

**INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE
1922 – TO – 1995
MODULE 7
TRAINING SCHOOLS AND YOUTH JUSTICE INSTITUTIONS**

WITNESS STATEMENT OF MARY MADDEN CBE

Background

1. I am currently Head of Personnel and Office Services Division (POSD) in the Department of Justice. My main areas of responsibility include:
 - To continue the programme of work to achieve Human Resources (HR) Shared Services across the DOJ;
 - Ensure smooth transition of HR Services from Northern Ireland Prison Service to POSD;
 - Provide high quality HR services to customers and stakeholders, guiding businesses through changes that will occur in staffing arising from the Voluntary Exit Scheme (VES);
 - Ensure business areas are appropriately staffed after VES;
 - Deliver and provide high quality service on Procurement, Estate Management, Learning and Development, Health and Safety and Security across DOJ.
 - To deliver improved levels of performance and tackle under performance.

2. I joined the Northern Ireland Office (NIO) on 27 January 1992. Prior to that date I was a Solicitor in the Crown Solicitor's Office. The NIO had planned to carry out a fundamental review of Criminal Justice and I was invited to join the NIO to assist in that review. Although I would be working in a general grade, my legal skills were viewed as being advantageous to the project.

3. When I arrived the NIO was restructuring to create a new Directorate – Criminal Justice – headed by a newly appointed Home Office Official, John Lyon. The Directorate would consist of three Divisions – Criminal Justice Policy; Criminal Justice Services; and Police Division. I arrived as this restructuring was being finalised and was assigned to the newly established Criminal Justice Services Division. Within this Division three major areas of work were brought together (each headed by a Principal/Grade 7) – Probation; Training Schools; and Emergency Planning (the handling of major incidents

whether as a result of terrorist or non-terrorist action). In addition to heading this Division a major part of my job would be working on the project team, under the direction of John Lyon, carrying out the fundamental review of all aspects of the Criminal Justice system.

4. Prior to my arrival, Alan Shannon had responsibility for two of the three areas – Probation and Training Schools – handing over responsibility to me on 27 January 1992. As I had never worked in the NIO before that date, nor in my professional life dealt with any matters concerning or arising from Training Schools, I cannot provide any information as to what may or may not have happened before I joined the Department.
5. When I took up post there was a well-established working relationship between the Schools and the Department supported by experts in the area of child protection and social work and also in the area of finance. I understand that Alan Shannon, who held the post previously to me and who worked in the NIO for a longer number of years within the remit of the Inquiry, will set out in detail the nature of the relationships between the Department, the Social Services Inspectorate and the relationship between the Department and the Schools. There was no change to these arrangements during my time as head of Criminal Services Division except that I had to develop my own personal relationship with each of the schools and those colleagues who provided expertise and advice to the department.
6. During the period I was in post, the day to day working contact and oversight with the Training Schools was handled by the head of the branch. Allan Johnston initially held that post during my time, and latterly it was John McCartney. They dealt with all financial matters, ensuring good governance and the proper application of departmental policy, rules and guidance. They would deal with one-off individual matters or issues that arose working with the staff at the schools to resolve them. The head of branch would have brought matters to my attention if they were grave or of high significance. For example, I received a phone-call one evening from Allan Johnston advising me of a serious disturbance at Lisnevin when a number of boys had overpowered staff in the dining hall, proceeded to lock themselves in, and

where they wrecked the place and set the furniture alight. The staff had managed to regain control when the Fire brigade had arrived to put out the fire by breaking into the room. That same evening Allan Johnston and I travelled to Lisnevin to see for ourselves the extent of the damage, to ensure the staff and the boys were uninjured, to hear from the staff what had occurred and to satisfy ourselves that the situation was resolved. While Ministers and senior staff were kept informed of these matters, a full report was put into the system the following day¹ (paragraph 1.5 of Exhibit 1 refers).

7. As a general rule the head of branch would keep me informed of what was happening and I, in turn, would keep John Lyon, my line manager informed of developments. I would become directly involved in issues when it was necessary to reinforce messages – for example in financial management and good governance - or when major decisions had to be conveyed – for example, when we had taken the decision to invest capital in either new builds or refurbishment in existing buildings. I remained in this post until 26 October 1995 when I moved to become head of Financial Services Division in the department.
8. Most of our engagement with the Training Schools, whether with the individual institution or all four schools together, was through formal meetings. Where issues crossed all four schools those meetings invariably would have been chaired by either John Ledlie or John Lyon. For example, John Lyon regularly held meetings to discuss with the practitioners the review of the Criminal Justice system and some of the emerging findings. In addition, the Head of Branch and his staff held regular formal meetings to discuss and resolve matters of mutual interest. On occasions I would chair some of these regular monthly meetings sometimes to reinforce the government's policy or position or as a means to maintain my own working relationship with the schools. Outside the formal meetings the head of branch, and his staff, would have been in (virtually) daily contact either by phone, by letter, or, where the business need dictated it, by holding informal impromptu meetings.

¹ Appendix 2: Incidents which occurred during April 1994; para. 1.5

9. In addition senior staff of the department, John Ledlie, Deputy Under Secretary, John Lyon, Head of Criminal Justice Directorate and his successor, Jim Daniell, would have had their own separate contact with the Schools, chairing meetings when the matter was of serious concern, (for example, John Lyon led on the meeting with the Chair and Deputy Chair of St. Patrick's Management Board in relation to the matter of brother David O'Riordan – (see further below), and on important and/or on cross cutting policy issues affecting all or individual schools. The Secretary of State, Ministers and Senior staff would have carried out visits to each of the schools periodically, meeting both the senior staff and representatives of the Management Board. Rathgael's Management Board was appointed by the Secretary of State who would occasionally hold meetings with the Management Board, accompanied by the senior staff of that institution.
10. While I held the post the Chair of Rathgael changed from Lady Moira Quigley to Tom McGrath but the Chairs and Deputy Chairs of all the other Schools remained unchanged.

Allegations of sexual abuse against the De la Salle Brothers and particularly

BR 26

11. During the time I held this position, I was made aware of serious allegations of sexual abuse by two ex-pupils against Brothers of the De la Salle Order at St Patrick's and specifically of an allegation against BR 26
From reading the files I can now say this occurred in November 1993² (Exhibit 2). I cannot recall how it was brought to my attention but my recollection is that the police advised either Allan Johnston (Head of Training Schools Branch) or his deputy, Bill Gallagher, of these complaints and the stage of their investigation into them. It was of immediate concern that one of the Brothers against whom allegations were made, BR 26, was now the Principal of the Training School.

