 as she was being abused. Staff ignored this and when  
4 she was 16, she was sent back to live with her abusers."

5 You were informed by staff that she took her own  
6 life. I think you thought it was on her first weekend  
7 back.

8 Now we were discussing this earlier, RG37, and there  
9 is no doubt this pupil did commit suicide when she was  
10 outside Rathgael. The reference in the bundle -- and  
11 I am not going to call them up -- but just they are at  
12 27822 through to 27824 and 28157 to 28164.

13 We have also received from the Department of Justice  
14 the entire file that they have on this girl RG37 and  
15 they are located at 47536 to 47931. I was explaining to  
16 you that they show that, in fact, there was  
17 a substantial amount of work carried out with RG37 to  
18 prepare her for contact with her family and for people  
19 who were described as loving grandparents. That can be  
20 seen at 47795 to 97.

21 If we could just look -- sorry -- at 47795, this is  
22 a confidential report that was prepared  
23 on the events that led up to RG37 taking her own life.  
24 If we can just -- I am not going to open all of this up,  
25 but there was -- there is mention here of an episode

1 about a incident. Do you remember what that  
2 was about at all?

3 **A. No, I don't.**

4 Q. "RG37 had spoken to her parents. The conversation  
5 achieved nothing. Left RG37 angry.

6 Case conference in August. It was agreed that she  
7 would return to House 1."

8 Was she -- were you in House 1?

9 **A. Aye.**

10 Q. She talked openly with her primary worker. She met with  
11 . Can you scroll on down, please, to the next  
12 few pages?

13 "Joint home visit with her social worker, the social  
14 worker from the Social Services and her primary worker  
15 in Rathgael. It was agreed that she would visit her  
16 parents on 20th September. She was transported both  
17 ways. RG37 was left there for an hour. It proved  
18 successful, as both grandparents openly showed their  
19 love and affection for RG37. During the -- gradually  
20 the time she spent with them increased and during the  
21 period from October to November she was spending seven  
22 hours each Saturday, 11.00 to 7.00, in their care.  
23 Rathgael staff continued to transport her both ways."

24 If we can scroll on down:

25 "Following a request by RG37 to stay at her



1 grandparents' home overnight from Friday to Saturday and  
2 having received approval from senior staff, the visits  
3 commenced on 28th November. They were closely monitored  
4 ... who called informally and carried out frequent home  
5 visits. At an internal review attended by RG37 it was  
6 noted that her self-esteem had increased and her  
7 confidence. Her visits to her grandparents were  
8 discussed and viewed positively in that RG37 had neither  
9 absconded nor injured herself since August. A request  
10 for meeting with her parents was agreed."

11 Then she didn't want to go to the parents. There  
12 were difficulties with the parents. Then if we can  
13 scroll on down, please, it was agreed that she would  
14 visit other siblings. Then if we can scroll on down,  
15 please:

16 "RG37 commenced the New Year by looking positively  
17 at her life. Almost every day she was involved in  
18 an activity of her choice."

19 If we can scroll on down to the next page:

20 "On her return from leave -- on Wednesday --  
21 Thursday evening was spent circuit training with staff  
22 and Friday to Sunday she was at her grandparents'.

23 On her return from leave she scratched her wrists.  
24 This did not come to staff attention until the evening  
25 of 19th, when following an argument with another girl it

1 was drawn to staff attention by the girls that RG37 had  
2 broken glass in her possession and intended to use it.  
3 This was obtained after lengthy talks with RG37 by both  
4 girls and staff. The next morning a RG 220 was  
5 advised and he instructed staff to monitor her  
6 behaviour, and should there be any deterioration, then  
7 a place should be sought in Shamrock.

8 A discussion with key worker. She did not seem  
9 depressed. Chatted for some time.

10 On the evenings of 21st and 22nd she spent time with  
11 the key worker and she was described as cheerful. Went  
12 shopping for clothes and participated in circuit  
13 training. Returned in good form. Enthusiastically  
14 joined in the jovial interaction in the unit that  
15 evening.

