
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Thursday, 19th November 2015

commencing at 10.00 am

(Day 162)

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

1 Thursday, 19th November 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (11.00 am)

5 WITNESS RG20 (called)

6 CHAIRMAN: Good morning, ladies and gentlemen. Can I remind
7 everyone, as always, that if you have a mobile phone,
8 please ensure that it's either been turned off or placed
9 on "Silent"/"Vibrate" and may I also remind you that no
10 photography is permitted either here in the chamber or
11 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 RG20. He is
15 "RG20". RG20 wishes to take a religious oath and he
16 also wishes to maintain his anonymity.

17 WITNESS RG20 (sworn)

18 CHAIRMAN: Thank you, RG20. Please sit down.

19 Questions from COUNSEL TO THE INQUIRY

20 MS SMITH: RG20 has given two statements to the Inquiry,
21 which can be found at 4793 to 4794. I don't know what's
22 with that one but it is just the start of the
23 bundle obviously. 4793. There's a second statement at
24 4833.

25 There's a substantial bundle of police material also

1 where RG20 was interviewed by police in relation to
2 certain matters, which I will be referring to as we go
3 along.

4 Now, RG20, we were talking about your career
5 details. Some of these I gleaned from the police
6 interviews that you had back in May 2013. You started
7 in Rathgael in . Then in to you were
8 full-time at Jordanstown where you obtained a social
9 work qualification, degree in social work.

10 **A. That's right.**

11 Q. Sorry. Can I just ask you to confirm, RG20, this is the
12 first statement you provided to the Inquiry about the
13 allegations that have been made against you?

14 **A. Yes.**

15 Q. As you will see, your full name is there, as are the
16 names of other people, but can I just reassure you those
17 names will be redacted before it is published anywhere
18 outside of this chamber. While I use names just to make
19 it easier for people to understand about whom we're
20 speaking, those will not be used outside and cannot be
21 used outside.

22 So, as I was saying, you got your social work
23 qualification in and then came back to Rathgael.
24 Initially you were on the youth treatment side for
25 a while, but at some point you transferred to the care

1 side.

2 **A. That's correct.**

3 Q. And you became a senior resident social worker in or
4 about .

5 **A. That's right.**

6 Q. You stayed on in Rathgael when the Trust took over
7 I think some time between , and then you
8 think you left ultimately at about --

9 .

10 **A. That's right. Uh-huh.**

11 Q. When you first started, the training school only catered
12 for boys, and I will come back to talk about the girls
13 -- the arrival of the girls in . That, of course,
14 was while you were still at Jordanstown. So you
15 actually missed the girls arriving, as it were.

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

17 Q. I was asking you just about your general role and duties
18 just as a residential social worker and then as a Senior
19 Social Worker. You as a residential social worker were
20 a key worker.

21 **A. I was a key worker for two, maybe three, young people.**

22 Q. And that would have been the normal sort of complement
23 of children for a key worker. Is that right?

24 **A. It would be. The idea was that you were a qualified
25 residential social worker to take on social work**

1 **responsibilities with the aid of other staff who -- at**
2 **that time who were not qualified.**

3 Q. You were very much -- your specific task as a key worker
4 related to children, but then as a senior residential
5 worker you also had responsibility for things like
6 rotas, staff rotas and supervising staff --

7 A. **Uh-huh.**

8 Q. -- and some financial responsibilities for the unit that
9 you were in charge of. Is that right?

10 A. **Or health and safety issues. Just the general running**
11 **of the unit.**

12 Q. After you qualified as a residential social worker you
13 said that -- did you have any other training that you --
14 were there any training courses that you went on when
15 you were in Rathgael?

16 A. **Yes. We would have had ongoing training in relation to**
17 **the restraint issues. So there were -- I think we**
18 **discussed there were other aspects of training in that**
19 **area. I had practice teaching, which involved looking**
20 **after social work students, and there would have been**
21 **mandatory training in health and safety and fire safety,**
22 **but professional development, we would have been**
23 **encouraged and I attended a number of training sessions**
24 **at that time.**

25 Q. Well, when you started, you described Rathgael to me

1 very much -- I mean, it was called a training school
2 when you first started in before it became Rathgael
3 Centre. The emphasis you say was very much on education
4 and getting the children to go to school and to attend
5 school. We have heard that one of the ways of entry
6 into Rathgael, if you like, was for truancy and for
7 non-school attendance --

8 **A. Uh-huh.**

9 Q. -- from a group of children. Even the title of
10 a headmaster was something that was coming from that
11 school background and ethos, but children were being
12 encouraged to do exams, and you said there were
13 difficulties -- when you were talking to police, you
14 described the difficulties in getting young people to go
15 to school. You said at one point the classrooms were
16 moved into the residential units to try to ensure
17 attendance at school.

18 **A. Uh-huh. I think the senior managers at that time would**
19 **have been attempting to meet the criteria for a training**
20 **school for education and were -- it was deemed not to be**
21 **working at a point of trying to bring forty or fifty or**
22 **sixty young people together in the one area in one**
23 **building and the complications that was providing. They**
24 **did in care I know provide a classroom for a number of**
25 **teachers to come through the school day within the unit**

1 so that people were living in the unit and being
2 educated in the unit. That was for a period of time and
3 deemed to work until such times as something different
4 or a new head teacher would come in with a different
5 idea. So we would have been directed as care staff to
6 have a unit in such a working fashion that you had
7 a classroom.

8 Q. I mean, that's an example of how things developed and
9 changed during your working life in Rathgael,
10 particularly on the care side. You were telling me that
11 there was the chapel, which was a morning assembly --

12 A. Uh-huh.

13 Q. -- where both youth treatment and care children came
14 together --

15 A. Yes.

16 Q. -- although you said they sat on separate sides of the
17 room.

18 A. With the staff, yes.

19 Q. With the staff, and it was from there that staff then
20 delivered the children to the classrooms.

21 A. Teachers would come in at the end of the short service
22 and receive the children and take them on to their
23 respective classes.

24 Q. Then you would have collected them at break time and
25 then again at lunch time --

1 **A. Lunch time, yes.**

2 Q. -- and delivered them back to class. I was asking you
3 was it ever the case that there would have been mass in
4 Rathgael?

5 **A. No. I'm not aware of.**

6 Q. We have heard -- somebody has said they were expected to
7 go to mass every day in Rathgael, but it was not
8 a Catholic centre.

9 **A. No, it wasn't. They may have felt some of the services**
10 **were a bit strange, but no, generally it was -- it was**
11 **very open and a minister would have come in every**
12 **Tuesday. In fact, several ministers would come in and**
13 **allow time, individual time, with any young people in**
14 **the units if they wished, but staff would have**
15 **undertaken the morning service duties outside of**
16 **a Tuesday.**

17 Q. --

18 **A. .**

19 Q. -- --

20 **A.**

21 Q. --

22 .

23 **A.**

24 Q. As a social worker you worked on shifts initially --

25 **A. I did.**

1 Q. -- until you became a Senior Social Worker. Is that
2 correct?

3 **A. That's correct.**

4 Q. And part of the job also entailed then a Senior Social
5 Worker being on call in the evenings.

6 **A. Yes.**

7 Q. And we have heard various descriptions of, you know, how
8 you might have been called in because there had been
9 an untoward incident and you would have had to deal with
10 that and that kind of thing.

11 **A. If you were on senior duty, initially you would have
12 been working in your own unit and perhaps have been
13 called to an incident or a situation arising in one of
14 the other units. Eventually you were released from
15 working in the unit and you went round through the
16 evening. You visited each unit anyway, and if you were
17 required specifically at a time and place, you were free
18 to do that.**

19 Q. You certainly -- you gave us a couple of albums of
20 photographs, which the Panel have had the opportunity to
21 look at, and we will make sure you get them back, but
22 you were describing to me that they show the kind of
23 activities that you were involved in with children.

24 I mean, you talked to me about a Christmas concert,
25 for example.

1 **A. Uh-huh.**

2 Q. The sport days, the trips away. There were multi
3 inter-unit football tournaments.

4 **A. Uh-huh.**

5 Q. You talked about engagement with the wider community in
6 that you talked about there was a relay race from
7 Coleraine right down to Bangor --

8 **A. Yes.**

9 Q. -- for charity.

10 **A. Uh-huh.**

11 Q. And other community organisations, like the police, were
12 involved in certain activities.

13 **A. Mourne ramble.**

14 Q. The Mourne ramble.

15 **A. Uh-huh.**

16 Q. You also felt that the children benefitted from the
17 educational workshops that were on offer in Rathgael.
18 Certainly that was your understanding, that they seemed
19 to get a lot out of what was on offer there.

20 **A. Yes. I think the centre provided a fantastic range of**
21 **opportunity both in terms of sport. We had our own**
22 **swimming pool. We had a sports hall, which was used**
23 **extensively by all units, and there was a rota for that.**
24 **We talked about work within the community. We had -- we**
25 **went out into the community as Rathgael or a unit to**

1 **sing in -- at Christmas some carols. So we tried to**
2 **normalise life for young people within care through**
3 **sport, through cooking, through various activities and**
4 **opportunities.**

5 Q. I wanted to ask you about a couple of things. Shamrock
6 was the secure unit on the care side. Isn't that
7 correct?

8 **A. That's correct.**

9 Q. We have seen documentation -- the Inquiry has seen
10 documentation that governed the operation of the
11 Shamrock Unit. Within Shamrock there was a time out
12 room --

13 **A. Uh-huh.**

14 Q. -- or a D room I think it was described as by some
15 people. That -- you also talked in your police
16 interview about this at 33818. I don't think we need to
17 look at what you say in your interview about it, but you
18 made the point to the police that this was only ever
19 used with the sanction of senior staff.

20 **A. That's correct.**

21 Q. I mean, on occasions that senior staff member might have
22 been yourself --

23 **A. Uh-huh.**

24 Q. -- who would have sanctioned the use of the time out
25 room. You were describing to me that Shamrock had eight

1 beds. There was the time out room. I was asking how
2 often that might have been used, and I think, if I have
3 understood you correctly, you were saying it simply
4 depended on the nature of the individuals that you were
5 dealing with.

6 **A. It was primarily there I suppose -- the first call would**
7 **have been Shamrock itself. From time to time it may**
8 **have required a time out room within that unit. There**
9 **were five other units with potentially ten young people**
10 **in each unit. There could have been a period of time**
11 **when it was never used. It could have been in great**
12 **demand, and if you were faced with that situation, you**
13 **really had to deal with the situation in your unit, at**
14 **which times you may have required to vacate or have**
15 **a room available equally to just -- a quiet room for**
16 **someone to calm down, to chill. Again that would be**
17 **under the sanction of a senior member of staff to inform**
18 **the senior member of staff of why you required that, but**
19 **it would primarily have been the time out room in the**
20 **Shamrock which would have been the main focus, if and**
21 **when required.**

22 **Q. You made the point that records were kept about its use**
23 **and it was an absolute last resort.**

24 **A. Yes. It wasn't easy to put a young person into a time**
25 **out room in -- in Shamrock. So a staff member couldn't**

1 just phone up and say, "I'm having trouble here". You
2 had to go through senior staff. You had paperwork to
3 complete, "Time in, Time out, Observed by". So there
4 was documentation, clear records on that.

5 Q. There were -- although Shamrock was, as I said, the
6 secure unit on the care side, but apart from that and
7 the difficulty that you would have had in putting
8 a child into that time out room in Shamrock, the
9 practice developed of having a D room or a quiet room in
10 each unit. Is that correct?

11 A. Yes. It wouldn't have been a D room. It would have
12 been a quiet room, you know. Because of the nature of
13 the unit or the build-up of tension perhaps with young
14 people for whatever reason, we might have had to use
15 something during the day in school. Now I think maybe
16 the school would have had their own room for that time,
17 but certainly there was occasions whenever you would
18 have during a day brought a child back and you didn't
19 need a time out room, because there was nobody else in
20 the unit, and a child could calm down or just take time
21 out.

22 Q. Just -- we were talking about changes in Rathgael. You
23 were saying that things did change over the time that
24 you worked there. If something worked, it was kept. If
25 it was found not to be effective, then a better way of

1 doing things was sought. You said that management were
2 very clued in to finding the best practice. You felt
3 they were innovative.

4 **A. I felt they were innovative. They attempted to make**
5 **change within units, within the institution to make**
6 **things better for the young people and to make life as**
7 **comfortable, and in relation to the change that a young**
8 **person would have coming into an institution and into**
9 **care making it as friendly as possible. So there were**
10 **different attempts made at different times to improve**
11 **the service, and this was, of course, monitored latterly**
12 **by inspections, but in the early days there certainly**
13 **would have been attempts to try and through team**
14 **meetings and through management meetings, which I would**
15 **have been part of, where you would have been looking at**
16 **ways of trying to improve a service for the young**
17 **people.**

18 **Q.** Okay. Now one of the major changes that the Inquiry has
19 heard about was the fact that Whiteabbey closed down and
20 the girls transferred to Rathgael. We have been told
21 that that presented great difficulties for the staff on
22 the ground in Rathgael. You weren't actually there at
23 the time the girls transferred down, but when you came
24 back, there were girls on site, and you were saying that
25 you worked with the Whiteabbey staff who had come with

1 Rathgael actually was beneficial to the staff in
2 Rathgael. There were more female staff there --

3 **A. Uh-huh.**

4 Q. -- and it gave the staff who were there originally
5 a better perspective and a broader experience.

6 **A. It brought female staff, social work staff, into**
7 **perspective, because it was male-dominated and you would**
8 **have a housemother, who had domestic tasks, with no**
9 **social work input, and this new regime brought together**
10 **obviously the Whiteabbey competent staff with the**
11 **Rathgael staff, and Whiteabbey had male staff as well,**
12 **of course, but it was -- it worked well within our unit.**

13 Q. You told police when you were interviewed by them at
14 33861 -- again I am just giving page references; I don't
15 think we need to go through your whole police interview
16 -- but you told them there was a different regime in
17 youth treatment and on the care side. I want to explore
18 that a little bit, if I may.

19 One of the things you were saying to me was that
20 initially the girls only came in on the care side.
21 There were no girls being admitted to the youth
22 treatment side of Rathgael until much later.

23 **A. That's my memory and understanding, yes, that the girls**
24 **initially came in possibly because there was no**
25 **criminalised female young people at that time. That's**

1 **my recollection of -- of that.**

2 Q. So the youth treatment team would have continued to look
3 after largely males?

4 **A. All the other -- yes, indeed. Uh-huh. Uh-huh.**

5 Q. We know of some girls who were certainly in the justice
6 side from -- in the '90s.

7 **A. Yes.**

8 Q. That certainly was a good five years anyway --

9 **A. Yes.**

10 Q. -- certainly after they initially came to Rathgael.

11 One of the other things that -- you were saying
12 about the difference in staff qualifications on the care
13 side and on the youth treatment side.

14 **A. Uh-huh.**

15 Q. You had a degree in social work. The youth treatment
16 staff had obtained a CCRYP (sic) qualification.

17 **A. Yes, yes, that's right.**

18 Q. And --

19 **A. And that was specifically I think just for residential**
20 **work. So that would have been a common qualification**
21 **for any staff in any institution or home for -- it was**
22 **adequate, but that would never have got you into**
23 **fieldwork. What you needed was a CSS or a CQSW or**
24 **diploma or degree, which gave you the qualification**
25 **then, which -- which we had.**

1 Q. You felt certainly that the wider qualification meant
2 that you were more aware of more modern techniques
3 perhaps in the course of that training.