² Allegations of sexual abuse at St Patrick's – Note of a meeting between NIO and SSI – 18 November 1993
SPT-12924 – SPT-12925

12. As seen from documents³⁴⁵⁶⁷ (Exhibits 3 - 7) at the time, this matter was immediately brought to the attention of the most senior members of staff within the department – Sir John Chilcot, (Permanent Under Secretary), John Ledlie, (Deputy Under Secretary) and John Lyon all were made aware, as were Ministers. The urgency of the issue was immediately recognised at all levels and meetings to discuss these matters and the implications were held as early as possible internally; with the SSI (for expert advice)⁸ (Exhibit 8); and the police to determine the best way forward. The police raised concerns in two respects: the impact on the individual, their reputation and that of the school should those allegations prove false; however should the allegations prove to be true, alerting the school authorities at such an early stage of their investigation could not only hamper it but could stop it altogether. Their fear was that the De la Salle Order could move **BR 26** out of the jurisdiction and beyond their reach. From the start, the SSI took the view that the safety of children at the school was the priority and **BR 26** should be removed from his position pending the outcome of the police investigation as is the recommended and adopted practice under such circumstances. We fully accepted the SSI's recommendation while acknowledging the police concerns. Ministers were formally advised and their approval sought to allow officials to inform the Chair of the Training Schools, Bishop Farquhar and ask that **BR 26** be removed as Principal pending the outcome of the police investigation.
13. Having secured Ministerial approval, John Lyon considered it appropriate to invite the police to join the meeting with the Bishop but after internal consideration the police declined⁹ (Exhibit 9). John Lyon and I arranged and met Bishop Anthony Farquhar and **LN 26**. That meeting took place in **LN 26** parochial house at **LN 26** Church. John

³ Note of a meeting at CJSJ between NIO and the RUC to discuss alleged sexual misconduct at St Patrick's Training School – 18 November 1993 SPT-12926

⁴ St Partick's: Allegation of sexual abuse – memo from M Madden to J Lyons dated 23 November 1993 SPT-12927 – SPT-12933

⁵ St Partick's: Allegation of sexual abuse – memo from J Lyons to M Madden dated 23 November 1993 SPT-12934 – SPT-12935

⁶ St Particks: Allegations of abuse. Note from PS/PUS to M Madden 25 November 1993 SPT-12936

⁷ St Patricks's: Allegations of Abuse – Note from J Lyon to M Madden 25 November 1993 SPT-12937 – SPT-12938

⁸ St Patrick's: Allegations of abuse – note from K McCoy to M Madden 25 November 1993 SPT-12939 - 12940

⁹ Note for Record regarding police attendance at the meeting with the Bishop and **LN 26** SPT-12941

Lyon, who took the lead at that meeting, appraised them of the serious allegations made against BR 26 by ex-pupils of the school and the advice of SSI that BR 26 should be suspended during the police investigation, advice which the department fully supported. They were also advised that the police would at an appropriate stage of their investigation want to interview BR 26 under caution, and we shared with them the police concerns that BR 26 might leave the jurisdiction and that De la Salle Order and school might frustrate the investigation. We suggested that this would not be in anyone's interest and hoped that would be a view shared, which it was.

14. Both men understood the gravity of the allegations but emphasised that knowing the individual as they did, could not believe nor did they believe the allegations made against him. They undertook to consider the matter urgently and come back to us with their decision, which they subsequently did. We were advised that the allegations were put to BR 26 who had denied them vehemently. BR 26 had confirmed he would submit to a police interview under caution at any time and he would not leave the jurisdiction pending the outcome of investigation as he was determined to clear his name. The Management Board had discussed the matter and decided, as these were unproven allegations and given BR 26 strong denial of wrong doing, they would not remove him from his position as Principal at this point. However, we were advised that should more information come to light, the Board would review their decision. We registered our surprise and disappointment with the decision. This outcome was relayed back to Ministers and senior officials.
15. Although BR 26 remained as Principal of the School until he retired, his retirement occurred before I left the Division in 1995 and probably not long after the outcome of the police investigation was known.
16. I have no recollection of having any further dealings with this matter.

SPT 81

17. In preparation for making this statement my attention has been drawn to documents speaking to my involvement in addressing a number of issues arising out of the of SPT 81
18. Previous to reviewing the relevant documents^{10 11 12} (Exhibits 10-12), **I had no recall of the matter either the circumstances of the of SPT 81 SPT 81 or the reports that flowed from his death nor have I any recollection of the discussion or action taken before or subsequent to it.** I have now had the opportunity to read all the papers provided by my colleagues in DOJ and have no independent recollection of the matter. I am, therefore, not able to add to the information contained in those papers, **except what I can opine from reading the material.**
19. There was an issue of absconding from two of the training schools - Rathgael and St Patrick's. Residents in Bangor had made complaints about boys leaving the school and heading into Bangor Town Centre where many became involved in anti-social behaviour. In West Belfast, joy-riding and car theft was prevalent and a security headache for the police and the army. It was a cause of concern that some children from St Patrick's became involved in this type of behaviour.
20. SPT 81 tragic death from a joy-riding incident when he absconded with older boys from St Patrick's brought this matter into sharp focus. Two reports had been commissioned (and received) - one from the Western Board and the other from St Patrick's Training School. It is evident from the papers which I have read that each of the reports were unsatisfactory and had raised concerns: see the comments of ^{14 15} (Exhibits 13-15). SSI was

¹⁰ SPT 81 – note from re notification of his death 16 August 1994 SPT-12904 – SPT-12905

¹¹ Meeting re: SPT 81 case from 13 January 1995 SPT-12918

¹² Death of SPT 81 – agenda for meeting 19 January 1995 SPT-12916 – SPT-12917

¹³ Meeting with NIO: SPT 81 case Note from 19 January 1995 SPT-12610 – SPT-12611

¹⁴ Note of meeting between officials of the Management Executive and officials to the NIO on 19 January 1995 to discuss matters relating to the death of SPT 81 SPT-12909 – SPT-12911

¹⁵ File note of meeting in respect of SPT 81 (deceased) held on 19 January 1995 SPT-12912 – SPT-12915

commissioned to carry out an independent and thorough review¹⁶ (Exhibit 16) covering the areas in the Western Board's review and the St. Patrick's report. The SSI report¹⁷ (Exhibit 17) contained the terms of reference for the review at page 33¹⁸.

21. Paragraph 5.21¹⁹, page 22 of the SSI report sets out the unacceptably high level of absconding from the school – 353 incidents in the first six months of 1994 –commenting that it was part of the culture and made recommendations. The report made no comment on the response of the senior staff and the Management Board to this growing problem within the school. It is clear from reading the papers that Ministers were concerned that previous SSI inspections had failed to bring to light deficiencies identified by the Inspectorate in this review before and were also exercised on the question of the frequency of inspections at the Schools and whether it gave them the assurances they needed. I can only surmise that as I would have been aware of these concerns following receipt of the St Patrick's report followed by the SSI review, I must have been conveying Ministerial and the departmental concerns to Mr. McElfatrick. On reading the papers there is a suggestion that a further wider review focussing on the Management Board may have resolved the matter.
21. The record made by Mr. McElfatrick suggests that this meeting involved a frank exchange of views. I must stress again that I have no actual recollection of the **SPT 81** case nor of any meetings that took place on that issue, including the meeting with Mr. McElfatrick. I did not take a note at that meeting and if NIO recorded the meeting it would have been done by a member of the branch. When I left the division in October 1995 all papers and files remained with the division. I am no longer a member of the NIO and do not hold any papers belonging to that period. From my recollection and perspective I do not believe that the meeting with Mr. McElfatrick adversely

¹⁶ Investigation at St Patrick's Training School in respect of **SPT 81** (deceased) – note from K McCoy to J Daniell 20 January 1995 SPT-12906 – SPT-12908

¹⁷ SSI Review of the circumstances surrounding the **SPT 81** on 14th August 1994 SPT-12616 – SPT-12652

¹⁸ Ibid, page 33 SPT-12652

¹⁹ Ibid, page 22, para 5.21 SPT-12641

effected the overall working relationship between the department and the Social Services Inspectorate.

Mary Madden

9th September 2015

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E.R.

