

**THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995**

**MODULE 8**

**CLOSING WRITTEN SUBMISSIONS FOR  
THE HEALTH AND SOCIAL CARE BOARD**

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## 1. INTRODUCTION

1.1 The Inquiry is tasked to investigate historical institutional abuse and examine if there were systemic failings by institutions or the State in their duties towards those children in their care between the years of 1992 - 1995.

1.2 In Module 8, the Inquiry has heard evidence in respect to two homes run by the well known national charity Barnardo's: Macedon and the Sharonmore Project. In the opening to the Module Mr Aiken BL described Barnardo's thus:

*"Barnardo's is a long-standing and leading children's charity in the United Kingdom that has as its stated aim transforming the lives of the most vulnerable children across United Kingdom."*<sup>1</sup>

1.3 He also reminded that the task of the enquiry was: *to look at allegations made... in order to ascertain whether there were systemic failings that caused, facilitated or failed to prevent abuse in these Barnardo's homes*".<sup>2</sup>

1.4 The Health and Social Care Board (HSCB) has confined its written submissions to the following:

1. Barnardo's and the Welfare Authorities;
2. Registration and Inspection;
3. The Macedon Inquiry; and
4. BAR 4.

1.5 In extracting these issues the HSCB has sought to identify those matters in Module 8 that touch upon their responsibilities and that will further

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<sup>1</sup> Day 165, pg 3, line 24 to pg 4, line 2. Further detail in relation to the establishment of the charity commences at pg 55, line 13

<sup>2</sup> Day 165, pg 7, lines 14 - 20

develop themes seen and addressed in earlier Modules.

- 1.6 If the Inquiry has any further issues outstanding for the HSCB as a result of evidence heard in this Module, the HSCB will respond accordingly.

## BACKGROUND

- 1.7 **Macedon**, located at 349 Shore Road, Whiteabbey, was a Voluntary Children's Home that operated from 1950 until June 1981. It was formally de-registered as a Children's Home on 7<sup>th</sup> July 1982.
- 1.8 In her statement to the Inquiry BAR 13, described Macedon as a *"traditional children's home"* that was *"an old house on the outskirts of Belfast... It... consisted of one main large house area and 2 cottages. There were approximately 30 children resident at any one time, that is 8 to 10 children in each building. The age range of children was 6 to 18 years."*<sup>3</sup>
- 1.9 Following a phased closure, Macedon closed in June 1981.
- 1.10 **Sharonmore** was the replacement for Macedon which has been described as *"bespoke"*<sup>4</sup>. It operated from June 1981, although it is noted that the formal registration changed on 7<sup>th</sup> July 1982. It is not clear why this appears to have been delayed for a year, or what view the Department, as responsible for registration, took in this respect.
- 1.11 A summary of the home, as described by BAR 13 is:  
*"Sharonmore was a therapeutic unit underpinned by a philosophy, central to which was the acceptance of the uniqueness and worth of the individual... The*

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<sup>3</sup> Statement of BAR 13, dated 9<sup>th</sup> October 2015, BAR 045, paragraph 8. A detailed overview is provided in her statement dated 13<sup>th</sup> November 2015 at BAR 607

<sup>4</sup> Day 165, Pg 4, line 18

*intention was to move away from institutionalisation”.*

There was a main unit, called the parent unit, and two satellite units, which were ordinary dwelling houses within a 5 mile radius of the parent unit.<sup>5</sup>

- 1.12 This organization of the home with a parent home and satellite units was subsequently adopted within the statutory sector by the Southern Health and Social Services Board, using Sharonmore Project as a model.<sup>6</sup>
- 1.13 Sharonmore continued to operate until 1998, beyond the terms of reference of the Inquiry.
- 1.14 These Barnardo’s Homes are further examples of Voluntary Children’s Homes, the Inquiry having previously addressed Homes in that category in Modules 1, 3 and 4. Subsequently the Inquiry also considered a Voluntary Home in Module 9, in respect of which written submissions have already been filed on behalf of the HSCB.
- 1.15 It is not proposed to rehearse again within these submissions the rules and regulations that governed the operation of such Homes. The HSCB relies on earlier submissions in that respect.
- 1.16 The Inquiry has been able to obtain a good insight into the ethos of the Barnardo’s homes from the commencement of their operation in Northern Ireland by reference to the Barnardo Book, which was a national guide.<sup>7</sup> Reference was made to same in Junior Counsel’s