4 A. Indeed. You'd gone through more up-to-date training and
5 more specific training, but it also equipped you to work
6 outside of residential. So it gave you a broader base
7 knowledge and developed -- I suppose developed your
8 skills around that qualification.

9 Q. The other point that you made was that the youth
10 treatment staff had tended to be the older staff who had
11 come from the industrial school background, and while
12 there certainly were younger people being introduced on
13 to that side, their approach on how to treat children
14 was maybe somewhat different.

15 A. I suppose there was always going to be that element of
16 difficulty with change. We all have difficulty with
17 change. I suppose folks who have been in the system for
18 a long time perhaps don't want to change, and so
19 whenever the split came, I had actually opted for youth
20 treatment, but I was directed towards care, possibly
21 because I had the recent qualification, and a number of
22 staff were then moved over to the care side. So the
23 youth treatment side maintained the old training school
24 system --

25 Q. Ethos.

1 **A. -- ethos to a degree. I am sure they would say there**
2 **was improvements, and no doubt there was, but I had**
3 **no -- I had no knowledge of that.**

4 Q. Just about -- again you were asked various things about
5 the police -- by the police -- sorry -- in interview.
6 You talked about children -- the kind of changes that
7 there were. For example, children initially would have
8 been forced to go to bed if they said they weren't going
9 or were defiant and that changed to social workers
10 sitting up or staff sitting up all night negotiating
11 with them to 3.00 or 4.00 in the morning to get them to
12 bed.

13 **A. Yes, yes.**

14 Q. That was an example of the change in practice and change
15 in approach to childcare that you witnessed in your time
16 in Rathgael.

17 **A. Yes.**

18 Q. You also -- one of the issues that the Inquiry has been
19 looking at is the issue of restraint, and you talked to
20 police again about this at 33804. This morning you
21 brought along some documents, which I am having added to
22 our bundle, which we will get back to you once they are
23 scanned in, which show the different training that you
24 would have got over the years in respect of --

25 **A. Yes.**

1 Q. -- restraint. I think we were discussing it would
2 have -- one person has said to us that initially there
3 was absolutely no training --

4 A. Uh-huh.

5 Q. -- on how to restrain a child.

6 A. Uh-huh.

7 Q. You would agree that was the case?

8 A. When I joined Rathgael in , there was -- there was
9 no formal training in restraint. Then I think it was
10 care and control was introduced, and then care and
11 responsibility, and possibly something else, ending with
12 TCI, therapeutic crisis intervention, current practice.

13 Q. There was some talk of maybe a natural method of
14 restraining a child --

15 A. Uh-huh. Uh-huh.

16 Q. -- in between the care and responsibility and the TCI.

17 A. Uh-huh.

18 Q. But certainly you told police that restraint involved
19 a two to three man team to restrain a child who was very
20 unruly.

21 A. Well, that -- I suppose whenever you were faced with
22 a problem and potential, you would use the natural
23 resources around you in terms of the staff who could
24 negotiation or talk, and if that wasn't getting
25 anywhere, it would then become necessary to work

1 **together as a team to reduce the risk of injury, of**
2 **damage of property or injury to other persons or**
3 **themselves.**

4 Q. You said that it really was in the extreme that a child
5 was restrained, but surely if there was an incident that
6 just kicked off where, you know, a child became very
7 aggressive and very violent, then that might be the
8 first resort.

9 A. **It would have been necessary, yes, yes, yes, absolutely.**
10 **We could have been sitting at a meal table and all of**
11 **a sudden the table just up-ends and you have ten young**
12 **people and four staff in a relatively small dining area.**
13 **You've got to -- you've got to make a quick call. You**
14 **may have assessed something is brewing or it may just**
15 **kick off. So if it just kicks off, the immediate is to**
16 **try and remove the young person or young persons who**
17 **have the difficulty at the time.**

18 Q. We have heard that on some occasions I mean initially
19 that would have just meant just grabbing whatever arm
20 or leg you could get and getting them out of the way
21 really, but that developed later. We have also heard
22 that Rathgael -- senior management in Rathgael
23 ascertained very quickly that control and restraint was
24 not a suitable means for dealing with young people.
25 They could be injured as a result of it. When that was

1 realised, that really was scrapped quite quickly. Would
2 that be your recollection?

3 **A. Yes, that's my recollection. That's what I'm saying**
4 **about trying to be innovative and see what the current**
5 **best practice would have been. Sometimes it may have**
6 **worked better than others, but they would review. They**
7 **would also have reviewed along with a panel restraints,**
8 **the number of restraints, the type of restraints. So**
9 **there was ongoing assessing.**

10 Q. People who looked after children on the care side were
11 known as care bears. Is that right?

12 **A. That's correct.**

13 Q. Youth treatment you said had an attitude which they sort
14 of saw you as being a bit too soft at times on the
15 children. Would that be your recollection?

16 **A. That's probably a fair comment, yes. It would have,**
17 **yes.**

18 Q. So they -- correct me if I'm wrong, but they may have
19 been more ready to go for the restraint method in
20 a situation than the care bears?

21 **A. I think they just ran a stricter --**

22 Q. Regime?

23 **A. -- regime, perhaps less tolerance, perhaps, but**
24 **I suppose they had the same challenges that we had, you**
25 **know, the young people.**

1 Q. The point was made to us that you actually would have
2 had more staff than youth treatment. Is that your
3 recollection?

4 A. I can't understand that. Each unit were delegated
5 a fund, a budget, and the number of whole time
6 equivalents. We would have certainly used casual --
7 casual staff to come in. So somebody could have been
8 working in a job during the day and been interviewed and
9 police checked and one thing and another, and if they
10 were deemed to have gone through a probation period,
11 could come in in an evening or a weekend. So we were
12 often short for staff at weekends. So we were required
13 to get additional, non-social work staff, who could meet
14 the criteria and prove their worth. So I don't --
15 I can't understand there being an imbalance from the one
16 centre divided by two and one have more. Maybe they
17 used their resources better. I don't know, but in terms
18 of numbers I can't understand that.

19 Q. Talking to police again about restraint, the point you
20 made to them, that force and causing a child pain was
21 never acceptable.

22 A. That's right.

23 Q. Although would you accept that nonetheless it may have
24 occurred in the course of restraining a child that the
25 child did get injured?

1 **A.** It may have occurred and you mentioned the police. On
2 numerous occasions we would have had to call the police
3 in to intervene rather than us, and so it was
4 absolutely -- restraint would have been a last resort,
5 you know, especially whenever each restraint was
6 recorded and monitored. So if one person was notorious
7 to be restraining, that would be identified very
8 quickly. Equally so if there was behaviour identified,
9 and that was the benefit of reviewing restraints.

10 **Q.** Okay. Just generally punishments in Rathgael. You
11 talked about these to the police and to me also. The
12 big one was being sent to bed early.

13 **A.** Uh-huh.

14 **Q.** They were docked pocket money, never actually not given
15 it, but delayed receiving it. Certain privileges might
16 have been removed, for example, some of the trips, they
17 may have been precluded from going on those.

18 **A.** Uh-huh.

19 **Q.** There was a sanctions book --

20 **A.** Yes.

21 **Q.** -- and sanctions were recorded. You say that absconding
22 and smoking were, as you described to the police, the
23 biggies. I wanted to just ask you a little bit more
24 about the position about smoking in Rathgael.

25 **A.** Uh-huh.

1 Q. What was the situation?

2 A. It was an absolute nightmare as an individual and as
3 a team to try and manage for a number of reasons. We
4 can look back now and say a child could have come in
5 with an addiction and we can understand that and that's
6 something that is part of the young person's life, as
7 food and water would be. We had rules and regulations
8 to abide by and legislation to abide by. However, again
9 through negotiation and managing the situation there was
10 a smoking policy. I can't say now it was very formal,
11 but it was a smoking policy. Each unit would have
12 attempted to maintain that policy. So somebody under
13 a certain age would be not permitted technically to
14 smoke, but we knew they smoked, because somebody would
15 pass them a cigarette or they would lift a butt. We
16 tried to have a designated smoking room where -- "That's
17 where you can smoke". We had smoking times. So we
18 tried to say if you have £3 pocket money a week or £5,
19 you obtain cigarettes. Did staff go and buy cigarettes?
20 You know, that was the dilemma we had, because
21 thirty years later a child can come back and say, "You
22 bought me with cigarettes. You supplied me with
23 cigarettes. I have lung cancer". So back then we were
24 thinking that. So we steered away as much as we could,
25 but we had to manage it.

1 Cigarettes would have been used as a means of
2 a sanction. So there may have been a young person
3 saying, "I am not going to school today and I am not
4 getting out of my bed and I am not getting out of my
5 room, but I want to come down for my smoke" and we would
6 have been saying, "No school, no smoke. If you get up
7 and go to school, at break time you will have a smoke
8 then".

9 So we also knew that young people were, yes,
10 addicted perhaps and that, you know, it could calm
11 a situation down. So I have seen staff supply
12 a cigarette to a young person who was in desperate need,
13 who was totally uncontrollable and the cigarette given
14 to them calmed them down.

15 So there was numerous occasions whenever smoking
16 became a problem. In-fighting within young people, you
17 know, stealing cigarettes, but most of all young people
18 taking cigarettes and matches to their rooms. So we
19 could be putting young people to bed at 10 o'clock. We
20 are going off at 10.30 and the night supervisor would
21 say, "I could smell smoke". So we would usually have
22 known who the smokers were obviously, but that meant,
23 you know, going in. "I'm not smoking", but we can smell
24 smoke. "Have you any more matches?" We might have to
25 empty a room to find a cigarette and a match.

1 So it posed major problems for every -- every unit
2 and most members of staff, if not every member of staff,
3 and any young person who smoked. It was a -- it was
4 a big problem, but we had to manage it, and I think we
5 managed it as best we could. We would have raised the
6 health and safety issues at young people's meetings on
7 a weekly basis. We would have brought in the nurse on
8 site to -- even then to give some information on the
9 damage it would cause, but it was a big problem, which
10 then could spill over to aggression and restraint.

11 Q. And is that why ultimately then children were allowed
12 just to keep their own cigarettes, because it was --

13 A. It was felt it's a battle you're not going to win and
14 it's something if you can manage it best with
15 negotiation and with allowing people to take some
16 responsibility, but we still had pre-teen children in
17 Lakewood -- sorry -- in Rathgael who were part of the
18 care system who were coming looking for butts, for
19 cigarettes. So, you know, you had a battle to try and
20 protect but also give people liberty to smoke if they
21 chose.

22 Q. Moving on then to another issue, and -- sorry. Just
23 before we go, talking about sanctions generally,
24 absconding was a big issue in Rathgael, particularly on
25 the care side obviously, because the regime would have

1 been more open than in the youth treatment. You
2 mentioned to me that whenever -- before you were
3 actually working in Rathgael you recall seeing the
4 children from Rathgael walking to church on a Sunday --

5 **A. Uh-huh.**

6 Q. -- wearing -- some of them wearing shorts.

7 **A. No, no.**

8 Q. Sorry.

9 **A. They would have been wearing a suit. They had suits and**
10 **they were walking accompanied in a line just with staff.**
11 **So they've gone to the Church of Ireland, the**
12 **Presbyterian or the Methodist on a Sunday. If they**
13 **absconded, part of -- and this is before my time -- they**
14 **would have had a grey jumper and khaki shorts, long**
15 **shorts, and baseball boots with no laces.**

16 Q. And this was designed to prevent them from absconding
17 and to mark them out as an absconder.

18 What about the -- locking children in? I mean, we
19 were told that initially children were locked in bed at
20 night-time, and then whenever there were butterfly locks
21 introduced, then children suddenly realised, "We can get
22 out of here" and did.

23 **A. Uh-huh.**

24 Q. Is that your recollection of what happened?

25 **A. Yes, and I think whenever the likes of the butterfly**

1 lock was introduced, they needed to introduce an extra
2 night supervisor to provide adequate supervision,
3 because potentially you could have nine or ten young
4 people letting themselves out. Now part of -- part of
5 the life of living in the unit and living in the
6 institution was negotiation and relationship. So, you
7 know, often young people would enjoy a staff member --
8 they were having to spread themselves out, but spend
9 a bit of time settling. That was very important. You
10 just don't go up to bed and expect people to settle.
11 They would have had radios, cassette players in those
12 days and books and magazines, but most importantly they
13 would have desired night staff or the day staff spending
14 five or ten minutes talking. So if you were able to do
15 that, that reduced people wanting to come out, but, yes,
16 the managers brought extra night staff in, which was
17 care and practice to today.

18 Q. You also mentioned inspections and about the fact when
19 you came in -- I am just going to go from ,
20 because -- well, you were there for two years from
21 to and I think you said that you don't ever remember
22 an inspection during those two years at all.

23 A. I don't ever recall it, no, no.

24 Q. Do you even remember seeing anybody from the Northern
25 Ireland Office or Training School Branch about the place

1 or talking to you?

2 **A. They would have. I think they would have actually been**
3 **around at Management Board level and that level, never**
4 **in a unit, never talking to me or a young person.**

5 Q. But that changed in -- when you were back in .

6 **A. Uh-huh.**

7 Q. We know that the first major inspection of a training
8 school seems to have occurred in 1988 of all of the
9 training schools in Northern Ireland, Rathgael obviously
10 included. You do remember then there being regular
11 inspections after that period of time.

12 **A. You would have an annual inspection and you would have**
13 **unannounced inspections and out of the annual inspection**
14 **there would always have been recommendations. No matter**
15 **if there was nothing to find, there was**
16 **a recommendation. So that would be followed up six**
17 **months later by an unannounced, but it wouldn't have the**
18 **same content involvement as the full inspection, but it**
19 **would look at any recommendations that should have been**
20 **carried out, check -- always checking the data, the**
21 **paperwork, the books, the monitoring of files.**

22 Q. You told police and me that the inspectors saw the
23 books, that they included -- that those books included
24 any incident reports that there were. They also spoke
25 to children and they raised any comments with the senior

1 staff, any comments that the children had made to them.

2 **A. Yes.**

3 Q. You also mentioned in passing that there were group
4 meetings with children --

5 **A. Yes.**

6 Q. -- and that was a weekly occurrence. Is that correct?

7 **A. That was weekly and it was recorded. Latterly we got**
8 **an agenda, but initially it was just meeting and it was**
9 **a complain about something or having to go to bed early,**
10 **like early as in 9 o'clock or 9.30, which was possibly**
11 **the normal practice. So -- or it could have been food.**
12 **So then they got a bit of a structure and had an agenda**
13 **and everything was recorded then primarily by the young**
14 **people and then that was available for an Inspector to**
15 **look at.**

16 Q. I was asking you a little bit just about the children's
17 files and where they were kept.

18 **A. Yes.**

19 Q. I think you said that there was an office in the unit,
20 which was a locked filing cabinet. There were two
21 offices in each unit, one downstairs and one upstairs.
22 You said the upstairs one was essentially for the use of
23 night supervisors.

24 **A. That's right.**

25 Q. There was also a safe and monies were kept. There were

1 various break-ins and monies taken.

2 **A. Uh-huh. Uh-huh.**

3 Q. So because there was sensitive material, the children's
4 files were being kept under lock and key.

5 **A. The unit I was responsible for, I moved that filing
6 cabinet upstairs. I can't speak about other units.**

7 **I would presume that was the practice, but that's --
8 that's what we did just to ensure that there's at least
9 available access to anybody, and locked.**

10 Q. Full-time staff would have had access to any child's
11 file.

12 **A. Yes.**

13 Q. And you said that there were some key workers who came
14 in who were unqualified and were supervised by yourself,
15 for example, and they would only have had access under
16 your supervision. Is that correct?