FROM: MRS M E MADDEN
CJSD
25 NOVEMBER 1993

CC: PS/PUS (L&B)
Mr Legge
- Dr McCoy, DHSS

MR J M LYON
AUS (CRIMINAL JUSTICE)

ST PATRICK'S: ALLEGATIONS OF SEXUAL ABUSE

The purpose of this submission is to inform you of:

- the recent development in the RUC inquiry into allegations of sexual abuse made by a former pupil, **SPT 134**, who was resident at St Patrick's Training School between 1981-1983.
- the new, and more serious allegations of abuse by the present director, Brother **BR 26**, made by another pupil, **SPT 96** who was resident at the School in the 1960's.
- the possible links with DHSS's recent investigation into the case of **SPT 135**, who, as a known sex offender, was still able to work with children in a voluntary capacity with NIACRO. **SPT 135** is currently serving a prison sentence for homosexual offences against boys.

and to recommend that we seek Ministerial approval to advise the Chairman of the Management Board, Bishop Farquhar, of the allegations made against the current director and invite him to consider the position of the director while the investigation is ongoing.

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SPT 134 Allegations

2. In his statement **SPT 134** alleges abuse by staff and pupils. He does not identify any of his alleged abusers by name but provides descriptions. The RUC has advised that of the 300 boys resident at the school during the period in question, 100 have, for various reasons, declined to be interviewed, 160 have submitted to an interview and a further 40 are still to be approached.

3. As a result of the 160 interviews the RUC has gathered sufficient evidence to bring charges against a former pupil who was later employed as a chef at the school. The RUC are presently trying to trace the current whereabouts of this person. Only one inmate **[REDACTED]**, considered an unreliable witness due to a previous conviction for perjury, has named an alleged abuser as Brother **BR 26**, the current **[REDACTED]** of the school. He also provided a description which does not fit that of the Brother.

SPT 96 Allegations

4. During the course of the RUC investigation into **SPT 134** allegations the **[REDACTED]** published an article on **[REDACTED]** (a copy is attached). This newspaper report caused **SPT 96** to write to the RUC wherein he made specific allegations against Brother **BR 26**.

5. The RUC has interviewed Stitt, who has made a full statement of complaint to the police officers conducting the **SPT 134** enquiry. In his statement Stitt has named, in addition to Brother **BR 26**, five other members of the De La Salle Order (one of whom is deceased) as having seriously sexually abused him. He has also named persons whom, he alleges, witnessed some of the acts. The RUC has traced seven of these witnesses who are all residing in England. They have plans to approach all these individuals this week and invite them to make statements.

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Brother **BR 26**

6. The RUC have advised us that they intend to interview Brother **BR 26**, under caution, when they have completed all their interviews arising out of both **SPT 134** and **SPT 96** allegations. They would hope, at that stage to have sufficient evidence to make an arrest and formally charge Brother **BR 26**, after the interview. They stress that so far they have one statement of complaint against Brother **BR 26** which is not corroborated. [REDACTED] who mentions Brother **BR 26**, did not attend the school at the same time as **SPT 96**.

SPT 135

7. DHSS colleagues will soon publish the report of their investigation into how **SPT 135** a known sex offender, was able to obtain work in a voluntary capacity with NIACRO.

8. During the course of the DHSS investigation St Patrick's Board of Management were asked to conduct an internal investigation into allegations of sexual abuse made by Huston against unspecified persons. Bishop Farquhar, Chairman, commissioned Brother **BR 26** who subsequently reported verbally to the NIO that nothing was found which would substantiate **SPT 135** allegations.

9. The RUC team investigating **SPT 134** and **SPT 96** allegations recently interviewed Huston. He has now made a statement describing, but not naming, a person who abused him. The RUC believe that the description matches one of the Brothers named by **SPT 96**. This Brother is now deceased. **SPT 135** does not implicate Brother **BR 26**. As a result of this fresh information Bishop Farquhar has been asked to confirm the result of the internal investigation in writing.

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The Dilemma

10. I shared this information with our professional advisers, SSI, last week. Dr Kevin McCoy, Chief Inspector SSI, and I met with Superintendent Nesbitt, RUC, on Friday, 19 November to discuss this matter more fully.

11. The dilemma, facing the department, is whether to advise the Chairman of the Management Board, Bishop Farquhar, of the specific allegation made by Stitt against Brother **BR 26**. The Bishop is already aware of allegations against unspecified individuals made by **SPT 134** and **SPT 135**. He is presently ignorant of **SPT 96** allegations.

RUC Postion

12. The RUC are anxious that their investigation is not compromised by allowing a potential suspect to be forewarned of allegations, thereby giving him an opportunity to, at worse, leave the jurisdiction, and at best, prepare "his story". Naturally they wish to complete their inquiries and obtain corroborative evidence so that at the termination of any interview they could arrest and charge. At present they do not have sufficient evidence to cause them to want to interview Brother **BR 26** at this stage. Nothwithstanding the outcome of further interviews the RUC have stated that they will be interviewing Brother **BR 26**, under caution.

DHSS/SSI Advice

13. SSI, as our professional advisers, consider that, in the interests of the children presently at the school, the NIO should share this information on Brother **BR 26** with the Bishop. This would allow the Bishop to decide what the present risk is, and to take appropriate action. Although sensitive to the RUC concerns

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([REDACTED] t an approach to the Bishop would be counter-productive to their inquiries) SSI consider that the NIO must act to inform management of the school and advise them of the possible course of action.

NIO's Options

14. The NIO could elect to do nothing until the RUC have completed their inquiries. This could be some months away. If, on completion, Brother **BR 26** is arrested the NIO could be subject to criticism for allowing Brother **BR 26** to remain in a position of power and authority despite having the benefit of the **SPT 96** information. The department could also be criticised by the Management Board for not giving them the opportunity of suspending the director pending investigation and thereby leaving them vulnerable to criticism.

15. Informing Bishop Farquhar, on the advice of SSI is not without its difficulties. The Bishop could:

- decide to allow Brother **BR 26** to continue in his present post on the basis that the allegations are some 30 years old and unsubstantiated.
- retire Brother **BR 26** early and remove him from the school. This is defensible as Brother **BR 26** is within [REDACTED] years of retirement.
- suspend Brother **BR 26** pending completion of the RUC investigation.

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16. Each course of action open to the Bishop presents NIO with relationship difficulties. Alerting the Bishop to one man's allegations, some 30 years old and presently unsubstantiated, could damage relationships between the NIO and representatives of the Catholic Church and the School not only at the working level but also possibly at Ministerial level. The Bishop could write to the Secretary of State to protest at NIO officials acting, in his perception, on rather flimsy information.

17. If the Bishop suspended Brother **BR 26**, it is likely that the media would, on hearing this news, draw comparisons with Kincora, link the **SPT 135** allegations in the DHSS report to Brother **BR 26** departure and possibly criticise Government's lack of supervision and monitoring of training schools.

18. A further difficulty in the relationships could be caused between the department and the Order if Brother **BR 26** were to be moved out of the jurisdiction. This is exactly what the police fear as important questions would remain unanswered and a problem could possibly remain elsewhere. It could leave the department in the position of dealing with members of the same Order who collectively have moved a fellow Brother out of the jurisdiction. It must also be remembered that **SPT 96** did name some seven Brothers in all.