16 The following day RG37 went on leave to her  
17 grandparents. Again appeared happy and chatted to  
18 RG 221 prior to leaving on the centre's minibus."

19 She had been travelling that way to go to visit her  
20 grandparents. Then subsequently she died at her  
21 grandparents' home .

22 Now as a result of her death police discovered that  
23 she had taken her grandfather's tablets, HIA268, and  
24 that's how she ended her life. When that happened, then  
25 police started to investigate. You were spoken to by

1 police. If we look at RGL47897, please, this is Monday,  
2 so the following Monday. It's said that police  
3 arrived and interviewed yourself and another girl about  
4 conversations with RG37 in the week preceding her death  
5 and indications which might help to find out why she had  
6 died. There were two members of staff present. You  
7 stated that RG37 had told you on Thursday that she was  
8 going to take tablets at her grandparents' house at the  
9 weekend, but you did not take her seriously, as she was  
10 laughing and joking at the time. You felt that she  
11 seemed happier that week than you had previously seen  
12 her. You stated that she had cut her wrists the  
13 previous Sunday on her return from leave, but that staff  
14 did not know about it, and that she had had an argument  
15 with another girl in the unit when the incident  
16 had been mentioned, but this had been resolved. Staff  
17 were then told that RG37 had glass and was going to cut  
18 her wrists again and that it was eventually recovered  
19 and RG37 settled just before midnight.

20 HIA268 stated that RG37 picked up from the Tuesday  
21 morning and seemed in good form from then on."

22 As she was going to leave the bus on Friday, she ran  
23 back and gave you a tape to keep.

24 When you were asked for any possible reasons why  
25 RG37 might have taken her own life, you stated that she

1 wanted her parents to love her and they did not,  
2 although she loved them.

3 "When asked about the argument on Monday evening,  
4 HIA268 stated that she did not think that had anything  
5 to do with it."

6 Then the other girl, was then interviewed  
7 and confirmed what you had said.

8 So at that stage when the police are speaking to  
9 you, HIA268, you are not saying -- you are not telling  
10 them that she said she was being abused in the  
11 grandparents' home or anything like that.

12 **A. Uh-huh.**

13 Q. But you were saying that you -- the girls knew that she  
14 didn't want to go to her grandparents.

15 **A. Aye.**

16 Q. And she had told you that they were abusing her. Is  
17 that right?

18 **A. Uh-huh.**

19 Q. Now just in fairness to the people who had care of RG37,  
20 it should be pointed out that there was no -- never any  
21 evidence of that, that the grandparents -- there was  
22 never any suggestion that they had in any way abused  
23 her.

24 You said also that she complained to you girls about  
25 the fact that she wasn't allowed out, that she was sent

1 to school and she was not allowed out with her friends.  
2 She thought she was going to be sent back to live with  
3 her grandparents. So that was her understanding, and  
4 she didn't want to go.

5 **A. She didn't want to live with them.**

6 Q. Now you also, HIA268, spoke at the inquest. There's  
7 a record of that at 47872 and 47873, and it is recorded  
8 by the solicitor for Rathgael who attended the inquest  
9 that there was no suggestion of any fault on the part of  
10 Rathgael that led to RG37's untimely death.

11 So those -- there's a large bundle of material about  
12 this, but I am just showing you things that you probably  
13 weren't aware of that were going on in respect of how  
14 Rathgael were caring for RG37 at the time, HIA268.

15 **A. Uh-huh.**

16 Q. But certainly you felt that they let her down.

17 **A. Uh-huh.**

18 Q. Paragraph 22 of your statement, if we can go back to  
19 that at 074, you talk about not receiving visits from  
20 your family and you also were able to go and visit your  
21 brother, who was seriously ill in the Royal Victoria  
22 Hospital. I was asking you -- there is clearly  
23 documents relating to you, HIA268, which show that there  
24 were attempts by Rathgael to maintain contact with your  
25 family, and there's records we looked at about you going

1 out to your paternal grandparents, for example.