17 **A. They would have -- they could have undertaken specific
18 work -- and I'm going back now; not recently. I'm
19 going back to those early days, where you were very
20 dependent on unqualified staff, who had very good
21 qualities and could undertake specific pieces of work,
22 but under the supervision of myself or another qualified
23 social worker.**

24 Q. Just about complaints by children, there was no formal
25 complaints procedure as such to begin with. Isn't that

1 correct?

2 A. I don't recall a complaints procedure. Latterly we got
3 a leaflet for parents and for young people on admission.
4 The only access of complaints would have been initially
5 probably either directly to a team leader, to a senior
6 member of staff or raised in a group meeting. When
7 I say a complaint, the complaint could have been the
8 food, you know, or other complaint issues.

9 Q. General gripes really -- would that be --

10 A. Correct.

11 Q. -- more than an actual major complaint --

12 A. Uh-huh. Uh-huh. Uh-huh.

13 Q. -- and would have been dealt with in that way. If
14 someone -- if a child had come to you and said, "Look,
15 Mr So-and-so hit me", what would you have done, RG20?

16 A. Well, I would have initially kept it local within the
17 unit to try and resolve, but going along with that, you
18 would have been letting the senior staff know either
19 through a memo or through just a meeting with the senior
20 staff. As manager of the unit you are expected to deal
21 with complaints. So that would have been the first port
22 of call. After that it would have -- you would have
23 also informed the senior staff, but it may have been
24 passed on to the senior staff to deal with.

25 Q. That's what I was wondering. I mean, this would have

1 been presumably a serious allegation, and as just head
2 of the unit would you have had the responsibility for
3 speaking to the other staff member, for example?

4 **A. You would. You would, but again in consultation with**
5 **the senior member of staff. It would not have been**
6 **contained as in information or -- only for the unit. It**
7 **would be something that would be on terms of a memo or**
8 **raised just in supervision or directly. If it was**
9 **serious, it would be going directly to a senior member**
10 **of staff.**

11 Q. And I presume you would have recorded these things on
12 an incident report.

13 **A. Indeed.**

14 Q. Just before moving on there was something we were
15 talking about just basically about the process of
16 a child coming in, and a child initially went into House
17 9 or 9A, which was reception.

18 **A. Yes.**

19 Q. That's on the care side. There was a reception unit for
20 the youth treatment side.

21 **A. Uh-huh.**

22 Q. There would have been meetings and assessment over
23 a three-month period and then ultimately an allocation
24 meeting --

25 **A. Uh-huh.**

1 Q. -- after people had decided what was the best place --
2 which best unit suited this child.

3 A. Yes. Uh-huh.

4 Q. Then you said to me that there would have been -- the
5 key worker would have been brought over to reception,
6 introduced to the young person, then gradually --

7 A. Phased down.

8 Q. -- phased into the unit.

9 A. Uh-huh.

10 Q. Apart from -- just one other thing about absconding.
11 You said that children were sometimes kept in their
12 pyjamas to discourage absconding also.

13 A. Yes. I had occasion for a couple of girls to -- and
14 that would have been in consultation with senior staff
15 and also the lead social worker from Social Services,
16 because they would still have a certain amount of
17 responsibility, even though there was a Training School
18 Order. So if somebody had fifteen or twenty abscondings
19 over a short period of time and we were not looking at
20 an admission to Shamrock for that, but they were deemed
21 to be at risk, we would try and initially discourage the
22 young person from absconding. Part of that would have
23 been locking the front door, which would have been
24 accessible to other young people to get in and out of.
25 I know of one occasion -- it would have been a weekend,

1 which would have been no school, no structure -- and the
2 young person was in pyjamas and the mother visited that
3 weekend, that particular time. So it wasn't common, but
4 it was looking and trying to see, "How can we best
5 manage with what limited resources we have?"

6 Q. Just in relation to field social workers, obviously the
7 children were coming to you on the care side at least
8 from either truanting or not attending school, or from
9 another children's home, or from a foster situation that
10 had broken down. I mean, we have heard that once there
11 was a Training School Order made there was no
12 responsibility on the field social work team --

13 A. Uh-huh.

14 Q. -- to really look after the child. It was then your
15 responsibility in Rathgael.

16 A. Yes.

17 Q. I think you felt certainly that you were viewed as
18 a dumping ground I think was the expression you used.

19 A. I think we were. You know, we tended to get young
20 people in where they hadn't maybe fitted in, if
21 that's -- or things hadn't worked in other resources,
22 and there was that feeling, because on some occasions
23 young people could well have been abandoned with little
24 or no contact from a previous carer. However, that's
25 not always the case. There would have been specific

1 social work teams or staff who would have invested time
2 in maintaining contact, perhaps with the hope of
3 reintegrating the young person earlier from the training
4 school. So there was -- there was a number of key
5 quality social workers who would have ...

6 Q. And that really was down to the individual social worker
7 going over and above what was required of them really.
8 Is that what you're saying?

9 A. I'm saying that and I'm trying to recall how it actually
10 was, but I know there was a number of young people who
11 maybe were not followed up and a number of young people
12 --

13 Q. Who were.

14 A. -- thankfully who were, and there was quality time put
15 in, yes, but that was that element and feeling. We
16 would have felt that, you know, the dumping, never mind
17 what the child might have felt.

18 Q. Can I just take it that the people who you felt were
19 dumped on you were those who were particularly difficult
20 to handle?

21 A. Probably the young people who were most challenging and
22 posing challenges and difficulties out in the community,
23 yes.

24 Q. Well, sort of all the general things that I want to ask
25 you. The Panel may have some general questions to ask

1 you in due course, RG20, but I am going to come on to
2 the allegations that have been made against you. I know
3 your statement is here on the screen and I just want you
4 to confirm that this is one of two statements that you
5 have provided to the Inquiry, but maybe if we look at
6 the second one, first of all, and I think that's at
7 page 4833.

8 This was in respect of HIA434. I am just going to
9 call him HIA434. Now he made an allegation to the
10 Inquiry in his statement, which I don't think we need to
11 call up, but it is at RGL111. He said that he saw you
12 assault another boy called RG 77 and he saw you
13 punching him in the back. Now he gave evidence. You
14 address this in the statement that's on the screen and
15 say that you remember him as one of the people who lived
16 in your unit. You don't remember anything of
17 significance in relation to him and you don't remember
18 the particular incident that he set out in his
19 statement. There would have been incidents where young
20 people were restrained and they were always restrained
21 according to protocol. You never punched RG 77 in the
22 back or never assaulted him or any other young person in
23 the unit.

24 Just to be clear, when he gave evidence to the
25 Inquiry -- that's HIA434 -- on Day 153 at page 105, he

1 said that this incident he was talking about happened at
2 the bottom of the stairs in the unit, that he was going
3 from the common room to the office to ask for something,
4 that he was very close, that the incident lasted about
5 two minutes at the most, and he saw RG 77 punch the
6 glass behind him I think it was and it cracked, and he
7 was unable to get past you because he was so close to
8 the incident. So he was giving the Inquiry more detail
9 in evidence from what he had said in his statement.

10 I just wondered was there anything that you wanted
11 to add to anything that you now recall about that --

12 **A. No.**

13 Q. -- or anything --

14 **A. I've nothing to add to that.**

15 Q. I mean, you actually were telling me that you were the
16 key worker for RG 77 .

17 **A. I would have been a key worker. I may have moved to**
18 **a senior during that time, but I was RG 77 -- RG 77**
19 **key worker and so I had a relationship with RG 77 .**

20 **RG 77 was volatile and there were occasions when he**
21 **would have kicked off, but I have no recollection or**
22 **deny any of that.**

23 Q. There was another person who you address in your earlier
24 statement. It is quite clear -- that was HIA262. He
25 was clearly not talking about you, because you were

1 never a night supervisor, but there was a night
2 supervisor with the same name as yourself. Isn't that
3 correct?

4 **A. Uh-huh.**

5 Q. Then another person who has spoken to the Inquiry was
6 HIA198. She is HIA198. She complained about you at
7 RGL033, which is paragraph 2 of her Inquiry statement.
8 If we just go back to your first statement, please --
9 that's at 4793 -- you address her allegation and you say
10 that so far as the allegation made against you by her is
11 concerned, you deny it emphatically. You never grabbed
12 or touched her inappropriately.

13 She gave evidence on Day 155 and what she said about
14 you can be seen at pages 55 to 56. She described how --
15 the details were effectively that she had been outside
16 the unit, that she refused to go back in and that you
17 grabbed her from the front and pulled her into the unit.
18 Now certainly I know when you got her statement, you
19 felt that there was some sort of sexual connotation to
20 what she was alleging, but her evidence to the Inquiry
21 was not suggesting that. It was simply that you had
22 grabbed her in the manner that she described. You
23 clearly emphatically denied it. She described how, as
24 I say, you grabbed her from the front. When I put what
25 you said to her, she said she had no reason to tell

1 lies, but that you might.

2 **A. Uh-huh.**

3 Q. Is there anything else you want to say about it?

4 **A. No, no, absolutely not.**

5 Q. You do say that she presented challenging behaviours at
6 times and there may have been occasions where you had to
7 bring people in from outside and there were numerous
8 incidents, but you made the point to me when you were
9 talking that if anything untoward was done by a staff
10 member, a child had the opportunity to complain about it
11 at the time.

12 **A. Not only that, but a child would complain at the time.**
13 **You know, the children were not in any way gagged or**
14 **restricted from having a voice. The young people were**
15 **very vocal in complaining or making -- raising**
16 **a concern.**

17 Q. Another person was HIA389, HIA389. She talked about
18 seeing you restrain her younger sister and trying to get
19 to assist her sister and then being restrained herself.
20 She gave evidence on Day 155 at page 21. She got mixed
21 up in the names of which of her two sisters it was,
22 first of all, but then she -- there was an incident that
23 we had managed to find from the records which showed one
24 of her sisters being restrained by two other members of
25 staff, not by you, and when it was suggested to her

1 that, you know, maybe this was the incident and that you
2 weren't involved according to the report of that
3 incident, she said no, it was definitely you who was
4 restraining her sister.

5 She then went on to talk at page 38 of her
6 transcript about an incident. She alleged that you had
7 fondled the breasts of herself and another girl, RG23,
8 and that she had witnessed this. When I put your denial
9 here at paragraph 4 to her, that you denied
10 inappropriately restraining her sister and denied the
11 allegation that you had fondled her breasts or those of
12 RG23, she said that you did do it, that she saw you do
13 it and that you did it on her as well. I wondered was
14 there anything else more you wanted to say to the
15 Inquiry about that either?

16 **A. No, other than restraints and events took place and it**
17 **was necessary to restrain unfortunately. There was**
18 **a complaints procedure. There was a nurse if anybody**
19 **was complaining of a sore back or sore arm or whatever.**
20 **So there was an opportunity at the time of raising any**
21 **complaints or concerns.**

22 Q. You certainly made the point to me that the girl RG23
23 who is named here, you have subsequently encountered
24 her.

25 **A. I have subsequently -- yes, professionally and soc... --**

1 **professionally and communicate. You know, never --**
2 **never a problem, never -- and she would appear never to**
3 **have raised this, although she is named. That was never**
4 **raised.**

5 Q. You also made the point to me that you encountered one
6 of HIA389's sisters on a flight one time --

7 A. **Uh-huh.**

8 Q. -- and you had an amicable conversation with her.

9 A. **Yes.**

10 Q. Another person who has spoken to the Inquiry is HIA429.
11 He is HIA429. His statement is at RGL107. He said that
12 you -- there was an incident involving him where he was
13 pinned down, that he hurt his back after -- his back was
14 hurt after he refused to go to his room. He talked
15 about this to police as well as to the Inquiry and gave
16 a statement, which can be seen at 3119 to 31120 (sic).
17 In that police statement he also made an allegation that
18 you assaulted two other boys, a and a RGL.

19 Now he only gave evidence yesterday, and we looked
20 at what he said in his transcript. I am not going to go
21 through it, because it is clearly fresh in the Inquiry's
22 mind, but essentially he accepted that there was only
23 one incident involving you that he was complaining
24 about, that he had otherwise a good relationship with
25 you.

1 It was put to him that there was actually a report
2 of an incident involving you, where he had just
3 assaulted another boy, an RG 252-- another RG 252

4 I think it was, and that there was no record
5 of him having been hurt in that incident. You do
6 remember that incident involving him and the boy RG 252
7 Isn't that right?

8 **A. Yes, yes, I do.**

9 Q. You said, you know, you were involved in that and you
10 may have been involved in some incident where he got
11 hurt, but he didn't speak to either the team leader or
12 to matron at the time.

13 **A. No. I think around -- subsequent to that HIA429 was**
14 **transferred over to -- I read it in his statement -- he**
15 **was transferred over to youth treatment. So I can only**
16 **assume there was an escalation of behaviours, of**
17 **incidents. I don't know. I can't recall that, but in**
18 **his statement he talked about subsequently moving over**
19 **to House .**

20 Q. Just to be clear and to be fair to you, I think we
21 should look at the document that does relate to you,
22 RG20. That's 45444. This is your handwriting, RG20.
23 Is that correct?

24 **A. It is.**

25 Q. You will see it was January and happened at 6.15 in

1 the evening and involved the two [names redacted]:

2 "HIA429 was in the smoking room with quite a number
3 of kids from the unit. HIA429 grabbed the other [name
4 redacted] and twisted back his fingers. He was in quite
5 some pain and attempted to push HIA429 away by means of
6 pushing him on the face."

7 There was then retaliation by elbowing and so forth.
8 Another person and two of the girls came into the office
9 and related the incident to you. They told you that
10 HIA429 had gone upstairs. You went to the top of the
11 corridor and you met another member of staff who had
12 heard the commotion, and you found him in his bed... --
13 in the four-bed dorm. You asked him to explain the
14 reason or his version of what had happened and he said
15 that RG 252 had hit him on the nose. You asked him to
16 go to his own room on several occasions and finally you
17 told him that you would have to assist him into his own
18 room.

19 HIA 429 was quite uncooperative and made it quite
20 clear that he would not go without our assistance."

21 Yourself and the other member of staff assisted --
22 he assisted you to remove HIA429 to his own dorm. You
23 then contacted another member of staff and informed him
24 about the situation. Within several minutes several
25 children from the unit related to you that they had seen

1 HIA429 running away from the unit and down the back
2 field, and on an inspection of dorm 5 you found the
3 window broken and the room empty, and RG 252
4 was in some pain afterwards. Then about half an hour
5 later I suppose HIA429 was seen in the grounds and
6 eventually turned up in House 1. He was spoken to by
7 RG171 and an agreement was reached whereby he slept in
8 House 3 that night."

9 Looking at that now, does that bring it back to you?

10 **A. Yes, yes.**

11 Q. That's the only incident that we could find in HIA429's
12 records of physical intervention of any sort in relation
13 to you, but the Inquiry has seen other examples of how
14 you treated HIA429, including taking him to visit his
15 father, for example, and you certainly felt you had
16 a good relationship with him.