Conclusion and Recommendation

19. Despite these concerns SSI take the view that a serious allegation has been made, by a man (whom the RUC have judged to be reliable) against the [REDACTED] of the school. They consider the allegations to be believable despite their age - because of their experience from the Kincora Enquiry. In SSI's view

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the children presently in the school are entitled to protection and the department must put their welfare first. NIO must be seen to act on a written statement of complaint to the RUC which makes very serious allegations against Brother **BR 26**

20. There are two options open to the department:

- to ignore SSI advice and do nothing until the RUC has completed its investigation, or
- to advise the Bishop now of the allegations made by **SPT 96** and invite him to consider Brother **BR 26** position.

There are advantages and difficulties with the two options. Either will require Ministerial approval in my view. Recognising the sensitivities of this issue and before going to Ministers, I would be obliged if you could advise whether you are content with the recommendation I propose to offer which is to accept our professional advisers recommendation to approach the Bishop now.

R. A. Johnston

pp. MARY E MADDEN

BT15093

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FROM J M LYON
AUS (CRIMINAL JUSTICE)
25 NOVEMBER 1993

cc: PS/PUS(B&L)
Mr Legge
Dr McCoy
Mr McElfatrick

MRS MADDEN

ST PATRICK'S: ALLEGATIONS OF ABUSE

I discussed with Dr McCoy his helpful note to you of 25 November about the policy on handling complaints about children in residential care.

2. In the course of our discussion, we considered the particular position of the current allegations against some St Patrick's staff which alleged the commission of serious criminal offences. While this was not the same as the commission of disciplinary breaches - which appeared to be the focus of the DHSS circular and additional board guidance attached to Dr McCoy's note - Dr McCoy confirmed that, in such cases, the appropriate procedure was for the board of management to be informed. This was fully in accord with established precedents which related specifically to allegations about offences occurring some years before the date of the allegation. It was not unusual for the police investigating an allegation to be concerned that any action taken by the board might compromise the conduct of those investigations. The normal practice was for the police to appoint a liaison officer who would liaise with the board of management about the conduct of the investigation.

3. Dr McCoy confirmed also that, on the basis of precedents and best practice, it was for the board of management to decide what action to take in respect of the staff who were subject to the allegations. The Department would only wish to consider intervening if the decision was thought to be unreasonable on the basis of the circumstances of the particular case.

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4. understand from Dr McCoy that he believes the RUC would be amenable to attending a meeting with the Bishop.

5. If I have inaccurately reflected Dr McCoy's further guidance, I am sure he will let us know. Otherwise, I suggest that you confirm with the RUC that we propose to see the Bishop, and would like to invite a representative of the RUC to attend. I think it would be helpful if Dr McCoy were also to be present and I am grateful for his willingness to do this.

6. I doubt if it would be helpful for our first contact with the Bishop on this matter to be through a deputation of the size which will be required. I suggest, therefore, that, once you have recontacted the RUC about their attendance at the meeting, and followed up their contact with the alleged witnesses in England, you call on the Bishop to let him know what has surfaced and invite him to agree to a fuller discussion - perhaps involving also Father McCann - a day or two later.



J M LYON
DH Ext 25321

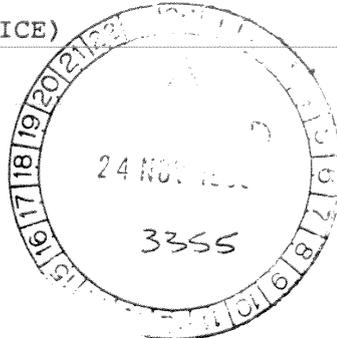
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From: J M LYON
AUS (CRIMINAL JUSTICE)
23 November 1993

Mr. Johnston - Mr. Callaghan
To note and return to me
for appropriate action
24/11



cc PS/PUS (B&L)
Mr Legge
Dr McCoy

Mrs Madden ✓ *24/11*

ST PATRICK'S: ALLEGATIONS OF ABUSE

This is to respond to your note of 23 November reporting the current position in respect of allegations of sexual abuse against staff in St Patrick's School.

2. Allegations like these are serious and deserve to be fully investigated. I am glad to see that that is what ~~the~~ the RUC is doing.
3. We know - and I am sure SSI will confirm - that such allegations are not uncommon in institutions dealing with children. It is part of work in this area. Not all are substantiated. Some are. It would not be right to make a presumption either way on the basis of an allegation. In such instances, while having regard to the position of the investigating authorities, it must be right that we follow the best practice as advised by SSI.
4. I think it would be helpful at this stage if SSI were to let us have his advice on the basis of the information in your submission.
5. Subject to Dr McCoy's considered advice on what is the accepted procedure in cases at this stage in their development, I believe it would be right and appropriate to inform the Bishop of the allegations and to invite him to consider what action might appropriately be taken. I would hope we could offer him the advice of SSI. We might also, I hope, be able to offer him a consultation with the RUC, if the RUC would agree to that.

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6. My inclination would be to initiate this at a meeting with the Bishop - which I would be happy to chair if that would help - followed up by a letter. I assume that the meeting would provide information about the allegations against all the staff identified by Mr SPT 96 and not just [REDACTED]. Any meeting would, I suggest, best be arranged after this week so as to take account of any immediate outcome from the RUC's approach to potential witnesses in England.

7. I agree that it would be helpful to brief Ministers. My own view, however, is that a decision about approaching the Bishop is one for us appropriately to take - but that we should inform Ministers in advance what we have decided.

8. Subject to colleagues' views, therefore, I suggest we await Dr McCoy's guidance and, subject to that, you prepare a submission to Ministers informing them of our intention to brief the Bishop.



J M LYON
DH 25321

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RESTRICTED - MANAGEMENT

FROM: [REDACTED]
PS/SIR JOHN WHEELER
8 June 1995

- cc: PS/Secretary of State (L&B) - B
- PS/Sir John Wheeler (L&B) - B
- PS/Mr Moss (L&DHSS) - B/T
- Secretary, DHSS - T
- Mr Chambers - T
- Mr McElfatrick - T
- Mr Downey - T
- Mr Legge - B
- Mr Daniell - B
- Mr Wood (L&B) - B
- Mrs Madden - B
- Mr McMeel - B
- Mrs Collins - B
- Mr McCartney - B

*SOS
SIR?*

Dr K F McCoy - T
Chief Inspector
Social Services Inspectorate

REVIEW OF THE CIRCUMSTANCES LEADING TO THE DEATH OF WILLIAM CAMPBELL

1. The Minister was grateful for your minute of 16 May enclosing a copy of the SSI Report following its review of the circumstances leading to the death of the 11 year old boy who was killed when absconding from St Patrick's. Sir John has now had an opportunity to consider the Report and was pleased to note that it was thorough and well presented.

2. The Minister has noted with concern the details of the Report and is anxious that steps are taken to ensure that appropriate action is taken to remedy the defects which have been identified. In particular, he has expressed concern about the problems associated with absconding and hopes that recommendations 10-14 are implemented without delay.

3. Sir John shares the concern of the Secretary of State that previous SSI inspections, on which the NIO relies, failed to bring to light deficiencies identified by the review, especially those set out in the "lessons to be learned" in chapter 6. He has asked for an assurance that measures are being taken to ensure that future inspections of this and other establishments are more perceptive.

RESTRICTED - MANAGEMENT

WHEELER/MIR/2356

*have a different
inspectors: now
- find CW is more
different*

RESTRICTED - MANAGEMENT

4. The Minister supports the recommendation (para 3.7) that Training School places should not be sought for young children aged 13 years or under. He has suggested that this be brought to the attention of all Health Boards.

5. Similarly he feels the recommendation (para 3.2) that fostering services be reviewed may have application for Boards other than the Western Board.