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<sup>5</sup> Statement of BAR 13, dated 13<sup>th</sup> November 2015, BAR 689 – 690, paragraphs, 3, 4 and 5

<sup>6</sup> Statement of Vincent O’Rourke, dated 20<sup>th</sup> August 2015 at SPT 1578, paragraph 3

<sup>7</sup> BAR 19011, 2<sup>nd</sup> edition, published 1955

opening to this Module<sup>8</sup>, from which an approach is indicated that recognizes the individual needs of the child, and ultimately has a faith-based non-denominational ethos<sup>9</sup>.

- 1.17 There is no doubt that Barnardo's Homes were held in good regard. The Inquiry panel may consider that the evidence shows that, in some respects, the charity led the way in respect of good practice. Two particular examples may be:
- 1.17.1. The early move towards accommodation of smaller groups of children, as highlighted by Mr Aiken BL is his opening of Module 8<sup>10</sup>; and
- 1.17.2. The policy to have a high level of qualified staff, which included (from 1979 and in advance of the Hughes Inquiry) payment of their residential social work staff on a salary scale equal to that of field social workers.<sup>11</sup> By November 1983, the SWAG advisors considered, upon their inspection: *"the staff group must be one of the best qualified in the Province"*<sup>12</sup>.
- 1.18 It is, however, noted that in acknowledging the second aspect, Report of the Committee of Inquiry into Children's Homes and Hostels ("the Hughes Inquiry") commented at paragraph 11.16: *"in one respect Barnardo's is in advance of the statutory sector..."*. This suggests that in other respects the Committee considered the quality of homes in the Statutory sector to be at least on a par with the provision made by

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<sup>8</sup> Day 165, commencing pg 68

<sup>9</sup> Day 165, pg 68, lines 13 - 22 and Day 165, pg 156, lines 9 - 10

<sup>10</sup> Day 165, pg 63, lines 18 - 22: "You will recall from earlier modules it was much later that other homes moved to having the smaller cottage or chalet type facilities which were recommended in the 1950 Home Office Memorandum that we looked at in previous modules."

<sup>11</sup> BAR 22011 - paragraph 11.16 Hughes Inquiry Report

<sup>12</sup> BAR 26581

Barnardo's.<sup>13</sup>

- 1.19 It is noted that in this Module the Inquiry has heard from four Applicants, all of whom were placed by a HSCB legacy organization.

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<sup>13</sup> BAR 22011

## 2. BARNARDO'S AND THE WELFARE AUTHORITIES

2.1 As noted in Chapter 1, all four Applicants to the Inquiry were placed in either Macedon or Sharonmore by a Welfare Authority or, later, Social Services.

2.2 In particular (and in chronological order):

HIA 216 was placed by Antrim County Welfare Committee on [REDACTED] [REDACTED] in Barnardo's Manor House, Ballycastle. [REDACTED] of her siblings were already placed in Barnardo's from [REDACTED]. She transferred to Macedon on [REDACTED].<sup>14</sup>

HIA 417 was placed in Macedon by [REDACTED] County Welfare Committee from [REDACTED] to [REDACTED].<sup>15</sup>

HIA 101 was placed in Macedon with his [REDACTED] siblings on [REDACTED] by Social Services in [REDACTED], Eastern Health and Social Services Board. He remained there until its closure in 1981 and transferred to Sharonmore at that time. He remained in Sharonmore until [REDACTED].<sup>16</sup>

HIA 50 was placed in Sharonmore on [REDACTED] by Social Services in [REDACTED], Eastern Health and Social Services Board. He remained there until [REDACTED].<sup>17</sup>

2.3 Records have not been identified by the HSCB to discern any trend in the use of the Barnardo's Homes, but admission was possible both on a

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<sup>14</sup> BAR 490 - HSCB Response Statement, paragraph 1