17 **A. I felt I did, and HIA429 hadn't got it easy. I remember**
18 **reading that HIA429 -- subsequent to all this HIA429**
19 **still queries, "How have I ended up in care?" So**
20 **there's a lot of questions probably for HIA429 and it**
21 **was -- , and I can't recall why**
22 **he was admitted to the centre, but, you know, we had --**
23 **we had a relationship and at times you had to intervene**
24 **and not be Mr Nice Guy. You had to --**

25 Q. Be firmer.

1 **A. -- be firm, yes, and react, respond to a situation and**
2 **a crisis.**

3 Q. You did mention to police when they asked you about what
4 HIA429 had said to them that he did have

5 You described them as big, and you said he
6 was someone who often complained to senior staff.

7 **A. Not necessarily senior staff. Even in our -- if you**
8 **were to maybe open up a group meeting book, you know, it**
9 **would have been, "Food is not nice. Look, why do I have**
10 **to go to bed at this time?", but that was HIA429 and**
11 **sort of you worked with that.**

12 Q. Okay. Well, other people -- just to be clear, when
13 police interviewed you, you denied assaulting him in any
14 way, and you also denied assaulting the other two boys
15 that he said he saw you hit.

16 Other people who spoke to police was a RG 203 and
17 her police statement is at 33481. If we can maybe just
18 look at that, because the Panel -- although you have
19 seen these documents before, the Panel will not have
20 seen them.

21 **A. Uh-huh.**

22 Q. This is her statement from January 2013. She complains
23 about:

24 "... been there a couple of days. We were up on the
25 roofs, about six of us. I am not sure of the names of

1 the others. We were up on the roofs for a couple of
2 hours. So they got us down and one of the staff had me"
3 -- that's you -- "had me and another wee girl called
4 either or . She was small. He banged
5 both of our heads together and then banged both of our
6 heads against the wall. He had us both trailing up the
7 stairs by the hair and he said in a cocky way that he
8 slipped. He was a senior member of staff and he was
9 there because of the trouble. He just banged our heads
10 together and then against the wall at each side of the
11 stairs. I do not remember if I had any injuries.
12 I think I told him I would get him done in by my mum --
13 by my mum. RG20 would have been in his late or .
14 He was tall, with hair. He was a
15 ... in charge of unit when I was there."

16 Now you do remember an incident involving these
17 girls --

18 **A. I do, yes, yes.**

19 Q. -- on the roof. You told police that children often
20 went up on to the roof of units. You didn't remember
21 the particular incident involving her, but on reflection
22 you do now.

23 **A. Yes. Time to read -- at the time of police interview**

24 **I didn't have time to read through --**

25 Q. The statement.

1 A. -- but I subsequently got that, and I did remove both
2 girls when they came down off the roof and I had them by
3 here (gesturing), and probably looking back thirty years
4 ago you don't do that, but we did it at the time, and
5 I had one in each hand, and going into the unit I was
6 pushing them up the stairs and they were pushing back,
7 and their heads did bang together, but they certainly
8 didn't bang off walls and I certainly didn't pull them
9 by the hair up. I was behind them pushing them up.

10 Q. And they were resisting that?

11 A. Absolutely.

12 Q. These girls were Catholic. It was a rarity for Catholic
13 girls to be in Rathgael. I wondered how that happened.
14 Was it maybe just the position that there were no beds
15 at Middletown at the time or ...?

16 A. I'm not sure. I'm not sure. There was clearly
17 a resistance to come to Rathgael at that time. Why?
18 I don't know, but RG 203 was I think Protestant and
19 they mixed very -- very well, but it was just -- I think
20 RG 203 was just into the unit and I think she described
21 she got caught up in this situation and ...

22 Q. Well, certainly you denied her allegation in that same
23 interview. As I said, you denied the allegations of
24 HIA429 and -- sorry -- HIA429 about himself and
25 about the other boys.

1 Just -- the Inquiry has seen documents where this
2 whole incident about the girls being up on the roof was
3 recorded. They subsequently then barricaded themselves
4 in. You mentioned that there were very senior staff got
5 involved in the whole affair.

6 **A. Yes.**

7 Q. There was RG 16 , RG171, RG 14 .

8 **A. Uh-huh.**

9 Q. They talked the girls down from the roof.

10 **A. Yes.**

11 Q. I don't have the page references, but I know that -- and
12 I think I might have mentioned the page references when
13 I generally opened some background to Rathgael, but
14 those document are in our bundle about the recording of
15 that incident.

16 Paragraph 9 of your Inquiry -- sorry. Just before
17 moving on from this if we can go to 33926, this was
18 another girl who was involved in that incident. That's
19 an RG160. Sorry. Her statement I think is at 33781.
20 This is the extract from your interview about the matter
21 when RG160's statement is being put to you by police,
22 but if we look at her actual statement, it is 33781.
23 She said:

24 "I have been asked by police about [you]. I think
25 he had hair, wore glasses and ."

1 That was correct.

2 **A. Uh-huh.**

3 Q. She said:

4 "I can remember one occasion after an incident where
5 he had my arm up my back. There was another member of
6 staff there. She was in her late 20s, early 30s and
7 long wavy dark hair -- dark wavy hair. I can't remember
8 her name. I think I was being disciplined for something
9 and I went towards the female giving off. RG20
10 restrained me and stopped me getting to her. He put my
11 arm up my back and frog marched me to my room. My arm
12 did hurt, but I don't want to make a complaint. It's
13 all history and my memory of being in Rathgael is
14 overall very positive. I thought all the staff were
15 fair and took us out on trips that I wouldn't have got
16 at home."

17 She was saying, "Yes, I did get restrained and I did
18 get hurt", but she accepted that as part and parcel of
19 something that she was responsible for because of her
20 behaviour.

21 **A. Uh-huh.**

22 Q. That was the kind of incident, was it, when children
23 would have got restrained, to save somebody else getting
24 hurt or ...?

25 **A. Well, you would need to intervene. I have seen female**

1 staff especially with hair pulled out, you know, with
2 long hair, and you just want to prevent injury. You
3 don't want -- as a senior you were called in. I would
4 have been called into situations not my own doing, which
5 you were expected to resolve and deal with, maybe some
6 young people I didn't know very well. So you depend
7 on -- I mentioned to you before about key workers. If
8 a key worker is there -- the child may not like me or
9 like a member staff on duty, but if there's a situation
10 arisen, if there's any member of staff who can relate
11 and the young person can relate to them, we will
12 always -- we would have always tried to employ that, but
13 yes, you wouldn't want anyone, child or young person, to
14 be assaulted out of a simple situation and all of a
15 sudden there's something serious.

16 Q. Coming back to other allegations that were made to the
17 police, and paragraph 9 of your Inquiry statement you
18 address an issue from a statement of a RG176. That's at
19 33478. What she said was that she absconded. You
20 picked her up and she was locked in her room for two
21 days.

22 There was another, RG185, who complained at 33674
23 that you locked her up every time she ran away. You
24 address that in your statement at paragraph 6.

25 Police also spoke to you about another person who

1 has spoken to the Inquiry and that was HIA 438 --
2 HIA 438 . Now she has has spoken to the
3 Inquiry. She didn't make any complaint about you, but
4 police showed you a record relating to her where she had
5 been removed from the group for over 24 hours. Her
6 solicitor ultimately -- sorry -- your solicitor
7 intervened in that interview and said, well, you know,
8 this was not a complaint about you and you shouldn't be
9 asked about it, but I am raising it in the context that
10 the police were, which is what was the practice about
11 the separation of children and how long were they locked
12 up for or kept separate from the group?

13 **A. I can only speak for my own unit, and I have explained**
14 **where we would have -- on occasion somebody would have**
15 **been put into their pyjamas. They had access to TV.**
16 **They had access to food. They just weren't access to**
17 **outdoors, and that could have come on a recommendation**
18 **of a social worker, of senior staff or, in fact,**
19 **a parent, because this particular girl, her parent**
20 **visited her while she was -- the front doors were**
21 **locked.**

22 It would not have been custom and practice to extend
23 isolation to anyone for any long periods of time.
24 A couple of reasons. Over a 24-hour period there would
25 be different senior staff on duty. Incidents or

1 elements of that would need to be recorded and you would
2 have a changeover of shift. So you would have different
3 staff. So if I had been on and had an issue and said,
4 "They're locked up", it doesn't necessarily flow --
5 unless there's a serious enough reason for someone to be
6 isolated or locked up, that could not happen with other
7 members of staff coming on shift, because they're taking
8 responsibility for the shift. If a senior member of
9 staff directed that a person is isolated outside of
10 Shamrock, that would have to be sanctioned and recorded
11 by the unit, but sanctioned by senior staff. A member
12 of staff should not and could not have taken on to lock
13 somebody up for 24 hours.

14 Q. RG20, all of these matters that you were investigated
15 for back in -- when you were interviewed in 2014
16 ultimately resulted in no prosecution being directed in
17 May of 2015. I know you talk in your Inquiry statement
18 about the effect and the stress that all of these
19 investigations have had on you.

20 Now I don't mean to add to your distress, but we did
21 talk about another matter and that was the police
22 material given to us has shown that there has been
23 a subsequent complaint made about you about a place
24 unrelated to Rathgael and it is outside our terms of
25 reference, and I am not going to go into any of the

1 details about that, but it was a member of staff who
2 complained about you. She gave a description, which
3 I wondered whether you accepted or not, of you. She
4 described you as being very rigid with discipline, said
5 you introduced care and responsibility training to the
6 unit that you were then working in and said that she
7 found it all to be about restraint, which she didn't
8 like. I just wondered whether you accepted in any form
9 the description that she'd given of you.

10 **A. Well, I think that member of staff -- now there were**
11 **issues and that was addressed by senior staff. The**
12 **Trust have and currently employ TCI, which is training**
13 **throughout the Trust for any residential unit. I would**
14 **be firm and fair. I try to be and have tried to be --**
15 **give when it is appropriate to give and to say "No, and**
16 **that's enough" whenever it is appropriate and time to**
17 **say "That's enough". The colleagues from that unit when**
18 **I left that unit had a special event for me and I have**
19 **a card I still keep. So -- and again there was**
20 **a complaints procedure. If that individual had**
21 **a problem, there was a complaints procedure with her**
22 **line manager. So I refute totally that.**

23 **Q. Well, RG20, thank you for that. There's nothing else**
24 **I want to ask you, but if there's anything that you want**
25 **to tell the Inquiry about your time in Rathgael --**

1 **A. Yes.**

2 Q. -- or about any of the things that we have been looking
3 at or anything you feel that I haven't covered --

4 **A. Uh-huh.**

5 Q. -- then please do so. Now is your opportunity.

6 **A. Okay. I just feel my experience in Rathgael has been**
7 **next to none. The practice, the young people, my**
8 **experiences have been excellent. Supervision and**
9 **support were very good and I got -- through the lengths**
10 **of it I have learnt a lot. I just feel Rathgael could**
11 **possibly get hit with a lot of criticism. In the care**
12 **section where I worked I can only speak highly enough of**
13 **it, and that was reflected latterly through inspection**
14 **reports by RPIA and SSI. Life is not easy in**
15 **residential. It's a calling. I think on reflection now**
16 **probably ten years is a long enough -- I was in it**
17 **twenty and I think ten years is long enough, but**
18 **positive, positive.**

19 Q. Okay. Thank you very much, RG20. As I say, the Panel
20 will probably have some questions for you.

21 Questions from THE PANEL

22 CHAIRMAN: RG20, can I just ask you something more about the
23 practice of putting people in the quiet room and so on
24 that you've described? You have explained that if
25 someone was to be put in, this had to be approved by

1 a senior member of staff. Is that correct?

2 **A. Yes.**

3 Q. In other words, if I have understood you correctly, what
4 you are saying is it wasn't open to the staff on the
5 ground simply to deal with a situation by of their own
6 initiative putting somebody in the isolation room or
7 however it is described without it in some way being
8 approved or sanctioned. Is that correct?

9 **A. If I could clarify that, if an incident were to arise
10 immediately, a critical incident, it may be necessary to
11 put someone in a quiet room --**

12 Q. No, I understand that.

13 **A. -- and subsequently inform the senior staff, but --**

14 Q. But either afterwards or before, it had to be approved.
15 Is that the point?

16 **A. It had to be approved.**

17 Q. If the situation arose quickly, it had to be approved
18 afterwards?

19 **A. Yes.**

20 Q. If it was to be done as a planned matter, it had to be
21 approved before it was done. Is that correct?

22 **A. Yes, and, in fact, I've known of practice where again
23 a key worker -- if a young person had been upset and you
24 have that key worker at hand, they could have gone --
25 they weren't going to be in isolation, but have gone to**

1 a quiet room, but again they're not isolated, but every
2 attempt would have been made to reduce isolation, but if
3 that was occurring, yes, senior staff would have to, and
4 they may say "No. I'll come down and deal with it" --

5 Q. Yes.

6 A. -- or "No", but there had to be time focus, time limit.

7 Q. Am I right in understanding that each unit had a room
8 that could be used for short time out periods?

9 A. Yes. The units were not purpose built. The units were
10 built I think for probably fourteen or fifteen males at
11 one stage. So you had a large room, which eventually
12 became a classroom, which used to be maybe a four-bed
13 dorm. You'd have had a two-bed dorm in the old days and
14 single dorms. We would have had a quiet room on the
15 first landing facing the staff office and there would
16 have been a plastic window as opposed to a glass window,
17 which could be put through easier with least amount of
18 damage. Obviously we couldn't put TVs in. We'd have
19 provided people with books or magazines. Meals -- even
20 if it's over a lunch time, you would have had, you know,
21 your meal in the room.

22 Q. Yes, but do you draw a distinction between a period in
23 a quiet room or time out room, however it is described,
24 of that type and being put in an isolation room?

25 A. Yes, that would be a different ...

1 Q. That's a different type of approach.

2 A. Yes.

3 Q. Is that correct?

4 A. Yes.

5 Q. A more significant step?

6 A. The longer periods of time would generally have been in
7 the Shamrock in the time out room, but if we didn't have
8 access to that, you know, you're maybe talking about
9 a couple of hours. I can't recollect anybody being
10 isolated as a punishment for 24 hours or any length of
11 time. It was seen clearly as a period of time out, cool
12 down and negotiate to get back into the group.

13 Q. That's what I just wanted to pursue in a little bit more
14 detail, because, as I understood it, what you were
15 saying about Shamrock was that the amount of time that
16 isolation was used in Shamrock could vary depending on
17 whether you had somebody who was a habitual absconder or
18 not, but that children could be sent from other units
19 into Shamrock --

20 A. Yes.

21 Q. -- purely for the purpose of being isolated, if
22 necessary. Is that right?

23 A. If things were so bad that it was a risk to themselves.
24 I mean, latterly we had to have a criteria, people at
25 risk to themselves or others or harming themselves.

1 **Sometimes it was just necessary -- sometimes it was**
2 **overnight and that would have to be in Shamrock,**
3 **overnight and sanctioned by staff and well justified,**
4 **but equally so it could be up and back at bedtime.**

5 Q. Yes, but if someone was kept in Shamrock, it was, as you
6 just indicated, possible in some circumstances they
7 might be there overnight?

8 A. **Uh-huh.**

9 Q. But the suggestion that somebody might be kept there for
10 up to I think it's four days, what do you say about
11 that?

12 A. **I had no personal knowledge with Shamrock to that**
13 **extent. I don't feel -- I don't -- I cannot relate to**
14 **a long period unless it was really sanctioned and it**
15 **would maybe even need to go to the Department for**
16 **authorisation if it was deemed -- I can't understand why**
17 **somebody couldn't be in a secure unit safe for 24 hours**
18 **as opposed to put into the time out room or the quiet**
19 **room for 24 hours. I'm not aware of that.**

20 Q. Well, from what you can speak to from your own
21 experience in a house would anybody have been kept
22 overnight in a quiet room in a house as opposed to in
23 Shamrock?