SIGNED

Paul A Johnston
PS/Sir John Wheeler
OAB Ext 6498
8 June 1995

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WHEELER/MIR/2356

V89/6

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KC-230.95

FROM: K F McCOY
Chief Inspector
Social Services Inspectorate

DATE: 23 June 1995

cc: PS/SoS (B&L)
PS/PUS (B&L)
PS/Mr Moss (L&DHSS)
Mr Elliott, DHSS
Mr Legge, NIO
Mr Hunter, ME
Mr Daniell, NIO
Mrs Madden, NIO
Mr Chambers, SSI
Mr McElfatrick, SSI
Mr Downey, ME
Mr McCartney, NIO
Mrs Collins
Mr McMeel, NIO
Mr McMeel, NIO
Mr Wood, NIO
Mr Hamilton, DHSS

PS/Sir John Wheeler

REVIEW OF THE CIRCUMSTANCES LEADING TO THE DEATH OF

SPT 81

1. I would like to thank Minister for his response to my submission dated 16 May 1995 which I received on 9 June. I appreciated his positive comments about the report. I have now issued the report to St Patrick's and the Western Health and Social Services Board and asked each to let me have their responses to the recommendations and an outline of their action plans for implementing the recommendations. They will then be shared with the Criminal Justice Services Division of NIO and the Management Executive of this Department, who will be responsible for ensuring that appropriate action is taken.
2. I would, however, respond to Sir John's comment that previous inspections failed to bring to light the deficiencies

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identified by the review, especially those set out in the "lessons to be learned" in Chapter 6. The current arrangements for inspections of training schools were agreed between SSI and NIO in 1992. In summary they require SSI to carry out a general inspection of each of the training schools every fourth year. In the intervening years the three schools not subject to a general inspection are subject to a regulatory inspection. There are, in addition, arrangements for SSI to periodically undertake unannounced visits to units within the schools. The first general inspection of St Patrick's was due to have taken place in late 1994. It was postponed because of the need to conduct the review into the circumstances surrounding **SPT 81** death. I am confident that if the inspection had gone ahead as planned many of the deficiencies would have been identified in its course.

3. I should point out that on the basis of our knowledge about St Patrick's and the other schools we have been advocating for some time the need for the establishment of proper monitoring systems to inform management committees and the NIO of the adequacy of the oversight and control arrangements in the schools. Had there been such systems in place it is likely some of the concerns identified by SSI in the **SPT 81** case would have come to light earlier. NIO was, of course, already well aware of the high levels of absconding at St Patrick's and there have been a number of the concerns arising from the **SPT 81** investigation which SSI had already brought to the attention of either the Boards or the NIO. I do not feel it is, therefore, entirely justified to imply that SSI has not been as perceptive as it might have been.
4. This said I am pleased to report that following the production of the **SPT 81** report we have agreed with NIO (CJSD) the need for a review of the current arrangements for inspection and

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monitoring in training schools and CJSD has arranged a meeting to discuss how inspection and monitoring arrangements can best be tailored to meet the needs of Ministers for reassurance about the adequacy of the care arrangements in each of the schools. I hope that as a result of this meeting arrangements will be put in place to strengthen the existing systems so that the various bodies concerned, including the management committees and senior staff in the schools, NIO and SSI can agree the roles each needs to play to ensure that more effective monitoring and inspection of the services provided takes place in the future.

5. Minister will be advised of the new arrangements. In the meantime I would be happy to discuss any aspect of our approach.


K F McCOY

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From: H V McElfatrick

Date: 3 May 1995

Dr McCoy

SPT 81 REPORT

I had a rather difficult meeting with Mary Madden this afternoon regarding the **SPT 81** report. The meeting was called ostensibly to discuss my request for financial support to cover administrative backup for the criminal justice inspectors. I have given you information on NIOs proposals for dealing with the administrative support arrangements ie locating the 2 inspectors in Massey House where they would be provided with admin support. They accept that the inspectors would still have to be accountable to me, but clearly feel the need for closer ongoing contact with inspectors so that they have advice on tap as they require it.

On the **SPT 81** report they are disappointed that the report does not give them enough on the deficiencies of management in St Patrick's. It is clear Mrs Madden feels there is much that is wrong in St Patrick's and she has been looking to the **SPT 81** report to use as ammunition to criticise the management committee and the senior managers in the school. I said we would review our notes but I said we could only report on what we found and we had concentrated primarily on the circumstances surrounding **SPT 81** death and the care provided for him while there. Using this we had reported as faithfully as possible what we found. Our investigation did not extend to consideration of the adequacy or effectiveness of the management board. We had been critical of management where we perceived their shortcomings as they impinged on the care of **SPT 81** but could not go beyond what we had evidence to support.

Mrs Madden would also like us to have acknowledged in the report any deficiencies in the inspectorial arrangements eg is the frequency of inspections as agreed with NIO adequate to provide CJSD with the intelligence they need to assure them about the quality of care being provided? I acknowledged that our current arrangements were for each school to be subject to a major inspection every fourth year. The regulatory inspections and the unannounced visits were unlikely to pick up the level of information NIO now appeared to be expecting. If this was what was expected it would call for additional resources. There was also the question of whether it would be appropriate for SSI to be used in a constant monitoring role ie visiting the schools every week to check numbers, staff cover etc. This was more properly the responsibility of management who needed to put proper monitoring arrangements in place. SSI could then periodically check whether management was fulfilling its responsibilities.

It was left that I would review our report with Chris Walker and in discussion with you consider whether anything additional should be incorporated in the report.

I think the NIO reaction , which is basically a defensive one, puts some strain on our relationship. My feeling is that we can only do what we have evidence to support and I doubt if we can provide Mrs Madden with the type of hard hitting evidence she hoped we might come up with. I would however welcome a discussion with you as to how we might deal with this situation. It certainly suggests to me that NIO are uncomfortable with the idea of our independent role and I think they would like to have been able to influence the content of our report. This suggests to me the need for a fundamental review of the role we play in relation to NIO work may need to take place. I know you have in mind to raise this with Jim Daniell. I think it is necessary to take this forward now to see if future misunderstandings can be avoided.

I should add that Jack Conway contacted me to say he was satisfied with the report from a legal point of view. He had discussed it with John McMeel and they both seem to be content with it from a legal perspective

H V McElfatrick

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From: **SPT 88**
 Training Schools Branch
 5 May 1995

We have highlighted a number of very real concerns. Might I suggest that the Minister would find a meeting with officials beneficial.
 MEM. 5.5.95

cc PS/Secretary of State (B&L)-B
 PS/PUS (B&L) -B
 Mr Legge -B
 Mr Daniell -B
 Mr Cornick

1. Mrs Madden MEM. 5.5.95
2. PS/Sir John Wheeler (B&L) -B

ST PATRICK'S TRAINING SCHOOL

The purpose of this minute is to advise the Minister about the implications of the opening of the new justice unit in St Patrick's Training School. It also seeks his agreement to limit the capacity of St Patrick's.

New Justice Unit

2. The new justice unit, Cashel House, which was opened by the Minister on 24 January 1995, was utilised for the first time during the Easter weekend. The reason given by St Patrick's for the delay in its occupancy is that while the new unit has accommodation for 19 boys the number of justice boys has, until now, been significantly in excess of this. Supervision of two groups of boys, sited separately on the campus, would have presented staffing problems.