<sup>15</sup> BAR 575 - HSCB Supplemental Response Statement, paragraph 2

<sup>16</sup> BAR 347 - HSCB Response Statement, paragraph 1

<sup>17</sup> BAR 295 - HSCB Response Statement, paragraph 1

private basis and through Welfare Authorities: “some children would have been admitted on a voluntary basis, some would have been admitted by Welfare Authorities, and others would have originally been admitted voluntarily but subsequently came under the care of Welfare Authorities”. Barnardo’s suggest that towards the closure of Macedon in 1981 the “vast majority of admissions would have been statutory admissions from Welfare Authorities”. This would correlate with evidence seen in other voluntary homes before this Inquiry.<sup>18</sup>

- 2.4 Children who were placed by a Welfare Authority or Social Services, had both a residential social worker and a field work Social Worker (initially from the Welfare Authority and then later from the Area Board). They worked together to monitor the children and plan for them.
- 2.5 As the Inquiry knows from evidence in earlier Modules, visiting children in residential homes was not a statutory requirement, but was developed as a best practice initially from 1969 within the Belfast Welfare Authority before being progressed regionally.
- 2.6 The HSCB submitted in Module 4 that its legacy organisations discharged its duty towards children in their care by, inter alia, visiting them in their place of residence.
- 2.7 Evidence in this Module, it is submitted, has continued to demonstrate this practice, with even earlier examples of social work visits to children. For example, HIA 417. As detailed above she was admitted to Macedon from County ██████ in ██████. Evidence shows visits to her during ██████ on 19 April and 31 December.<sup>19</sup>

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<sup>18</sup> BAR 609 - Statement of BAR 13, dated 13<sup>th</sup> November 2015, paragraph 7

<sup>19</sup> BAR 586 and BAR 588

- 2.8 In Module 8 the Inquiry has also heard of Branch Home Reviews held in Barnardo's, which are akin to the reviews seen in other residential homes examined to date. The HSCB submits that the evidence continues to demonstrate the involvement of their legacy organisations in this process through attendance at and/or chairing of such reviews. This was a forum for monitoring the circumstances of the children and planning for their future. This, it is submitted, is another means by which the Board discharged its duty towards children in its care.
- 2.9 It has also been seen in this Module that there was a delegation of social work task in relation to HIA 101 and his siblings, whereby the EHSSB made a decision to ask Barnardo's to take over the social work function in connection with these particular children placed in Macedon. However, a minute of a meeting on 22 February ██████<sup>20</sup> shows that EHSSB was not attempting to delegate legal responsibility noting:

*"It was felt that Barnardo's might be willing to take the lead on the social work task for us. However, this would involve further discussion and in any event the ultimate responsibility for the children rests with the Board."*

This contemporaneous record matches the recollection of Roy Blair, Principal Social Worker who explains in his statement:

*"Whilst BAR 8 = undertook this role, she would have maintained contact about these children with the local Social Services' office. I continued to maintain the oversight role, including chairing reviews. I would have been consulted about any particular issues of concerns or decisions affecting the care and wellbeing of the children. Also this involved me having on going contact with BAR 30 both in person and by correspondence."*

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<sup>20</sup> BAR 401 at 402

*In relation to this particular arrangement with the Barnardo's member of staff, I recall that this would have been an unusual situation but I was still legally responsible for these children. I was content with this arrangement because I viewed Barnardo's as a very responsible and highly regarded Childcare organisation. I do not recall any similar situation with any other family."*<sup>21</sup>

It is also important to note that Mr Blair retained the oversight role, including the chairing of reviews (known as Branch Home Reviews in Barnardo's). In this respect the Board, it is submitted, continued to discharge their duty to HIA 101 and his siblings.

2.10 The HSCB has also noted that in the file of HIA 216 there is a file note dated 18 November [REDACTED] which reflects on HIA 216 being in the care of the Board from [REDACTED]. It notes "We do have a file as she was supervised from the Rathcoole Office although, as is usual with the Barnardo's children, a lot of the social work was done by the Barnardo staff".<sup>22</sup> This may also suggest delegation of social work tasks, but it is important to note that the memo recognized that supervision of the case continued in a social services office.