24 A. **No, no.**

25 Q. But you did describe how in a different circumstance

1 there were one or two occasions where in order to
2 prevent girls from absconding, they were kept over the
3 weekend in pyjamas. Have I taken you correctly about
4 that?

5 **A. Yes, and the outside doors would have been locked just**
6 **to simply prevent a twentieth absconding and the police**
7 **phoning us and saying, "What are you doing with these**
8 **kids?"**

9 Q. Well, would the alternative or an alternative have been
10 to have sent them to Shamrock to prevent them from
11 absconding if you didn't do what you did?

12 **A. It would have. It would have if -- yes, the option**
13 **would have been there if the room had been available or**
14 **an admission to Shamrock, but, you know, I suppose the**
15 **balance was the only problem here is absconding. If we**
16 **can crack the absconding, call it short, sharp, shock,**
17 **that's an option to admitting somebody to a five-week**
18 **placement in secure.**

19 Q. This is the point I was going to ask you about. If you
20 regard the way absconding can be dealt with as covering
21 the spectrum, at one end you would sit down and talk to
22 the person and try and stop them. At the other extreme
23 you admit them to Shamrock for a five-week period and
24 somewhere on that point in the spectrum, if I understand
25 you, what you're saying is this was an approach that was

1 adopted because it was more significant but less
2 extreme, if I may put it that way?

3 **A. Yes, yes.**

4 Q. Did I understand you correctly to say that on one of
5 those occasions the parent -- mother of the child came.
6 Is that right?

7 **A. The girl described it in her own statement that her
8 mother came down, in fact.**

9 Q. Yes, I understand that, but do you recall an incident
10 where the mother came in when the girl was in pyjamas
11 over the weekend?

12 **A. Yes, and I recall the mother condoning, saying, you know
13 --**

14 Q. Well, I take it somebody would have explained to the
15 mother why this situation --

16 **A. The mother was very tuned into why. She knew her
17 daughter was absconding. She didn't know why and, in
18 fact, that was a response of being involved in a road
19 traffic accident in a stolen car with her boyfriend. So
20 the situation was the ante was being upped to an extent
21 where there needed to be a response in an open unit to
22 restrict the girl running off again.**

23 Q. I see. Thank you very much.

24 MS DOHERTY: Thanks very much. That has been really
25 helpful. Can I just ask some of the witnesses have

1 suggested that the behaviour of the children in the care
2 side was more challenging and difficult to deal with
3 than in the justice side. Would that have been your
4 experience?

5 A. I would -- I would agree with that.

6 Q. Can you think why that was?

7 A. I think we talked there about we were care bears. We
8 were seen as softer. We were less rigid, and it could
9 be argued that young people in youth treatment, you knew
10 where you stood. It was black and white. The staff
11 I have to say on the care side were extremely caring and
12 my experience is them spending time with -- you know,
13 I can think of specific staff who spent time one time
14 over and above their rota time just to make the
15 difference in somebody staying or calming down. So we
16 were seen as softer, but I would call it more
17 therapeutic.

18 Q. So would it be fair to say that it was more kind of
19 regimented in the justice side?

20 A. It appears to me, looking over the fence when I worked
21 in it, that's how it was, but it was all boys. The big
22 challenge was certainly whenever the girls came down.
23 That was a big -- they got over it, but it took a while
24 to understand and for the girls to understand this new
25 building, this new regime. So there was a lot of change

1 **and change is difficult.**

2 Q. I mean, I was coming to my next question, because one of
3 your former colleagues talked about not -- that staff
4 didn't receive training in relation -- male staff
5 dealing with, you know, females, young girls and how to
6 managemanage them and how to managemanage restraint in
7 relation to them.

8 A. **In -- in restraint training you were very clearly -- it**
9 **was very clearly demonstrated in terms of zones, you**
10 **know.**

11 Q. Where you could --

12 A. **Areas to -- yes. So that training did cover that.**
13 **I have to say some people were uncomfortable perhaps in**
14 **maybe having to work closely with female residents**
15 **because of the risk, because of -- likewise it wasn't**
16 **always appropriate for female staff of slight stature to**
17 **be -- in fact, people would clearly have said a no-go,**
18 **"I'm not going there", with a male who was a big fella,**
19 **6 foot. They'll not even try that.**

20 Q. We have heard allegations about male staff having
21 relationships with girls within the units. Were you
22 aware of that at all?

23 A. **No, no.**

24 Q. What about the issue of crushes, you know, girls
25 developing crushes on male staff?

1 A. I'm not privy to that.

2 Q. You weren't aware of that?

3 A. No. The care -- the care side was very open. You know,
4 there wasn't -- not that there was gossip, but there was
5 an openness. There was no -- no chit-chat that I was
6 aware of. I suppose it depended how close you were to
7 the centre, you know, and I tended not to be.

8 Q. Uh-huh. I mean, one witness talked about it being
9 openly known that a girl had a crush on him.

10 A. In care or just in general?

11 Q. In care.

12 A. No, I'm not -- I'm not -- you know, you would be aware
13 that the potential is there. It's like any situation,
14 whether it be a school, a teacher and a pupil. My
15 philosophy with staff would have been, "You are very
16 vulnerable". Okay? I'll give an example.

17 I could have been asking a male staff or I could
18 have been asked as a member of staff to take a young
19 lady to the shopping centre or to go and get sweets for
20 the -- which is quite legitimate and quite upfront.
21 Somebody could come back in thirty years and say, "I was
22 in a car with such-and-such and he put his hand on my
23 leg when he was changing gear". We were aware of that,
24 but you did it, you know. That was -- the relationship
25 with your young people was such that there was trust.

1 Q. Can I just turn to the issue about casual staff? You
2 were saying casual staff particularly used at weekends.

3 A. Yes.

4 Q. How did that work in terms of, you know, the continuity
5 of care? Was it ...?

6 A. Well, it -- one of the many things that was tweaked
7 about in the care was rotas and we had often legislation
8 reducing -- more recently it's the working time
9 directive, but we had issues back then. We had to get
10 a balance of male and female. We tried to get a balance
11 of people who would have been active in terms of going
12 to the sports hall and I would have been very active
13 going to the sports hall, you know, participating. What
14 you didn't want on your rota was a couple of staff who
15 didn't necessarily sit in the office but weren't
16 proactive and engaging. So your challenge was always
17 trying to find the amount of staff. So if you had -- we
18 tried to get young people home where possible.
19 Certainly non-school attenders would have been going
20 home. They were in from Monday to Friday. If it's at
21 all a possibility of getting the children home on leave,
22 that was prime. So you were reducing your numbers at
23 weekend. So you had to reflect then. People on sick
24 leave, annual leave, working rotas, days off. So we
25 needed to engage with and employ casual staff.

1 So there would have been an advert in the local
2 paper and people would apply and go through an interview
3 process, and if they were -- part of it was dealing --
4 "What good are you going to be here? What can you
5 offer?" So if they are saying, "Well, we engage with --
6 play music" or "We like sports" or, you know -- we would
7 have been taking young fellas to football matches. So
8 somebody would have been coming in specifically, or
9 a rugby game. Staff would have been taking them to
10 rugby training. I remember one young fella going to the
11 circus school, who was -- it turned out well. So casual
12 staff -- casual staff were very necessary to maintain
13 the running of units.

14 Q. It was indicated that casual staff wouldn't have had
15 access to background information about children.

16 A. Need to know. There would be a limited -- my thought on
17 that would have been a limited amount of information.
18 I think again the management tried to put like a pen
19 picture in an open file for staff. So you would have
20 had a bit of a pen picture of the qualities, of risks,
21 but access to sensitive information, I would have
22 thought that was a -- in my unit it was a no-no, but
23 again it was necessary at times to share pertinent
24 information if there was risks around.

25 Q. I mean, we heard about you going out with HIA429 to help

1 him to talk to his father about his alcohol abuse.

2 **A. Uh-huh.**

3 **Q. Was that common? Was that a ...?**

4 **A. It was. It was. Again with the other fella, RG 77**

5 I would have been out to his mum, and we would have gone
6 out I suppose to try and establish if there had been
7 a fall-out or there might have been a good reason as to
8 why a young person can't go home.

9 Now providing we have had the information and we're
10 sensitive enough in the relationship, that -- that can
11 be shared and explained, but you would hope that
12 a social worker responsible for the young person would
13 have shared that information, but, as we have heard,
14 that's -- that depended on the individual social worker.
15 So home visits were very important and where at all
16 possible to get home leave young people were encouraged
17 to go home at weekends, and then Sunday nights coming
18 back was always -- that was always a crisis, you know,
19 with different reasons. So we made sure we had plenty
20 of staff on a Sunday night, you know.

21 **Q. Did that extend to the issue of aftercare? You know, if**
22 **people -- children left and maybe even the Training**
23 **Order was over, was there any indication that you would**
24 **do aftercare?**

25 **A. There was an aftercare service within Rathgael and there**

1 would have been a team -- a team manager and maybe
2 three -- three outreach workers and they would have been
3 involved on the release -- I think they called it
4 release -- of the Training School Order, and they would
5 have had an attached aftercare worker maybe to look
6 after court hearings, if there's any further court
7 hearings, or to help set them up in independent living.
8 We had independent living maisonettes attached to each
9 of the units and that was tried as well --

10 Q. Uh-huh.

11 A. -- prior to leaving care.

12 Q. Okay. Just two last questions. One is about complaints
13 about staff. Did you have to deal with particular
14 complaints from children that staff were overly physical
15 in their treatment of them?

16 A. A lot of that would have gone to senior staff, because
17 we were perhaps deemed too close to the staff member or
18 to the complainant. So keep it as independent as
19 possible. If there's something which can be dealt with
20 locally, that would have been the way forward, but again
21 recorded and shared with the senior staff, but it was
22 probably better practice to pass it on to senior staff.

23 Q. But you would have had personal experience of that? You
24 would have personal experience of children actually
25 complaining to you about staff?

1 **A. The staff team I had -- I was fortunate. I had a good**
2 **staff team, who were a mix of age and a mix of gender**
3 **and a mix of interests. The staff I had were**
4 **extremely -- they were just good with their -- the**
5 **clients, with the young people. So I don't remember**
6 **specific incidents, but if -- if and when they did**
7 **arise, we would try and address it, as I say, locally,**
8 **just sitting down and saying, "Look ...", but if there's**
9 **a serious --**

10 Q. And you can't remember a serious one?

11 **A. I can't remember a serious in that -- in that time, no.**

12 Q. And the final one: was ever a complaint made about you
13 that was investigated by senior managers?

14 **A. In Rathgael?**

15 Q. Rathgael.

16 **A. No.**

17 Q. Okay. Thanks very much.

18 MR LANE: Do I take it that it was the CQSW that you
19 obtained, your qualification?

20 **A. It was.**

21 Q. That would, as you said, have opened up jobs in field
22 social work to you as well as residential.

23 **A. Yes, it would.**

24 Q. But you chose not to move over in the way that I think
25 --

1 **A.** I chose not to move, because I felt a connection,
2 a passion even, to residential. My first -- my first
3 day in Rathgael at 2 o'clock on shift was going out and
4 playing football with the school and I thought, "This
5 sounds good. This is the way to go", but seriously
6 it -- you need to have a passion certainly for
7 residential work and I would absolutely say no more than
8 ten years. You know, there's an element of burn-out and
9 I have seen a number of staff in their later years burnt
10 out before their time --

11 **Q.** Yes.

12 **A.** -- and -- because it is -- it is demanding work, but
13 it's rewarding work.

14 **Q.** So when you came back and Whiteabbey had already united
15 with Rathgael, had the senior staff from Whiteabbey been
16 absorbed into the senior staff of Rathgael as well?

17 **A.** Yes, they had. They had.

18 **Q.** Did they stay on or did they --

19 **A.** They stayed on. Uh-huh. One was LN3 and a lady called
20 and she became head of care overall in care,
21 yes.

22 **Q.** You mentioned that the police were often called in to
23 help out when there was trouble in controlling children.
24 If you actually had the authority to place children in
25 secure accommodation yourselves, why did you need to

1 call the police in?

2 **A. The -- because we may not have had a place in secure**
3 **accommodation. That may have been used, in fact, by**
4 **Shamrock or another unit. You had six units with ten**
5 **young people.**

6 Q. Uh-huh.

7 **A. I can think of a time whenever the police were brought**
8 **in and dogs were brought in because we had -- it wasn't**
9 **drugs then. It was alcohol and windows were being**
10 **broken. There was a lot of vandalism, and it just**
11 **wasn't safe for staff to put themselves on the line with**
12 **quite serious vandalism.**

13 Q. So were the police removing any of the children or was
14 it just that they calmed things down?

15 **A. Initially they'd just try and calm things down, and if**
16 **it carried on, then it would -- I can't think of**
17 **an incident whenever people were removed immediately,**
18 **but it was more of a calming influence to try and quell**
19 **a situation.**

20 Q. But subsequently there were times when people moved on
21 to another establishment?

22 **A. People would have moved from care --**

23 Q. Uh-huh.

24 **A. -- and they called it -- the term was criminalised.**
25 **They became criminalised within the juvenile courts**

1 **system, or coming into care on a care order and**
2 **subsequently getting involved in criminal activity and**
3 **ending up in Belfast Juvenile Court and getting**
4 **a Training School Order for offences.**

5 Q. These incidents when the police was called in, was this
6 more on the care side or on the justice side?

7 A. **I think it was fairly balanced.**

8 Q. Right.

9 A. **However, because it would be viewed as us being a bit**
10 **softer, senior staff would have been used in the first**
11 **instance. So I have had experience where I've been**
12 **brought into a unit. I didn't know the young person,**
13 **but equally so if that's not working, my next line would**
14 **have been senior staff and then they may have said, "You**
15 **need to bring in the police".**

16 Q. Right. You mentioned I think that when people were
17 placed in restraint, that there was a panel that
18 reviewed this. Did I hear you correctly?

19 A. **Yes, you did.**

20 Q. What was -- who was the Panel?

21 A. **Senior managers, the team leaders and a representative**
22 **from APRU, the psychology unit.**

23 Q. And so each time there was a restraint of some sort it
24 was put before this Panel, was it, then?

25 A. **Anything that was recorded in terms of restraint would**

1 have been -- there would have been a panel to look at
2 how -- how often, was it the same individual staff
3 members, so you could identify if this is replicated, or
4 if, in fact, the same young person was coming to the
5 attention of requiring to be restrained. So it was
6 monitored and there may have been a different care plan
7 adapted to meet that need to reduce the potential for it
8 to continue.

9 Q. Okay. My last question is that you mentioned dumping
10 and I wasn't -- you know, particularly difficult
11 children who you felt had been dumped on you. I wasn't
12 completely clear whether you were saying that these
13 children should not have been in Rathgael and, if so,
14 where they should have been, or whether it was
15 indicating some sort of weakness on the part of the
16 social workers, who should have been containing the
17 problem at home?

18 A. I think whenever a young person had been through
19 a family home or a foster home and then a children's
20 home and the children's home can't managemanage anymore
21 --

22 Q. Yes.

23 A. -- there's -- there's nowhere else and people would be
24 struggling to find an appropriate placement, and back
25 then there weren't many other appropriate placements.

1 It was probably Rathgael, and I think that was
2 perception more of the staff, who felt they had back-up
3 and support. You know, nowadays there is much more
4 accountability I think. Back then there was less
5 accountability, and we didn't see it as the children
6 being dumped as in "We're stuck". We got on with it and
7 if we could move them back into a normal environment
8 again, but the Training School Order would have lasted
9 one to three years. So it meant you were sure of
10 a three-year spell, but if that terminated sooner, if
11 that meant a move to somewhere better through your age
12 at 17, you moved into independent living. The
13 management at one stage tried a pre-teen unit. So there
14 was a unit specifically for pre-teens.