3. All were housed in the main block which is an old building, which is outdated and is no longer suited to modern methods of youth treatment. In any case, despite some remedial work, it does not meet minimum health and safety requirements. We have been pressing St Patrick's to move boys out of this accommodation for some time and 11 out of a total of 25 justice boys have now been transferred to the new justice unit. The remainder continue to be accommodated in the main block.

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4. It is unsatisfactory that boys continue to reside in unsafe accommodation. As well as justice boys, a number of care cases are also accommodated there while care accommodation (Chalets 1 and 2) is being refurbished. This work is expected to be finished in mid-May. As soon as the refurbished accommodation is ready we propose to insist that the main block is vacated.

Consequences of Limited Justice Places

5. As a consequence, with the new justice unit accommodating a maximum of 19 boys, St Patrick's will be unable to cope with any justice boys in excess of this figure. As a result, boys will have to be transferred to Rathgael or released on licence. If, in the future, a Catholic boy is given a Training School Order for a criminal offence he may have to be accommodated at Rathgael. The courts and the RUC have been advised of the position and in future will check with this Branch whether or not accommodation is available in St Patrick's justice unit. While St Patrick's seem to have accepted this position there is a possibility that it might use it as an argument for the provision of additional accommodation in the future.

Transfers to Rathgael - Difficulties

6. Rathgael has no objection in principle to taking the Catholic boys from St Patrick's but its Board has advised us that as its staffing is already inadequate for its current population it is unable to cope with any additional boys at present.

7. While Rathgael has a potential capacity of 50 justice places, its financial estimates are based on the population figures for the academic year September 1993 to June 1994. Its funding for 1995/96 is, therefore, based on a justice population of 21. The current justice population is over 40.

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8. Minimum staff/children ratio and standards of clothing, food etc are imposed by DHSS and we have been asked by Rathgael to provide the additional resources necessary to enable it to cope with the additional numbers. It is not safe for staffing levels to be fixed retrospectively on the basis of previous populations especially when numbers are so high. We have raised this with our Financial Services Division who, in turn, will approach the Department of Finance and Personnel.

Glanaulin House/Main Block

9. Work is currently being carried out on the refurbishment of care accommodation, Chalets 1 and 2, at St Patrick's. These premises have accommodation for 22 care boys and during the currency of the refurbishment work the Chalets were vacated. Twelve of the boys are temporarily accommodated in Glanaulin House which is owned and was formerly occupied by Brothers of the De La Salle Order. The remainder are located in the old main accommodation block.

10. A recent survey of Glanaulin House found that without work costing over £100K it will not meet the minimum health and safety requirements for residential accommodation. St Patrick's has asked us to finance this work and to either buy or rent the accommodation for continued use as care accommodation for Catholic boys. The estimated purchase price of the building is £500K.

11. We have no provision in our budget for work at Glanaulin House or for its rent. However apart from financial considerations we have serious concerns about the management and standards of care at St Patrick's (see below) which make us reluctant to accede to this request. Accordingly when work on Chalets 1 and 2 is completed in mid-May we propose to insist that both the main block and Glanaulin House are vacated.

12. Effectively the number of care places available at St Patrick's would be reduced to 40 and justice cases to 19. The current care/education population at St Patrick's is around 45. The justice

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population is currently 25 which means that about 5 care boys and 6 justice boys will either have to be released on licence or transferred elsewhere. The latter will present problems as Rathgael care accommodation is approaching maximum capacity (see above).

Concerns about St Patrick's Management

13. The Social Services Inspectorate of DHSS has now completed an inquiry into the death of **SPT 81**, the 11 year old boy who was killed on a joyriding incident in August last year after absconding from St Patrick's. The report will be submitted to Ministers shortly. It is expected to be critical of the high incidence of absconding from the school and the level of supervision of the boys.

14. There are also concerns about the management of the School. Our internal auditors are currently working in St Patrick's and their preliminary findings are that financial management is seriously inadequate and there is a strong possibility of funds being used for purposes for which expenditure was not approved. These views, based on inspections by SSI and IA, accord with our own strongly held reservations about the competency of the management of St Patrick's.

Summary

15. The Minister is invited to note:

- our concern about the management of St Patrick's (which we are urgently addressing and on which further advice will be submitted);
- the implications of the closure of its main block and Glanaulin House;
- the maximum capacity of the new justice unit there; and

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- the consequence that Catholic boys will have to be transferred to Rathgael.

These and increasing Training School populations will have resource implications.

16. The Minister is asked also to agree that when work on Chalets 1 and 2 is completed:

- we insist that the main block at St Patrick's is vacated;
and
- we refuse to rent or carry out work at Glanaulin House.

If the Minister wishes a meeting to discuss the above, Mrs Madden and I will be happy to attend.

(Signed)

SPT 88

Ext 27341

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CJSDGEN/359/CP

From: Chris Walker
Date: 15th November 1994

Mr.H.V.McElfatrick

**INQUIRY REPORT PREPARED BY ST PATRICK'S TRAINING SCHOOL INTO
THE DEATH OF SPT 81**

Further to our discussion yesterday I have re-read the report from St Patrick's. I think the point must be reiterated that the report itself seems to be a very inadequate response to the situation that arose and it is difficult to comment on it or question it because so little has been covered.

I was rather surprised that such an investigation was undertaken and the report was prepared by members of the Board of Management. It would seem to me that such a task was one that should have been undertaken by professionals or by the senior staff of the school. It might have been expected that a professional would have produced a more comprehensive report, that did not raise more questions than answers. I do wonder if the way this investigation was conducted is a reflection of a lack of confidence in the staff by the members of the Board.

In effect the investigation appears to have been limited to interviewing the three members of staff on duty in Aisling House on the day in question. I am rather surprised that there does not appear to have been any attempt to ascertain the views of the boys who absconded with such tragic consequences about why they had done so and whether it was preplanned or not. No doubt it has been an extremely traumatic time for them and the Board Members may have felt reluctant to interview them but I would have expected that any social work agency would see the counselling of youngsters in such circumstances as being a high priority in the service that they were offering. I would be disappointed if this had not been done. If it was done it should have been possible for the staff involved to have ascertained rather more about what happened than is contained in the report.

It would have been helpful if the report had contained information about the frequency of absconding from this unit in order to put this incident into context. It does seem that this was not an isolated incident but there is no indication of quite how commonplace an event it was. This raises the question of the appropriateness of Aisling House being "the most open of all the chalets" when it is a reception unit dealing with young people who have had to be transferred from the care system because of their behaviour which may well have included absconding. There does not appear to be a great deal of point in removing a youngster from an open children's home because of absconding and then placing him in an equally open training school. It also raises the question of why it is necessary for the long stay care units to be less open than the reception units. If the open nature of Aisling does not

cause problems there does not appear to be any logic in further restricting the young people when they move to another unit.

I have always questioned the training schools' apparent frequent use of home leave. The children in Aisling have come from the care system having, presumably, been removed from their parents because the home setting was unsuitable. In spite of this the schools appear to return the children for home leave very early in the assessment process. I would have expected that decisions about the appropriateness of home contact to be one of the most crucial matters to emerge from the assessment, not something about which early conclusions should be reached.

I also find it disappointing that this report lacks any suggestions or recommendations about what could be done to prevent a recurrence of these events. I am pleased that there was not a witch hunt of the staff involved but the only suggestion involves the method of collecting the minibus which does not seem to be adequate. Incidentally I find it surprising that it takes 15 minutes to collect a minibus. Most people could walk well over half a mile in that time. St. Patrick's "campus" is large but not that large and Aisling House is fairly close to the middle of it.