2 **A. Uh-huh.**

3 Q. And they are at 43424 to 43425 -- I don't need to call  
4 them up -- as well as 43380 to 43389. You would accept  
5 that certainly you did go home on leave and there were  
6 visits to other family members while you were in  
7 Rathgael. Isn't that right?

8 **A. Aye.**

9 Q. I just -- I was asking you about -- these are the main  
10 issues that you have with Rathgael, the three incidents,  
11 if I can put it that way: the fact that members of staff  
12 were violent towards boys -- and I just confirmed there  
13 was no member of staff was violent towards you? You  
14 weren't slapped or punched by any of the teachers,  
15 HIA268?

16 **A. No.**

17 Q. Then there's the incident in RG34's office that you do  
18 complain about.

19 **A. Uh-huh.**

20 Q. And then there is the issue of RG37 and how she was  
21 dealt with. Those are your complaints, but apart from  
22 that you generally -- you were quite happy in Rathgael.  
23 Sorry. I should have said RG27 episodes, which --  
24 although you were fond of him, you accept that he  
25 behaved inappropriately.

1 **A. Uh-huh.**

2 Q. Those are your complaints, but you have no complaints  
3 about the general care that you received in Rathgael or  
4 -- and you were happier there than you were in  
5 Whiteabbey. Isn't that right?

6 **A. Aye.**

7 Q. I think from the records that I have seen and we have  
8 discussed, HIA268, I think it was fair to describe you  
9 as being a bit of a handful at times.

10 **A. Uh-huh.**

11 Q. And you certainly -- there is an incident, and again  
12 I am not calling this up in any way to blacken you, but  
13 you would admit -- you admitted to assaulting a member  
14 of staff on 2nd February 1986. There is a statement.  
15 That member of staff was RG 221 , RG 221 , who --  
16 you frankly said to me you didn't like her and she  
17 didn't like you.

18 **A. Just didn't get on.**

19 Q. I showed her statement to you, which is a statement that  
20 she gave to the police that led to you being convicted,  
21 at 43338, and you -- I read that out to you and you  
22 said, "Well, that's not exactly what happened", but what  
23 you described was certainly an assault on her and  
24 I think you accepted that.

25 **A. Uh-huh.**

1 Q. There were good members of staff. Your own key worker  
2 you felt, RG 38 , was very good.

3 **A. Aye.**

4 Q. And you have no complaints about anybody else other than  
5 those that you have made in your witness statement.

6 Isn't that right?

7 **A. No.**

8 Q. The other thing that your Inquiry documents show is that  
9 when you left Rathgael in August '87, and you describe  
10 going to look for bed and breakfast accommodation in the  
11 following paragraphs, people from Rathgael did continue  
12 to have contact with you and try to help you where they  
13 could and they helped you find Housing Executive  
14 accommodation when you moved back to the area.

15 Isn't that right?

16 **A. Aye.**

17 Q. There is documents there at 43728 and notes from 43681  
18 to 43695 and about the move to at 43734. I don't  
19 think we need to call them up, but it is just an example  
20 of how Rathgael were carrying on their duties towards  
21 you, as they were expected to do.

22 Well, HIA268, you will be glad -- although I have  
23 done most of the talking, you will be glad that I have  
24 nothing else really that I want to ask you except for  
25 one question, and that is that when we conclude the work



1 of the Inquiry, the Inquiry report will make  
2 recommendations about what should happen to mark what  
3 occurred in the institutions that it's looked at, and  
4 I wonder whether you have any view about that, what your  
5 own views are about what recommendations the Inquiry  
6 should make.