15 Q. Were many children returned to the children's homes they
16 had come from?

17 A. Not really, no, because I guess that child's bed was
18 probably taken up by somebody else, you know, over
19 a period of time.

20 Q. Thank you very much.

21 A. Okay.

22 CHAIRMAN: Well, RG20, thank you very much for coming to
23 speak to us today. We're very grateful and, as Ms Smith
24 pointed out, we have looked at your photographs.

25 A. Okay.

1 Q. If you haven't got them, we will do our best to ensure
2 we don't keep them and you get them back before you go.

3 **A. Thank you very much.**

4 Q. Thank you.

5 (Witness withdrew)

6 MS SMITH: Chairman, I see the time has taken us to lunch.

7 There is one further witness to give evidence today.

8 CHAIRMAN: Well, not before 2 o'clock.

9 (12.55 pm)

10 (Lunch break)

11 (2.00 pm)

12 WITNESS LN25 (called)

13 MS SMITH: Good afternoon, Chairman, Panel Members. Our
14 next witness today is LN25. He is "LN25". LN25 wishes
15 to take a religious oath and he also wishes to maintain
16 his anonymity.

17 WITNESS LN25 (sworn)

18 CHAIRMAN: Thank you, LN25. Please sit down.

19 Questions from COUNSEL TO THE INQUIRY

20 MS SMITH: LN25, I am just going to tell the Panel Members
21 where there are some documents in the bundle of papers
22 that we have that are relevant to your evidence.

23 **A. Okay.**

24 Q. The first is that there is a statement from HIA418. His
25 statement was summarised you will recall yesterday. It

1 is in the bundle at LSN025 to 028.

2 LN25 has given the Inquiry a response statement,
3 which at LSN1224 to 1226, and including other
4 information the Inquiry has received a personnel file in
5 respect of LN25, which is at LSN60001 to 60254. I will
6 make some reference to that as we go through LN25's
7 evidence.

8 Now, LN25, if we can just call up your witness
9 statement, please, at LSN1224, can I just ask you to
10 confirm, first of all, LN25, that this is the statement
11 you prepared for the Inquiry?

12 **A. Uh-huh. Yes.**

13 Q. As you will see, your full name is given there, but
14 I can assure you that before it is disseminated any
15 further than this room, when we put it up on the
16 website, it will have your designation, LN25, so nobody
17 can identify you from it.

18 **A. Okay.**

19 Q. Your career history, as I've been -- as you stated here
20 and as I've been able to glean from your personnel file,
21 shows that you were in Lisnevin when it was situated at
22 Kiltonga from to .

23 **A. Yes.**

24 Q. You then left there. We were having a discussion about
25 why that was, but the main reason was because you got

1 offered a job with more money and a car.

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

3 Q. Too good an opportunity to pass up. However, you
4 nonetheless felt that you enjoyed -- you continued to
5 work in Lisnevin on a volunteer casual basis. You
6 worked in some other children's homes during that time
7 volunteering and you felt that that's where you were
8 happiest working. So you ultimately came back to work
9 when it had moved to Lisnevin in -- sorry --
10 Millisle. I beg your pardon. Millisle.

11 **A. Yes.**

12 Q. You were there until about .

13 **A. Yes.**

14 Q. Now there are some documents, and I don't think I need
15 to call these up, but it is clear that you started in
16 Kiltonga on and that appointment, like many
17 appointments we have seen, was subject to Northern
18 Ireland Office approval. There is reference to that at
19 LSN60002.

20 You were initially a residential social worker and
21 you became a senior residential social worker and you
22 also then underwent a management course in , which
23 is the CSS, if I've got that right, but you yourself
24 never actually qualified as a social worker. Isn't that
25 right?

1 **A. No, never.**

2 Q. Before you left Kiltonga -- and I am just going to use
3 Kiltonga and Millisle --

4 **A. Yes. Okay.**

5 Q. -- so we know the two different locations -- before you
6 left you had actually started on the Rupert Stanley
7 course. Is that correct?

8 **A. That's right, yes.**

9 Q. The first year of that was part-time but the second year
10 was full-time, and you obviously weren't able to
11 complete that because you got a job.

12 **A. That's right, yes.**

13 Q. You moved on. There is reference to you helping out in
14 Kiltonga at the weekends at LSN60120 from October .
15 We can see the application form where you apply to come
16 back in in your personnel file.

17 Paragraph 2 you refer to the management structure
18 and you say:

19 "There was senior management structure within the
20 centre during normal office hours, that is 9.00 to 5.00.
21 During those hours I was not the overall manager but was
22 responsible for overseeing the teaching staff, the
23 dining room staff and the cleaning staff generally.
24 After hours when senior management had left the centre,
25 that is after 5.00 pm

1 During the course
2 of my employment I considered myself reasonably well
3 respected and popular amongst both the staff and the
4 boys alike."

5 Now --

6 **A. That's referring to Millisle.**

7 Q. That's what I was just going to clarify with you. That
8 was when you had a middle management role I think it was
9 described as --

10 **A. Yes.**

11 Q. -- at that time. If I can just ask you some general
12 questions, though, LN25, about both locations.

13 **A. Okay.**

14 Q. The first of those is Kiltonga. You were an assistant
15 to the gym teacher and that's because you yourself had
16 a sporting background. I think you had actually won
17 if I've read your file
18 correctly.

19 **A. Yes,**

21 Q. So you were -- that was your particular skill.

22 **A. That was my forte, yes, yes.**

23 Q. That's why you were helping out with the gym teacher and
24 you also acted as a care worker. I just wanted to
25 confirm with you that that was in the special unit in

1 Kiltonga, not on the assessment side.

2 **A. That's right, yes.**

3 Q. We have heard that there was a high staff to child ratio
4 in Kiltonga. You said to me it was actually about 1:2

5 --

6 **A. Yes.**

7 Q. -- one member of staff for every two children.

8 **A. Yes.**

9 Q. Your personnel file again shows that you were keen to be
10 trained and you obviously started on the Rupert Stanley
11 course. You were explaining to me that the plan was to
12 get everybody trained, that you were -- it was your
13 turn.

14 **A. It came to my turn, yes. That's right.**

15 Q. People had gone before you. As a key worker you were
16 assigned to certain children within Kiltonga.

17 **A. That's right, yes.**

18 Q. And you thought it was probably two boys that you had to
19 look after.

20 **A. Two boys, yes.**

21 Q. But apart from those two boys who you had a particular
22 interest and responsibility for you also worked with the
23 other boys in the unit.

24 **A. That's right, yes.**

25 Q. I asked: did staff wear their own clothes?

1 **A. Yes, we did, yes.**

2 Q. And there was never any restrictions on what you could
3 or couldn't wear either there or in Millisle?

4 **A. Well, not considering I turned up in my shorts most days**
5 **after running** So there was
6 **no restrictions as far as I was concerned or other**
7 **staff.**

8 Q. You said you would come in tracksuits
9 and that. Obviously if you are helping out in the gym
10 --

11 **A. Yes.**

12 Q. -- that would have been appropriate wear.

13 **A. Yes.**

14 Q. I was wondering if you remembered any inspections in the
15 in Kiltonga.

16 **A. I couldn't specify, but I can remember NIO people coming**
17 **to look round the centre and talk to myself and other**
18 **staff and the young people. I think Mr -- I gave you**
19 **a name earlier on there.**

20 Q. We were talking about a Mr Wesley Donnell.

21 **A. Yes, yes, that's him.**

22 Q. You do remember him from the Training Schools Branch of
23 the Northern Ireland Office coming in.

24 **A. That's him, yes.**

25 Q. But you do recall those people coming in and it was

1 pretty informal.

2 **A. Yes.**

3 Q. You thought, though, there might have been some sort of
4 report prepared by them.

5 **A. Yes. Obviously at my standard then I wouldn't have seen
6 that. That would have went to senior management.**

7 Q. Another issue that the Inquiry has heard about in
8 respect of a number of institutions is the whole issue
9 of smoking and children smoking. I just wondered what
10 the position was in respect of Lisnevin as you remember
11 it.

12 **A. Basically the young people were allowed to smoke and
13 they probably had about I think it was five cigarettes
14 a day then.**

15 Q. Did that -- was that sufficient? Were they generally
16 content with that or not?

17 **A. Well, one of the complaints that the young people always
18 brought up when the staff had meetings with the young
19 people was that, "We want more fags". That was the way
20 it was put to you. So they were looking for ten or
21 fifteen cigarette a day rather than the -- stipulated in
22 the rules was five -- I think it was five cigarettes
23 a day.**

24 Q. Were they ever given the ten or fifteen?

25 **A. Not in my time.**

1 Q. Just talking about the complaints that they raised at
2 these, you say there were group meetings with the
3 children.

4 **A. Yes.**

5 Q. That was on a weekly basis. Is that right?

6 **A. Yes, yes.**

7 Q. When they could raise any grievances or gripes that they
8 might have.

9 **A. Exactly, yes.**

10 Q. A couple of other things that you mentioned to me was
11 that they didn't like wearing school clothing.

12 **A. Well, the school clothing was a pair of jeans and
13 a tee-shirt and a pullover. They all wanted to wear
14 their own clothes at that time, which would have caused
15 a lot of problems for getting it cleaned and getting
16 their parents to bring clean stuff in for them.**

17 Q. So there was effectively -- although it was sort of
18 casual type clothing, it was effectively a uniform that
19 they had to wear.

20 **A. Well, I wouldn't call it a uniform, no. It was what
21 young people would have worn outside. It was casual.**

22 Q. I mean, another thing that you said they would complain
23 about was wanting to stay up later at night and that
24 kind of thing.

25 **A. Yes, that's right, yes.**

1 Q. I asked, "Did you ever receive any major complaints from
2 them yourself?" and you didn't.

3 **A. Not major complaints, no. That was generally -- those**
4 **were the three things that stick in my mind that came up**
5 **every time we had a meeting with them.**

6 Q. I asked if there was an incident or a complaint, what
7 was the procedure for recording that? You were
8 explaining that there were occurrence sheets.

9 **A. Well, if staff had something happen in the unit, there**
10 **was occurrence sheets in an office where we were asked**
11 **to record how the boy was behaving, not necessarily bad**
12 **behaviour, but also good behaviour was recorded in those**
13 **sheets, and all that was collated by the boy's key**
14 **worker.**

15 Q. And senior management had monitored those records?

16 **A. Oh, yes, senior management, yes.**

17 Q. We have heard -- I'm still just on the topic of Kiltonga
18 -- there were isolation rooms in Kiltonga. Isn't that
19 right?

20 **A. That's right, yes.**

21 Q. And we have heard that it was allowed -- they could be
22 used for up to four days. Do you ever remember them
23 being used for that length of time?

24 **A. I honestly can say I have never seen a boy in those for**
25 **four days.**

1 Q. What -- do you remember how they were used in Kiltonga?

2 A. Well, it was basically a time out area to get them away
3 from all the other boys in the units that they were in
4 and they were given time out specifically. It could be
5 a couple of hours. It could be half a dozen hours. You
6 just wouldn't know. It depended on the boy's behaviour.

7 Q. Although they would have been used -- they could have
8 been used overnight?

9 A. Yes, they could have been, yes.

10 Q. Now you came back -- we know Millisle moved -- sorry --
11 Lisnevin moved to Millisle about . I think you came
12 back in ... -- you came back in --

13 A. , yes.

14 Q. -- just after it had moved. Is that right?

15 A. That's right, yes.

16 Q. And you don't know about the circumstances of the move
17 or how that was effected --

18 A. No, no.

19 Q. -- or anything like that, but we have heard that at
20 Millisle the atmosphere in Lisnevin had changed.
21 I mean, it was described as having a more prison-like
22 quality. Was that your experience?

23 A. Well, it was described that way because the building
24 lended itself to that, whereas Kiltonga had been -- was
25 just a big house with fields round it and it was more

1 **relaxed in my view, but because the place itself seemed**
2 **like a prison -- and I think it was at one time classed**
3 **as a grade 3 prison -- I think that was the perception**
4 **of most people.**

5 Q. But did that physical manifestation of the building,
6 being, you know, a former prison, did that affect how
7 staff treated the boys?

8 A. **I would have said no. The only thing I think the staff**
9 **felt safer, because the boys couldn't sort of run about**
10 **outside the way they did in Kiltonga.**

11 Q. But you certainly -- I mean, you said to me that you
12 felt that -- Kiltonga certainly you felt that the --
13 I beg your pardon -- Lisnevin was casually run. It was
14 quite a low key sort of --

15 A. **Oh, yes.**

16 Q. -- way it was run. You didn't see any change when it
17 moved to Millisle.

18 A. **No, I didn't.**

19 Q. One thing you do remember, though, is that families,
20 when they came to visit, did complain to you personally
21 that the change in location made it hard for them to get
22 there.

23 A. **Yes. Obviously Millisle was a lot further away than**
24 **Newtownards, but the centre decided to put a bus on from**
25 **the centre to Millisle to bring the parents into**

1 **Millisle.**

2 Q. From the bus station -- bus stop.

3 **A. From the -- because it was about two miles from the bus**
4 **-- what we call the bus station in Millisle to Lisnevin.**

5 Q. The actual Lisnevin building.

6 **A. So they put a bus on to bring them there.**

7 Q. Your job hadn't changed in any way when you first
8 started, although you then moved up --

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

10 Q. -- into a more management role. I just was wondering
11 about sort of meetings that there were with staff, first
12 of all. You were describing that there were team
13 leaders' meetings.

14 **A. Yes.**

15 Q. That happened every shift at handover. Is that right?

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

17 Q. Just talking about the shifts, you worked from 7.30 am
18 to 3.00 pm --

19 **A. Yes.**

20 Q. -- or 3.00 pm to 9.30 pm.

21 **A. Yes.**

22 Q. That was day about.

23 **A. That's exactly right, yes.**

24 Q. So if you finished at 3.00 pm one day, you were expected
25 to be in at 7.30 the next.

1 **A. Uh-huh.**

2 Q. You worked for five days and originally you had weekends
3 off but later on you were required to work weekends.

4 **A. Yes.**

5 Q. We have heard there was casual staff brought in to cover
6 the weekend leave and to cover holidays. Do you
7 remember anything about that?

8 **A. Yes, we had to use casual staff, because obviously**
9 **sickness was a thing that happened. It happens**
10 **everywhere. At weekends there wasn't always the staff**
11 **available to look after the young people, because you**
12 **didn't know how many you were going to have of a day,**
13 **because of it being a remand centre as well, you see.**

14 Q. That was a moveable feast as regards numbers as well.

15 **A. Yes.**

16 Q. Just in terms of Millisle it also had isolation cells.
17 Isn't that correct?

18 **A. It had, yes, yes.**

19 Q. We saw plans yesterday which, I can't remember the page
20 number of, but we called up some floor plans --

21 **A. Yes.**

22 Q. -- for that yesterday, and the isolation cells were
23 downstairs and over -- there was an isolation block,
24 medical block --

25 **A. That's right.**

1 Q. -- and then I think another office block.

2 **A. Yes.**

3 Q. I was wondering was there -- in your experience do you
4 think there was greater use of the isolation cells in
5 Millisle than there had been in Kiltonga?

6 **A. I would have said there would have been, yes, more in
7 Millisle than at Kiltonga, yes.**

8 Q. You were describing, as you have done here in your
9 statement -- you talk about what was called "the block",
10 and that's what we are talking about. The isolation
11 cells were known as "the block". Is that right?