The main question to emerge from the report as it stands is the adequacy of the staffing of the units. It appears that the normal staffing level is only two people. If only two people are on duty and one of them gets called away (as happened at least twice on the day in question to collect boys from home) it either only leaves one person to supervise the unit or else someone has to be called in from another unit, presumably leaving that one with only one person on duty. This raises the question of whether staffing levels are inadequate or whether there is a reluctance to provide adequate cover on the rota at weekends when people would clearly prefer to be at home. Perhaps a little unfairly it also raises a suspicion that the fondness for sending boys home for weekend leave is at least in part caused by a desire to reduce the number on site and thus the need for staff at weekends.

I must stress that I would not wish to attribute blame to the staff on duty but the decision to take the boys out in the minibus is said to be based on an attempt to "divert" them. This may or may not have been justified but I would have thought it would have been better for the staff to have tried to address the problems in the group rather than divert attention away from them. It must, however, be admitted that this may be "being wise after the event". In our position we should be careful to avoid judgements but it would be appropriate to question whether the staff have received the training to enable them to know how to react. Nevertheless, it does seem to be questionable to have left [REDACTED] to play football when it is admitted that he appeared "unsettled" on his return to the school.

No mention is made of the qualifications of the staff

involved. They are described as "experienced Residential Social Workers" which may be an indication that they were both unqualified. Particularly if this is the case it raises a question of what more senior back up and support was available to them. There is no mention in the report of what, if any, management staff were on duty on the day in question, whether they were aware of the events that occurred, whether they were consulted and what advice they gave. Responsibility appears to have been left entirely on the shoulders of the junior staff.

I think it is possible to go on making a number of criticisms of the schools practices at least in this unit and also the apparent reluctance to recognise them in the report. However, I do feel that leaving informing the RUC for an hour should not be criticised. Certainly in most children's homes there would probably have been an even longer delay unless the staff had reason to suspect that the children were particularly at risk.

Happy to discuss.



Chris Walker.

Personal Copy

cc Dr McCoy

From: H V McElpatrick
Assistant Chief Inspector
Social Services Inspectorate

Date: 23 November 1994

INQUIRY REPORT ON THE DEATH OF WILLIAM CAMPBELL

1. Dr McCoy has passed to me your letter of 8 November regarding the above report which was prepared by 2 members of the Board of Management at St Patrick's and the addendum from Brother **BR 90**, **[REDACTED]** to the Board, and has asked me to respond.

2. I feel that the report does not adequately address the issues surrounding the death of **SPT 81**. It does not give an adequate analysis of the circumstances leading up to the absconding of the group of 5 boys, including William Campbell, the appropriateness of the staff response to the situation or the role played by management. It leaves many questions unanswered and I do not think it provides St Patrick's with much guidance as to what can be learned from this sad experience.

3. We are left wondering about the adequacy of the school's arrangements for dealing with absconding. Brother **BR 90** has helpfully provided the school's guidelines and policy on absconding as related in the staff handbook. In his covering letter Brother **BR 90** says that in cases where a boy's behaviour deteriorates while at home staff will visit the home when contacted by parents and attempt to repair the situation. It is not clear whether there was any attempt to do so in the case of the 2 boys who were returned from broken weekend leave situations on 14 August. The fact that there were 2 boys returned from weekend leave prematurely raises questions as to whether this is a regular occurrence. If so one would have to question whether the school has made the right judgements about who should be sent out on weekend leave and whether the staff have adequately prepared the boys and their families for this. We do not know because the report does not address this matter.

4. The report does refer to the fact that Aisling House is the assessment centre for the school and is the most open of all the chalets. It is the first point of entry to St Patrick's and as such is dealing with boys who may well be unsettled having just been removed from their more normal surroundings. For me it raises the question of whether it should be the most open house. I would have thought there must be a higher risk of absconding amongst unsettled boys who have not found it easy to adjust to their new environment straight away. Whilst not advocating more locks on doors I do feel there is the need for even greater vigilance by staff and attention to be given to changes in mood amongst the boys. It did not seem to me to be appropriate for staff to immediately think about taking the

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whole group out in the minibus when they recognised that 2 of the boys were unsettled. Would it not have been more appropriate for the unsettled boys to be taken aside to discuss with them the circumstances of their broken leave and deal with any residual feelings which the boys may have been left with. The guidance on absconding advises staff that when a boy returns from absconding staff should devote as much time as possible to him in order to allay his fears and reassure him. This advice is as relevant to dealing with boys who return to school after disturbed relationships have occurred at home during weekend or other leave.

5. It would also have been helpful if the report had contained information about the frequency and extent of the absconding problem at St Patrick's, and in particular, the position in this unit, to put the inquiry into context.

+ Kipora
from
Temple

6. I think there may be some questions about the adequacy of the level of staffing. There could be a question about the staffing cover at weekends and possibly about the deployment of staff but the position here is not explained. There is also no comment on whether or not the staff were qualified. This would probably have had an influence on how they responded to the needs of boys being returned from broken leave situations. It is clear they were able to draw on staff from another unit when the boys were having to be retrieved from their homes but when the 5 boys absconded they were not, at that stage, under anyone's direct supervision. This would need to be examined.

7. There seems to have been no real investigation into the management's role in the whole situation. We are not told whether management were informed or what role, if any, they played in advising and supporting the staff involved.

8. All in all I think there are a number of elements to be considered. We may need to see what is in the report from the Western Health and Social Services Board on the Campbell case before we move on this but I think the forthcoming SSI inspection of St Patrick's would be a suitable time to explore some of these matters in greater depth. Happy to discuss.

H V McElfatrick

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From: H V McElfatrick

Date: 12 June 1995

Dr McCoy

REVIEW OF THE CIRCUMSTANCES LEADING TO THE DEATH OF SPT 81
[REDACTED] : SoS CONCERNS

1 There was a reference in para 3 of the memo from P Johnston PS/Sir John Wheeler in response to your submission of 16 May which implied criticism of SSI in respect of its earlier inspections of training schools. You asked me to try to ascertain what the SoS had said. I have checked with the private office and am informed the SoS comments were given in a confidential submission which dealt with other matters as well. For this reason the submission was not circulated.

2 I was able, however, to get Stephen McCourt of the private office to read to me what the SoS had written. I quote " he would be grateful to know why previous inspections on which NIO relies failed to bring to light deficiencies which featured in the review, especially in the lessons to be learned, which are set out in chapter 6. He would further like to know if measures are in hand to ensure that future inspections of this and other establishments are more perceptive".

3 I have prepared a draft response to PS/Sir John Wheeler in relation to his memo dated 8 June responding to your submission of 16 May. You will note the wording in the PS/Sir John Wheeler response to you is almost identical to what the SoS is reported to have said.

4 I attach with this minute the draft for your consideration.

H. V. McElfatrick

H V McElfatrick

MR McELPATRICK. - JSF
22/8/95

C16718



St. Patrick's Training School

Telephone:
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(01232) 626879

GLEN ROAD,
BELFAST
BT11 8BX.

16th August, 1995.

FB/MK

Dr. K. McCoy,
Chief Inspector,
Social Services Inspectorate,
Dept. of Health & Soc. Servs.,
Dundonald House,
Upper Newtownards Road,
BELFAST BT4 3SS.

Dear Dr. McCoy,

I write to you in response to your letter to Br. **BR 26** (June 9th 1995) regarding the circumstances surrounding the death of **SPT 81**.