7 **A. They should apologise and they should train their staff**  
8 **a bit better and vet their teachers a bit more and ...**  
9 **let's see.**

10 Q. The other point --

11 **A. The courts and Social Services should take into**  
12 **consideration what kind of children they put into them**  
13 **places, because most of them shouldn't be there.**

14 Q. I think you felt particularly that RG37 ought not to  
15 have been there.

16 **A. No, she shouldn't have been in there as all. Like ones**  
17 **that is just daubing school should not be in places like**  
18 **that, you know. You should find another way to work**  
19 **with them. Simple.**

20 Q. Well, HIA268, thank you for all that you have told us  
21 and what us looking at your material has been able to  
22 show to the Inquiry, but is there anything that you feel  
23 that I haven't covered or anything more that you want to  
24 say about Rathgael? Now is the opportunity for you to  
25 do that.

1     **A. No.**

2     Q. Well, thank you. The Panel Members may have some  
3       questions for you, HIA268.

4                               Questions from THE PANEL

5     CHAIRMAN: HIA268, can I just take you back to what you have  
6       told us about the relationship with RG27? You said that  
7       you believe that the staff knew about this relationship,  
8       and then when Ms Smith asked to you explain why you  
9       thought that, you said that the staff would comment  
10      because you were always together and there were remarks  
11      made like "Teacher's pet" and so on.

12                    There are one or two things arising out of that.  
13      The first is if the staff appeared to know about it, did  
14      anybody try and -- that you knew of prevent RG27 and you  
15      from being together, in other words, always have another  
16      member of staff present, for example?

17     **A. No.**

18     Q. And as a general rule so far as you were aware other  
19       than perhaps taking somebody to the train station, as in  
20       the case of your friend, or taking you to hospital, for  
21       example, if you went out for some other reason on  
22       an errand or a trip with a male member of staff, would  
23       another staff member go with you or would you go on your  
24       own?

25     **A. No. You would be on your own most of the time.**

1 Q. And as I follow what you have said, it was on occasions  
2 like that that RG27 would make approaches to you.

3 **A. Aye.**

4 Q. You were in a van out somewhere --

5 **A. Yes.**

6 Q. -- the two of you alone. Is that right? Thank you.

7 MS DOHERTY: Thanks very much, HIA268. That has been really  
8 helpful. Can I just ask about RG 38 your key  
9 worker? Did you have individual sessions with her? Did  
10 you sit down and talk to her one-to-one?

11 **A. Aye.**

12 Q. And did she ever mention anything to do with your  
13 contact with RG27?

14 **A. Well, she figured out we were close, like, and sort of**  
15 **friendly and then, as I say, after I left then and**  
16 **I went back and told her I was pregnant and she asked if**  
17 **it was RG27's --**

18 Q. Okay.

19 **A. -- and I says, "No".**

20 Q. When she -- when she worked out that you were friendly,  
21 was there any discussion with you about whether that was  
22 a good thing or a bad thing or ...?

23 **A. Well, there wasn't really much said about it, like.**

24 **Nobody sort of confronted me about it, you know, at the**  
25 **time, like.**

1 Q. But clearly she was -- had her suspicions when she asked  
2 that question.

3 **A. She would have had suspicions, aye, but nobody**  
4 **confronted me about it.**

5 Q. Okay. Can I just ask -- I know that you weren't hit by  
6 the teachers, but were other girls hit by the teachers  
7 in the class or was it --

8 **A. No, just boys.**

9 Q. Just directed at boys? In relation to the boys, you  
10 weren't in their units in the evening, but was there any  
11 mixing between girls and boys in the evening?

12 **A. Sometimes, aye. If you were friendly with -- say you**  
13 **were seeing somebody. You would have got to go over to**  
14 **their unit for maybe an hour.**

15 Q. Was that accepted, that you might be going out with  
16 fellas, that that ...?

17 **A. Uh-huh.**

18 Q. And if that was the case, what you would say --

19 **A. "Can I go over to Unit" --**

20 Q. -- "Can I go and see him?"

21 **A. -- "3" or something "and spend an hour with**  
22 **such-and-such?"**

23 Q. And when you went over to those units, you know, and the  
24 two of you were together, was there much supervision of  
25 that? Were you allowed to kind of hang around

1 yourselves or ...?