12 **A. Well, that was a young person's explanation of it. We
13 called it the separation unit, time out unit.**

14 Q. You said that it was -- as you say:

15 "It was a colloquial term for the separation unit.
16 It was used when a young person became so violently
17 disruptive, disruptive and/or out of control as to
18 present a danger/disruption to staff members, fellow
19 residents or himself. In those circumstances the
20 offending resident would be sent to the separation unit
21 to give him time and space to calm down. There was
22 a very clear set of regulations in place which staff
23 members were required to follow when a young person was
24 referred to the separation unit."

25 Now you can't actually remember what those

1 regulations were back then.

2 **A. Not exactly, no.**

3 Q. There was a suggestion that the isolation cells in or
4 separation unit in Millisle was not as closely monitored
5 perhaps as it had been in Kiltonga. Was that your
6 experience at all?

7 **A. No, definitely not.**

8 Q. I mean, for example, we were told a boy could be buzzing
9 and there would be no-one near to let him out to go to
10 the toilet, because you would have to go upstairs to get
11 somebody.

12 **A. Well, whoever was manager on the shift at the time had
13 to allocate a member of staff to sit in the office,
14 which was at the end of that separation unit.**

15 Q. You go on to say in your statement -- and you will see
16 that -- your entire statement has been read and
17 considered by the Panel, LN25.

18 **A. Okay.**

19 Q. So I'm not going to go into reading out every single
20 paragraph of it.

21 **A. Okay.**

22 Q. But you do say that:

23 "They were in there for a short period of time."

24 I just wondered how -- I mean, you have indicated
25 that it would have been overnight in Kiltonga.

1 I presume the same in Millisle.

2 **A. No. The idea was to get them out as quick as possible.**

3 **It was a time of separation for calming down. If that**
4 **required an overnight, well, we had to -- we had to have**
5 **it.**

6 Q. You certainly remember some boys maybe having to stay
7 there for about two days, but not as long as four.

8 **A. Two days would have been the maximum in my view.**

9 Q. But generally it might have been a period of hours
10 rather than days.

11 **A. Yes.**

12 Q. Would that be right?

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

14 Q. You also make the point, and I know you want this point
15 made very forcibly, that there was no difference in food
16 for a child who was in the separation unit compared to
17 what the rest of the boys were getting in the rest of
18 Lisnevin.

19 **A. The child in the separation unit was eating the same as**
20 **myself and the other boys who were out on the floor.**

21 Q. And you made the point to me that the food in Lisnevin
22 was so good that your wife never had to cook for you.

23 **A. That's true. Very true.**

24 Q. When the boys were griping at break time, they were not
25 complaining about the food.

1 **A. Definitely not.**

2 Q. You also talked about in paragraph 7 of your statement
3 that -- I am glossing over this --

4 **A. Yes.**

5 Q. -- but you give more details about how the separation
6 unit was run, but, I mean, just right at the end there
7 you said you witnessed a culture among certain young
8 people that being taken to the block was seen as a badge
9 of honour, but obviously they didn't go to the block
10 unless they had done something untoward.

11 **A. Well, that's very true, and it surprises me when I read
12 the boy's statement saying that he was at least fifteen
13 times. In my -- all my time I can't remember any boy
14 ever being removed that amount of times to the
15 separation unit either in Kiltonga or in Millisle.**

16 Q. Were there boys who might have had to go quite often or
17 --

18 **A. Well, it's hard to say "yes" and "no" to that question,
19 but there obviously were more disruptive boys than there
20 were anybody else, like.**

21 Q. Just before we move on from it, who made the call that
22 a boy was going to the separation unit? Whose
23 responsibility was that?

24 **A. The team manager on the -- on the time that the incident
25 happened.**

1 Q. And could that have been done afterwards? I mean, for
2 example, if things were so bad you needed to get him off
3 side, you got him off side and then went back and said,
4 "We have had to put him in a cell"?

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

6 Q. Coming back to your statement here, you make the point
7 that:

8 "There were medical and psychology staff working at
9 the centre who were employed to attend to the residents'
10 physical and mental health needs."

11 **A. Yes.**

12 Q. I mean, as you know, when I was speaking to you, we
13 heard from Dr Bill Lockhart, who you remember from your
14 time in Kiltonga.

15 **A. Very well, yes.**

16 Q. Then things changed and there was the APRU.

17 **A. Yes.**

18 Q. I wonder as someone who might have had to go to ask the
19 psychologist, "Look, could you ever see this boy?
20 I think he needs some help", did you find one or other
21 system, the in-house psychologist or the APRU visiting
22 psychologist -- what was difference for you?

23 **A. My personal view was because Bill Lockhart at the time**
24 **that I was working there, he was obviously in his office**
25 **but at times he participated in activities going to the**

1 gym, and I felt that that gave him a good insight into
2 some of the boys' behaviours when they were in the gym,
3 when they were playing snooker or whatever. When it
4 came to the bit that we had to phone up, sometimes --
5 now there were regular visits from the APRU. They had
6 so many days a week to attend our centre, because they
7 were doing Rathgael and St. Patrick's I think at the
8 same time. It was never a problem, like. Once we
9 phoned, it was never a problem to get them there.

10 Q. But there would have been a delay in getting them there
11 really.

12 A. It was just -- yes. Well, you couldn't really compare
13 it to Bill Lockhart, because he was actually working on
14 the floor with the young people. So there would have
15 been a delay, yes.

16 Q. And presumably they wouldn't have -- I mean, they would
17 have been meeting these children in a room and wouldn't
18 have had the same opportunity as he had had to observe
19 them in a more natural environment.

20 A. That's exactly right. Yes, that's right.

21 Q. One thing you mentioned to me when we were talking is
22 that when you were working in Kiltonga, you actually
23 brought some boys home.

24 A. Yes.

25 Q. You were saying your wife used to give them 50p when you

1 took them home.

2 **A. Well, we could take them out to church and we could take**
3 **them on runs in the minibus and things like that there.**
4 **I was just -- I would be running up and down to the**
5 **house and would bring a boy out for a run. Obviously my**
6 **wife's view was different to mine. She felt the pity of**
7 **them where I knew different, like, but that was --**
8 **that's why I told you that just, because that's the way**
9 **it happened.**

10 Q. But that didn't happen when you were in Millisle?

11 **A. Oh, no, no, that didn't happen there.**

12 Q. I just -- I mean, I think you answered the question.
13 You certainly, if you had any concerns about a boy, had
14 no hesitation in going to the psychologist for help or
15 advice.

16 **A. None at all.**

17 Q. Not just for the person -- the psychologist to see the
18 child, but would you have asked for advice, "How should
19 I deal with this situation?" Would that have happened?

20 **A. Well, before I was a manager, yes. That's what I would**
21 **have done. I would have asked the manager what to do in**
22 **that situation.**

23 Q. Another thing that we talked about here in paragraph 8
24 is staff members were properly trained to use certain
25 restraining techniques. I wondered what training you

1 were talking about, if you can remember. I know it is
2 difficult.

3 **A. Well, in Newtownards in Kiltonga there was no set out**
4 **training, but when they moved to -- when they moved to**
5 **Millisle, when I went back, there was people brought in**
6 **to show proper techniques how to restrain young people**
7 **without hurting them.**

8 **Q.** Did that change over the years? Did you get further
9 training on that?

10 **A. Yes, there was upgrades every so often to it, because**
11 **the Northern Ireland Office used to inform us of the**
12 **upgrade training. So we had to get involved in that.**

13 **Q.** You admit that you would have been aware of restraint
14 being used by other members of staff. Did you yourself
15 have to restrain boys?

16 **A. Oh, yes, yes. I did, yes.**

17 **Q.** And I was wondering -- we were talking earlier and I was
18 saying to you, "Well, did you ever ..." -- you felt
19 yourself, because of your sporting background and the
20 rapport that you personally built up with the boys, that
21 restraint wasn't something you had to use very often.

22 **A. Well, I very rarely had to use it myself, because I sort**
23 **of took the attitude, "Well, if I can talk him down or**
24 **if I can say something that might bring him off his high**
25 **horse", I thought that was better than restraining him**

1 **and removing him.**

2 Q. And were there occasions whenever you witnessed somebody
3 else restraining a child and you thought, "Well, I don't
4 think it really needed to go that far"?

5 **A. Well, everybody had a way of dealing with it. I have**
6 **just explained the way I dealt with it. Other people**
7 **did not have the same rapport or the same way of dealing**
8 **with the young people as I would have had.**

9 Q. You go on here to talk about the fact that there was
10 noth... -- there was a working effective complaints
11 procedure in place within the centre --

12 **A. Yes.**

13 Q. -- whereby a senior member of management would assess
14 any complaints made by residents against members of
15 staff. You, as you rightly say, and I can confirm, your
16 records show that you had a clean disciplinary record,
17 LN25, but the point about that is the complaints
18 procedure -- did you yourself ever receive complaints
19 other than the gripes? Anything of a major nature? You
20 didn't in either location?

21 **A. Not that I can remember. There was nothing very, very**
22 **serious that I can remember in my time.**

23 Q. We are going to look at the document that you and I have
24 looked at earlier, which is LSN21154 -- ...59. Sorry.
25 Scrap that. 21195. This is an entry from a diary.

1 Just in respect of that, these large desk type diaries,
2 were they kept as sort of a daily log of what was
3 happening by -- who were they kept by or could anybody
4 write in them or what was the situation with them?

5 **A. They were kept in the manager's office and you could go**
6 **in and, as I probably did here, told him that there was**
7 **something happening and they needed to do something**
8 **about it.**

9 Q. Yes, and in case -- I mean, this is 21st October
10 and that -- you have confirmed to me that's your
11 signature there at the bottom.

12 **A. Yes.**

13 Q. Just to read the whole thing out, you have given the
14 names -- are those three boys that you have given the
15 names of at the top of the page?

16 **A. Yes, yes.**

17 Q. And somebody is marked -- remarked as being on leave at
18 the top there.

19 **A. Well, I can't -- I couldn't confirm they were on leave.**
20 **Sometimes if they were due to go to court on that date,**
21 **I would have written their names at the top of the diary**
22 **like that.**

23 Q. Okay, but you see just at the top right-hand corner it
24 says:

25 "LN26 leave"?

1 **A. Yes.**

2 "LN26 leave."

3 Q. He was on leave?

4 **A. Yes. Uh-huh.**

5 Q. So you came on duty at 8.00 am with Mr -- yourself,

6 RG111, , , and

7 .

8 "Rise at 8.00 am for court boys."

9 That could have been those three boys.

10 **A. Those three boys, yes.**

11 Q. "Rise at 8.10 am for remaining boys. Showers for all

12 boys, followed by breakfast, smoke and activities. Boys

13 to class at 9.30 pm. Off duty at 9.45 pm and

14 ."

15 Presumably they are taking their break at that time.

16 **A. They were casual staff at that time.**

17 Q. Then the entry that is relevant to this particular

18 person who has spoken to the Inquiry. It is:

19 "HIA418 asked to see me this morning. When

20 I brought him into my office, he started crying. He

21 wanted moved class because ...",

22 and I confirmed with you this was the name of

23 another boy --

24 **A. That's right.**

25 Q. -- not a member of staff:

1 "... was bullying him. I would ask staff to keep
2 an eye on this situation."

3 Then you go on to talk about somebody going to the
4 doctor, the dentist visiting and two Rathgael staff
5 visiting --

6 **A. Yes.**

7 Q. -- and then:

8 "Lunch, followed by smoking, activities, boys to
9 class, staff off duty as per rota."

10 Can you -- I mean, I know it's difficult, but can
11 you remember did HIA418 -- did he get moved class?

12 **A. I couldn't tell you.**

13 Q. But this --

14 **A. What I -- what I would have had to have done there was
15 consulted with the -- maybe the Deputy Director of
16 Education or his next in line and just explained the
17 situation to him.**

18 Q. And then it would have been up to them to take steps.

19 **A. I couldn't -- I couldn't move boys from class to class**

20 --

21 Q. That wasn't your job.

22 **A. -- because I was a care worker or a care manager. It
23 was -- the call was from the Education Department.**

24 Q. But you are certainly recording then you are asking
25 staff to keep an eye on the situation.

1 **A. Yes.**

2 Q. Basically to keep an eye out for HIA418 --

3 **A. Yes.**

4 Q. -- and, you know, whether there's going to be any
5 bullying of him by anybody.

6 **A. That's right, yes.**

7 Q. So, I mean, that's an example of you having dealt with
8 an issue that is being brought to your attention by
9 a child.

10 **A. Yes, yes.**

11 Q. You go on in your statement, and we can go back to it,
12 but you say there were never any sectarian remarks made
13 in your hearing by either staff or by other boys,
14 although whenever I was talking to you, you said, yes,
15 there could have been other boys making sectarian
16 remarks, because boys called each other names. That was
17 part and parcel of that.

18 **A. Well, obviously I wasn't there all the time and it could
19 have been happening when I wasn't there, but I certainly
20 made it quite clear that I would not tolerate that sort
21 of behaviour.**

22 Q. I mean, just to be clear, we looked at an incident
23 yesterday and I will call it up so you can see it, LN25,
24 at 1538, which is an incident from I was
25 explaining to you that this an incident where a boy

1 was -- it is . It is Remand Unit
2 boy. Can I -- that was something that we heard
3 yesterday. After the Assessment Unit moved to
4 Whitefield there was a Juvenile Remand Unit in Lisnevin
5 and Millisle.

6 **A. That's right, yes.**

7 Q. Did the boys from the Remand Unit and Special Unit mix
8 at all?

9 **A. It was a situation where you could not do anything else,
10 but they did mix, yes.**

11 Q. Well, this particular boy, whose name you may or may not
12 recall, he was a Remand Unit boy.

13 "He was singing and whistling loyalist songs in
14 a common room. He ignored staff requests to stop, and
15 when asked to go to his room, it is reported that he
16 refused and became aggressive."

17 Then there's some of the staff members who got --
18 gave reports about this incident, who were either
19 directly involved or witnessed part of the incident.

20 "When it became evident that LN 113 was not going
21 to comply with staff efforts to quieten him down, other
22 boys in the room were led to another area. Two members
23 of staff remained with LN 113 attempting to quieten
24 him down and subsequently inviting him to go to his
25 room. In the event they were unsuccessful and had to

1 restrain him when he became aggressive. At this time
2 time they'd been joined by another member of staff", who
3 had heard him shout. "In the process of restraining him
4 LN26 received a blow to the chest from a flailing elbow
5 and LN 113 fell or was brought to the ground, where he
6 was held for a time until he agreed to walk to his room.
7 Whilst moving to his room he was difficult but fairly
8 controlled until reaching the vicinity of his room,
9 where he again became physically aggressive and had to
10 be restrained. The point of the proceedings was
11 witnessed by another member of staff. When he had
12 calmed down, he was placed in his room, where he
13 complained of pain in his shoulder."

14 Now just pausing there, that's the kind of incident
15 that would have led staff to restrain a child, when he
16 wouldn't do what he was told.

17 **A. That's right, yes.**

18 Q. And it appears that both LN26, the staff member, and
19 LN 113 sustained injuries and ended up going for
20 X-rays, and the observations then are recorded that:

21 "The boy was tall, heavily built, somewhat ungainly.
22 His behaviour swings from being placid and amiable to
23 being overly -- overtly aggressive.