As requested the Board of Management and Senior Management of St. Patrick's have considered the report and I enclose our proposals in respect of the recommendations.

I would welcome the opportunity to discuss these in greater detail and other matters of concern pertaining to this Inquiry.

I look forward to hearing from you.

Yours sincerely,

BR 90

Brother **BR 90**
[DIRECTOR]

Mr Walker,

Please consider the responses from St. Patrick's. You will need to establish in more detail the adequacy of some of the measures proposed or actioned. Please let me have your comments on each of the responses and your views on whether any further action is needed. We can then discuss. I think it would be helpful if Mr McCarty were sent a copy of the response. Can you arrange please.

H. V. McEgan
23/8/95

/ENC



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RESPONSE TO RECOMMENDATIONS

- to see
2. We have prepared and circulated an information leaflet for referring agencies. This leaflet should complement existing leaflets which were prepared in respect of Aisling and Slemish Houses for parents and guardians.

 4. It continues to be the policy of St. Patrick's to monitor applications for places in Aisling House and to ensure the appropriateness of each placement. As has always been the case this has been done in the context of the Children & Young Persons Act (1968). In the vast majority of cases an admission is reviewed by a Juvenile Court within a period of five (5) weeks.

 5. We welcome this in principle but would welcome a meeting to discuss logistics of this recommendation.

 - ✓ 6. There is no evidence, to date, that these doors are being used for absconding. However, if it does become apparent that these doors are being used for abscondings, alarms will be fitted - subject to finance being available.

 7. At present we are carrying out a review of the assessment process and consideration shall be given to a number of assessment processes. (planned for September/October). The review group plan to report to the Director by October 1995, at which stage a plan of action shall be drawn up.

 8. St. Patrick's cannot accept that **SPT 81** was moved to Slemish House for the reasons outlined in 5.16. Obviously those alone would not be adequate justification for his removal.
- b see
- However, a memo has been circulated to all Care Staff re-enforcing the criteria for admission to Slemish and the need for detailed recording of factors which necessitated admission.
- 10-13 Staff are very much aware of the dangers of absconding behaviour and there is a very strong emphasis on dealing with this problem. At present St. Patrick's is collecting detailed information as to the nature and extent of absconding throughout the School.

Mr. D. Curran (Head of A.P.R.U.) has been invited to carry out some detailed research into the problem of absconding and hopefully help in the implementation of strategies designed to minimize this problem.

We have received copies of the document covering research on absconding in another Training School and these strategies shall be utilised in the overall review of the absconding problem.



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- 2 -

14. A memo has been circulated giving instruction on procedures to be followed in the case of absconders. These will be incorporated in the guidance manual presently being redrafted.
15. As and from June 26th 1995 Aisling House has been staffed in accordance with funding providing by N.I.O.
- [16. To date we have not had an opportunity to discuss this with the N.I.O. but would welcome a meeting to do so.
- 17-22 Since these recommendations have implications for financing and changes in the present rota in the School and require negotiations with the N.I.O and with Trade Unions, Management have these matters under review at present. It is planned to address them more fully in early September when staff return from holidays.

Management will be urging a speedy response to these issues.
23. This recommendation has serious financial and logistical implications and is not in accordance with directives given by N.I.O. Hence St. Patrick's welcomes a meeting with S.S.I. and N.I.O. to discuss this issue.

- 5.19 Nevertheless, in the Inspectors' view the lack of any regulations or guidance on such a sensitive topic as the use of secure accommodation for children is too serious an omission to remain until the implementation of the new legislation. **They recommend that the Northern Ireland Office should issue guidance to the training schools as soon as possible and the schools' management boards should incorporate it into revised procedures for their staff.**

Absconding

- 5.20 **SPT 81** had absconded twice while he was in the Western Board's area. On the first occasion he left Nazareth House and was found the following morning at his grandmother's home. On the second he went missing from Harberton House with another boy and they were both found a few hours later by a member of staff. It appears that the two boys were "mitching" school for the morning. In themselves these two incidents were not regarded as being very serious.
- 5.21 At the time that **SPT 81** was admitted to Aisling House, there had been a spate of abscondings which were brought to the attention of the Western Board's staff only at the initial case review, four days later. In the two months prior to 14th August there had been twenty eight abscondings from the unit. Eighteen of them involved the four boys who later absconded with **SPT 81**. One of them had left the school on seven separate occasions; a second boy on five occasions and the other two had each left three times without permission. A culture of absconding appears to have been established with incidents involving small groups of boys occurring every five or six days on average. In the whole of St Patrick's there were 353 abscondings from the school in the first six months of 1994.
- 5.22 In the Inspectors' view it should have been a matter of concern that a new boy to the unit, especially one as young as **SPT 81** would be at real risk of being influenced by others to become involved in their absconding activities. The staff who had worked with him, however, felt that he was unlikely to abscond and told the Inspectors that they were surprised when they were told that he had become involved in the incident on 14th August.
- 5.23 With the benefit of hindsight this proved to be an incorrect assessment and it is now clear that **SPT 81** was subject to the influence of a group of persistent absconders to the point where he collected and hid the food and clothes that they needed. The staff involved were aware that **SPT 81** was easily influenced by others and in the Inspectors' view more cognisance of the dangers of his becoming involved in absconding should have been taken at the time of his admission. **It is recommended that more consideration should be given to the dangers of children being drawn into absconding behaviour if they are placed in a group containing persistent absconders.**

- 5.24 Some of the records in Aisling House examined by the Inspectors suggest that absconding from the school is not always treated as seriously as it might be. For example a number of the reports on case files do not suggest that the dangers of an eleven or twelve year old boy being missing for several days are fully recognised. Some of them are written in style which suggests that they may not be treated with the seriousness they deserve. Furthermore there is little indication that the reasons for the absconding are followed up or discussed with the boy following his return. Staff appear to take the view that, since it is an open unit, there is little that they can do to stop absconding if the boys are determined to go whereas experience elsewhere shows that a considerable amount can be done to reduce the risks by identifying them systematically and providing additional direct supervision when necessary.
- 5.25 Absconding is a serious issue and steps need to be taken to address the problem as a matter of urgency if the current levels are to be reduced. There are obvious dangers when children as young as eleven remain out of adult supervision and care overnight or for even longer periods, particularly during a period of civil unrest as is amply demonstrated by SPT 81 tragic death. However, there are also risks that the young people can become involved in delinquent activities. It can instil a sense of failure among staff and seriously damage the reputation of the school.
- 5.26 A review of the literature on absconding suggests that there is likely to be more absconding by young people in short term care units, particularly when they are uncertain about their futures. It is also more likely to occur when there are high occupancy levels. All these factors apply in Aisling House which would suggest that the risk of absconding may be higher there than in other units on the St.Patrick's campus.
- 5.27 The incidence of absconding from the other large training school in Northern Ireland has also been high. As a result of public concern about it a special study was undertaken by APRU in 1991. This study helped the school's management to identify a pattern of absconding in terms of the type of young people most likely to abscond, the times of the day and even the season of the year at which they were most likely to leave, the house units with the highest levels of absconding and the types of supervision which gave the highest and lowest levels of risk. Having identified the risk factors management were able to develop a fifteen point strategy to tackle the problem. It is significant that when the situation was reviewed a year later the levels of absconding in the school had been significantly reduced. The Inspectors were concerned to be told that the lessons learnt in the exercise were not shared with the staff of St.Patrick's. **It is recommended that at least the conclusions and recommendations should be made available and that a similar exercise should be conducted in St.Patrick's.**