2 **A. It was -- it was a big -- you just had to sit with**  
3 **everybody else.**

4 Q. Right. So you couldn't slip off and ...?

5 **A. No. (Laughing.)**

6 Q. None of that. Okay. That's great. Thanks very much.

7 **A. Not that it stopped it. (Laughing.)**

8 Q. Where did you go when you wanted -- very good.

9 **A. You should see the size of the grounds!**

10 Q. So that is what you would do. You would go to the  
11 grounds.

12 **A. That's it.**

13 Q. Would you be allowed out in the grounds in the evening?

14 **A. Aye.**

15 Q. Aye. So if you went over to see a fella and said then,  
16 "Can we go out for a walk?", you would be allowed to do  
17 that --

18 **A. Well ...**

19 Q. -- or would it have been more you would have taken your  
20 chance during the day when you were at school and --

21 **A. Aye, and sneak off.**

22 Q. -- sneak off then? So at night there would have been  
23 a bit more supervision, but during the day there was the  
24 opportunity to --

25 **A. Aye, slip off.**

1 Q. -- slip off. Okay. Thanks very much.

2 MR LANE: Can I just ask you: when Whiteabbey closed, did  
3 any of the staff go with you to Rathgael?

4 **A. Aye.**

5 Q. What -- presumably women staff that was, was it?

6 **A. Aye. Most of them was, aye.**

7 Q. Were there any staff -- women staff already at Rathgael  
8 when you got there?

9 **A. I think there was one or two maybe down in the --**

10 Q. Uh-huh.

11 **A. -- young offenders' side.**

12 Q. Uh-huh, and obviously it was new for Rathgael to have  
13 girls there. Were there any problems for the male staff  
14 in coping with that?

15 **A. They didn't know what to do with us. So they could have**  
16 **clipped the boys and everything else, but they didn't**  
17 **sort of know how to deal with us.**

18 Q. So what did they do when you presented problems then?

19 **A. Nothing much.**

20 Q. They just ignored you and let it happen?

21 **A. They'll probably put you outside or send you down to**

22 **(Laughing.)**

23 Q. Okay. Thank you very much.

24 **A. Something like that.**

25 Q. Thank you.

1 CHAIRMAN: Well, HIA268, those are the only questions we  
2 want to ask you. Thank you very much indeed for coming  
3 to speak to us today. We are very grateful to you for  
4 doing so. Thank you.

5 **A. Thank you.**

6 MS SMITH: Chairman, just before we finish I am not sure if  
7 I did refer you to the document that I referred to in  
8 the opening, which was 22971, which was that a final  
9 warning was given and there was a recommendation from  
10 the Disciplinary Panel to the Management Board urging  
11 a final written warning in the strongest possible terms.  
12 That incident is referred to as 29th May '87. So that's  
13 -- the documents we have been looking at in respect of  
14 RG27 would tie in with that recommendation from the  
15 Disciplinary Panel to the Board of Management.

16 Thank you, HIA268.

17 CHAIRMAN: Thank you, HIA268.

18 (Witness withdrew)

19 MS SMITH: Chairman, I think it is probably time for a short  
20 break to determine what the position is with Mr Aiken.

21 CHAIRMAN: Yes. Well, I think the next witness is probably  
22 not scheduled until this afternoon. Well, we will rise  
23 now, and if it proves to be the case that we are going  
24 to take an early lunch, ladies and gentlemen, you will  
25 be informed as soon as possible.

1 (12.10 pm)

2 (Lunch break)

3 (1.50 pm)

4 [Inquiry resumed in closed session]

5 (3.10 pm)

6 (Inquiry adjourned until 10.00 am

7 on Monday, 2nd November 2015)

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