24 The current means of restraint is to use the body
25 weight of the largest members of staff."

1 Now was that part of the way you were trained to
2 restrain a boy?

3 **A. That's ideal I would say, that way. Myself and some**
4 **other member of staff my height and my weight wouldn't**
5 **have been -- wouldn't have come under those**
6 **descriptions.**

7 Q. Okay.

8 **A. So it was just who was there at the time.**

9 Q. And it goes on to say that:

10 "None of the staff involved have received any formal
11 training in restraint techniques.

12 I found no evidence that any member of staff had
13 acted improperly."

14 Then it is summarised but it goes on to sort of make
15 a recommendation for training of staff in restraint
16 mechanisms.

17 Now I am showing this just to highlight some of the
18 issues that there were in Lisnevin and to get sort of
19 more information from you. There is no suggestion that
20 you knew about this, but do you remember this boy or
21 anything about it?

22 **A. No.**

23 Q. I know that the allegation that is made by HIA418 about
24 this -- the business about playing snooker and the cross
25 shots, you felt particularly aggrieved about that

1 allegation, LN25, if I have understood you correct, and
2 you address it in your statement at paragraph 10, which
3 is at 1226, because you said that this was just
4 something that, you know, didn't happen.

5 **A. Well, all through my career in the job I played snooker**
6 **and pool and all with the boys and I used the same shot**
7 **with Protestant boys, Catholic boys, whatever, and to me**
8 **it's a statement that you would make even when you are**
9 **playing outside with Catholic adults or Catholic --**
10 **Protestant adults or whatever. It is just a thing**
11 **that's said within the snooker fraternity.**

12 Q. It's not something that has any other connotations in
13 your --

14 **A. It's not -- no, and I was reading this specifically, and**
15 **I thought maybe this young person at that time got a bit**
16 **confused when I said "cross shot". He might have been**
17 **thinking of the cross where I was thinking of the X,**
18 **because you had to go from one side of the table to the**
19 **other. I just -- I just couldn't understand that**
20 **myself, because that was my -- that was my thinking on**
21 **the situation.**

22 Q. And I was saying to you that it is clear from your
23 personnel record that, you know, certainly in you
24 were engaging in horseplay with the boys. In fact,
25 there was a comment on a report on you saying, you know,

1 it was difficult to see who was the boy and who was the
2 staff sometimes, such was your rapport.

3 **A. Well, I accept that, because I felt at the time some of**
4 **the young people enjoyed that. They also enjoyed me**
5 **being Santa and whatever. That was the role I played at**
6 **the time and there was never any physical hurt to the**
7 **young person or there was never any complaint from the**
8 **young person, and I don't --**

9 Q. I was just wondering, though, might this have been some
10 sort of interpretation of some banter or anything like
11 that?

12 **A. No.**

13 Q. Well, the other matter was something that I raised with
14 you and then it became clear that the person against
15 whom an allegation was made in was, in fact,
16 yourself. This was a document that we looked at
17 yesterday, which is LSN14004. If we maybe just call
18 that up, please. This was just something -- you are not
19 named in this, but a boy was, and you immediately
20 recognised --

21 **A. Yes.**

22 Q. -- the boy, LN 114 who was on remand in
23 Lisnevin. It was an allegation that he was assaulted by
24 a member of staff. When we were talking, it became
25 clear that this allegation was actually against you.

1 **A. Yes. Well, I told you that this morning.**

2 Q. Yes. I didn't know --

3 **A. You weren't aware of that until I told you this morning.**

4 Q. No. That's what I'm saying. I didn't know until you
5 actually -- I mean, I was actually basically asking you
6 did you know anything about this --

7 **A. Yes.**

8 Q. -- and it became clear it was actually you --

9 **A. Yes.**

10 Q. -- as much to my surprise as anything, LN25, but it says
11 here that -- this is an internal document from the
12 Rath... -- sorry -- the Lisnevin Board to Superintendent
13 in Newtownards Police Station.

14 The brief history of events were that this boy was
15 resident from March to May He alleged he had been
16 assaulted by a member of staff on 15th May and made
17 a statement of complaint to Newcastle Police Station on
18 12th August.

19 The matter was referred to the police in Newtownards
20 for investigation and the decision was that no further
21 police action would be taken.

22 Then there was a Sunday newspaper article on the
23 whole affair in

24 It was reported to the Board in by LN42
25 that he had been informed by police at Donaghadee that

1 following the investigation, no new evidence had come to
2 light, but in the interest of fairness the case was
3 being referred to the DPP for an independent ruling.

4 There was a letter of from the police
5 in Donaghadee, which stated that the common assault
6 allegation by him was statute barred because of the time
7 factor and therefore could not come before a court.

8 If we just scroll down:

9 "It has been brought to the Board's attention that
10 throughout this case -- this affair key witnesses were
11 never interviewed by police.

12 I am sure you will appreciate that Lisnevin Board is
13 keen to ensure that good practice prevails in these
14 matters and in this case our anxiety is heightened by
15 the fact that a variety of sources have expressed
16 an interest. We have informed all those who have
17 brought it to our attention that the matter has been
18 referred to the police. The Northern Ireland Office
19 have been kept fully informed throughout.

20 We do not seek to interfere or influence your
21 enquiries, but we would like clarification of those
22 point which concern us."

23 That's I think signed by -- it might not record --
24 just scroll down a moment, please. That's the

25 LN 40 .

1 **A.** LN 40 **yes.**

2 Q. That was the name you couldn't remember when we were
3 talking earlier.

4 **A.** **I couldn't get it into my head this morning. Yes.**

5 Q. Because one of the things -- just pausing there -- we
6 were talking about whether Board members came and
7 visited Lisnevin.

8 **A.** **Yes.**

9 Q. You remember them doing that.

10 **A.** **Yes.**

11 Q. This is one of the people you remember. You also
12 remember Wesley Hugh coming to visit.

13 **A.** **Wesley Pugh.**

14 Q. Pugh. Sorry.

15 **A.** **Yes.**

16 Q. But this -- I mean, I was asking you what you recalled
17 about all of this, LN25, and please correct if I have
18 got what you told me wrong, but you said that this boy
19 had made an allegation to somebody else about you. You
20 thought it had gone to court. You were asked by your
21 manager what had happened. You told him what had
22 happened, and then the next you heard about it was that
23 the manager said it had gone to court and you had no
24 case to answer.

25 **A.** **That's exactly right.**

1 Q. And as far as you were concerned you had given your
2 account of what happened. It was taken out of your
3 hands. You didn't have to go to court or give evidence
4 and there was never a prosecution arising out of it.

5 **A. That's right.**

6 Q. The other thing that I was asking you about was the
7 NIACRO independent representation scheme. We have seen
8 a document and I can call this up again. It is
9 LSN14379, which is a list of complaints that were made
10 to independent representatives from 1994 onwards. Now
11 this is not a document that you would have seen, LN25,
12 again, but you will see that there's:

13 "Nature of complaint:

14 Physical assault by staff, alleged verbal abuse,
15 alleged bullying, self-injury, verbal abuse",

16 and so forth there. It goes beyond the terms of
17 reference in this Inquiry in that it goes on to '96,
18 '97, '98. Certainly there seemed to be a bit more
19 complaining going on in 1994 than any other years, but
20 I wondered what you could remember about the independent
21 representatives and NIACRO coming into Lisnevin.

22 **A. I certainly remember them coming in, because they had**
23 **a role to play, as their -- their role seemed to be just**
24 **talking with the young people and trying to take forward**
25 **any complaints that they may have about staff or the**

1 centre. So we facilitated them with a room and whoever
2 they requested to see and they were given time, whatever
3 time they needed, to talk with the young people. That
4 was all brought back to obviously their senior
5 management at the time.

6 Q. You were not privy to any conversation that they were
7 having with the young people or anything like that.

8 A. No.

9 Q. And as I have understood what you were saying to me was
10 that because they were independent, they didn't go to
11 senior management to complain. They took it back to
12 NIACRO, who then would have liaised with senior
13 management about any complaints.

14 A. Yes, that's right, yes.

15 Q. Well, LN25, you will be glad to know that that's all
16 that I want to ask you about, but is there anything else
17 that you want to say either about the complaints that
18 were made about you -- and, as I've assured you, your
19 response statement has been read in full -- or anything
20 else that you would like to say about Lisnevin, either
21 at Kiltonga or Millisle?

22 A. Well, on a personal basis I enjoyed my time in --
23 working for Lisnevin, and I can see no reason why
24 I shouldn't come here and defend my response to you
25 today, whether other people do or not, but I have no

1 **problem coming and defending my response to you today.**

2 Q. Thank you very much, LN25. The Panel may have some
3 questions for you.

4 **A. Okay.**

5 **Questions from THE PANEL**

6 CHAIRMAN: LN25, can I just ask you about the way in which
7 the young people were put in the block or the separation
8 unit in Millisle, not in Kiltonga but in Millisle?

9 **A. Yes.**

10 Q. As I understand what you have described to us, the
11 decision, if it was made, would always have to be
12 approved by senior management. Is that right?

13 **A. Yes. If two care staff or teaching staff, whatever, had**
14 **to remove a young person at a particular point when he**
15 **was out of control, they would have completed the**
16 **removal, but they would have had to inform senior staff**
17 **immediately of what had happened, and then the senior**
18 **staff would have appointed somebody to be present in the**
19 **office in that particular unit to look after the young**
20 **person's needs.**

21 Q. But was it the position that decisions were taken by
22 senior management that a young boy would have to be put
23 in the separation unit and then he was physically moved
24 into it afterwards?

25 **A. Not that I can recall, no.**

1 Q. So it was senior management approving what happened
2 after it had happened. Is that right?

3 **A. Well, in my view yes, because those people who removed**
4 **him were actually at the scene whereas the senior**
5 **management probably was not at the scene before the**
6 **incident happened.**

7 Q. Was it any different in your time in Kiltonga? Did the
8 same thing happen?

9 **A. Well, Kiltonga -- Kiltonga was unique, because**
10 **separations -- I can't hardly remember a separation in**
11 **my four years there.**

12 Q. Do I take from that that there were more separations in
13 Millisle --

14 **A. Yes.**

15 Q. -- than there were in Kiltonga?

16 **A. That's right, sir, yes.**

17 Q. And the length of time the boys would stay in the
18 separation unit in Millisle, you said that, if
19 I remember correctly, it would never have been as long
20 four days; at the very most two days.

21 **A. Not -- that's what I can remember about it.**

22 Q. But were there boys in there for short periods of time,
23 let's say fifteen minutes, an hour, something like that?

24 **A. Without any doubt, yes. If the calming down happened**
25 **within that time, they were reintegrated in with the**

1 **group again.**

2 Q. I know it's a long time ago and it's probably not
3 entirely a fair question to ask, but can you give us
4 an impression of the balance between short periods of
5 time in the separation unit in Millisle compared to
6 longer periods of up to a couple of days? Would the
7 couple of days have happened as often as the short
8 periods or what way would it have -- would it have been
9 in terms of numbers?

10 **A. I would have said it was probably quite equal, because**
11 **the long-term two days or so would have been for a very,**
12 **very serious incident. The other time might have been**
13 **for a calming down for fifteen, twenty minutes, half**
14 **an hour, just for a calming down to take him away from**
15 **the group in case there was other incidents happened.**

16 Q. Yes. I just want to make sure there is no
17 misunderstanding here. If we look at the total number
18 of times boys went into the separation unit, are you
19 saying that roughly half of them would have been for
20 long periods of up to two days --

21 **A. No, I wouldn't say that, no.**

22 Q. -- and half just for a few minutes at a time?

23 **A. No. I wouldn't have said it was 50:50.**

24 Q. Can you give us an idea of the breakdown?

25 **A. I would have said it would have been the other way, more**

1 **the other way, sort of maybe 70:30 short term.**

2 Q. Yes. So definitely more admissions to the separation
3 unit in Millisle were for short periods of -- what are
4 we talking about -- up to an hour on average or less
5 than that?

6 A. **Well, it could be up to an hour or maybe slightly less.**

7 Q. Yes, and then maybe 30% would be for quite long periods.

8 A. **Well, quite long in my estimation would have been two
9 days.**

10 Q. And would the longer spells in that unit have generally
11 been two days or would they have been, let's say,
12 a morning or overnight or what?

13 A. **Yes. It could have been either morning, afternoon,
14 evening, just overnight. It could have been either or
15 both or whatever, just -- sometimes when they went to
16 the separation unit, they were quite rowdy and they
17 didn't want to come out sometimes, and that's where
18 I felt when I said in my statement they saw it as
19 a badge of honour. "Oh, I was in the separation unit
20 for a day. I was in -- you were only in it ten minutes.
21 I was down there for a day or a day and a half" or
22 whatever. So in that case I would say they wore it as
23 a badge of honour being there more than their friends.**

24 Q. To show that they were a hard man sort of thing?

25 A. **Exactly right, yes.**

1 Q. Thank you very much.

2 MS DOHERTY: Thanks very much. That has been really
3 helpful. Can I just ask: HIA418 says that when boys
4 were intimidating and bullying each other that staff
5 didn't intervene. Do you have a view about that?

6 **A. I can't remember seeing that now. I don't think I saw
7 that document, did I?**

8 Q. It's the -- it's his -- it's his statement, you know,
9 his -- just -- I can read it out to you. He says:

10 "I was often intimidated and bullied by other
11 residents."

12 It is LSN026.

13 **A. Yes, I remember now, yes.**

14 Q. "They never took any action when they witnesses this."

15 **A. I would question that part of his statement, because it
16 was part of your duty to make sure that the place you
17 were working in was in a calm and fair environment.**

18 Q. Did you often have to intervene when boys were
19 intimidating and bullying each other?

20 **A. Very often, yes. Very often.**

21 Q. How would you do that? What way was that?

22 **A. Well, I have to say most times I used my personality and
23 most times -- other times I would have used what
24 training I was given. So with a mixture of both I would
25 have tried to deal with the situation that way.**

1 Q. You would try and calm it down --

2 **A. Yes.**

3 Q. -- and if that wasn't possible, you would look at a more
4 physical --

5 **A. Whatever, whatever was needed.**

6 Q. -- at keeping them separate.

7 **A. Uh-huh.**

8 Q. Can I ask: just that situation with LN 114 can
9 you just say a bit more about that, what actually
10 happened?

11 **A. When I said about it this morning, I tried to reflect on
12 the whole situation and I can only remember being
13 interviewed. I can't even remember what I done or what
14 I am supposed to have done. I've tried in the past,
15 what, hour I was in with Christine just when I first
16 heard about it, but I just couldn't remember exactly
17 what happened.**

18 Q. Okay. So --

19 **A. But I do accept that LN 114 did make a complaint
20 against me. I do accept that.**

21 Q. Okay, but that it didn't go any -- I mean, clearly --

22 **A. It came from the court that I had no -- no case to
23 answer.**

24 Q. But you -- but you weren't asked to go to the court or
25 to give ...?

1 **A. No, no.**

2 Q. Okay.

3 **A. I wasn't, no.**

4 Q. That's great. Thanks very much.

5 **A. Okay.**

6 CHAIRMAN: Well, LN25, I am sure you will be glad to hear
7 that's the last question we have for you, but thank you
8 very much for coming to speak to us today. We are very
9 grateful to you.

10 **A. Okay. Thank you.**

11 **(Witness withdrew)**

12 MS SMITH: Chairman, that concludes today's evidence.

13 MS SMITH: Yes. Well, we will adjourn now and we will
14 resume next Monday.

15 (3.25 pm)

16 (Inquiry adjourned until 10 o'clock
17 on Monday, 23rd November 2015)

18 --ooOoo--

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