2.11 HIA 216 was placed in Macedon from [REDACTED] until [REDACTED]. By her date of discharge she was aged almost [REDACTED] years [REDACTED] months. During this time a Senior Social Worker from the Board had continued to attend reviews in relation to her situation<sup>23</sup> and the Principal Social Worker took the view that the Senior Social Worker should become more involved with progressing HIA 216 into independent accommodation noting: "Despite the fact that Barnardo's have been doing

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<sup>21</sup> BAR 2549 - Statement of Roy Blair, dated 11 December 2015, paragraphs 5 and 6

<sup>22</sup> BAR 527

<sup>23</sup> BAR 533

*the supervising, the child is in our care*".<sup>24</sup> A final clothing grant was also paid to HIA 216 by the Board in February [REDACTED].<sup>25</sup> The evidence also demonstrates reports being sent by Barnardo's to Social Services in relation to HIA 216 and her siblings, and the provision of medical reports and updates about HIA 216's health and hospital admission to the Board. A report is also available dated [REDACTED] from Barnardos with subsequent correspondence involving DL 518 (then a Children's Officer) and BAR 14 (then a Divisional Welfare Officer, [REDACTED] County Welfare Committee regarding the placement of HIA 216's [REDACTED] with a foster carer without informing Social Services. DL 518 pointed out that Social Services should have been notified of the placement with the foster family.<sup>26</sup>

- 2.12 The HSCB submits that these examples demonstrate that while some delegation of social work functions to Barnardo's appeared to take place at a point in time, and in particular circumstances, it remained clear that the Board retained ultimate responsibility and continued to monitor the children in their care, engaging in plans for them.
- 2.13 This arrangement was commented upon in the Social Work Advisory Group report regarding its inspection of the Sharonmore Project by Mr H V McElfattrick and Mr C C Walker on 8 - 11 November and 15 November 1983<sup>27</sup>, stating in paragraph 6.7 that in or around 1977 "*the boards often abdicated almost total responsibility to Barnardo's for the children placed in the charity's homes. Not only was residential care provided but often the Board's fieldwork staff withdrew from contact with the child and family*

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<sup>24</sup> BAR 535

<sup>25</sup> BAR 531

<sup>26</sup> BAR 10531 and BAR 10545 - 10546

<sup>27</sup> Report starts at BAR 26533, see BAR 26536, paragraph 1.1 for the identity of the inspectors and dates of inspection. While the inspection took place in November 1983, the report did not become available until October 1984, although it appears there was a meeting for verbal feedback in December 1983 - see evidence given to the Hughes Inquiry at BAR 22068 - 22069

*leaving Barnardo's staff to fulfil these roles. The advisors are of the opinion that this practice was not appropriate and were pleased to note there are now only two families accommodated in the project who do not have Board fieldworkers."*<sup>28</sup>

2.14 The SWAG inspectors revisit this point at paragraph 10.1 of the report which states "*at one time Barnardo's took over entire responsibility for children entrusted to their care and any fieldwork that required to be done was undertaken by their staff. Now, however, there is an expectation that board social workers remain involved and continue to visit both the child and the home in order to maintain the links between them.*"<sup>29</sup>

2.15 In making these comments, the Inspection report places no context on the time for which any such arrangements were in place, save that by November 1983 they noted only two examples. One is likely to have been HIA 101 and his sibling, and the second was indicated to be a family under the supervision of the North Down and Ards District.

2.16 BAR 79, [REDACTED], appears to address the second case in giving evidence to the Hughes Inquiry noting:

*A: ... I think that needs to be seen in context. The actual case it was referring to was of [REDACTED] brothers who had been in Barnardo's care for at least seven or eight years, and, going back to that time, Barnardo's did then have a Social Worker who fulfilled the Social Worker function, so it was more a historical consequence rather than a normal practice one. Certainly in that case we alerted the Board and the Social Worker did*

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<sup>28</sup> BAR 26556

<sup>29</sup> BAR 26578

*visit. In fact, the two youngsters it refers to are now out of our care.*<sup>30</sup>

- 2.17 Certainly by the time he gave his evidence to the Hughes Inquiry in April 1985 there was no doubt that Barnardo's expected an Area Board Social Worker to remain involved:

*Q: To take an individual child in the home, what are his or her channels of communication? For example, we have a Board social worker coming into the home?*

*A: Yes.*

*Q: How often?*

*A: Approximately about once a month; it could be more frequent.*

*Q: Is that the key worker so far as the child is concerned, or is there someone else designated that?*

*A: A member of the residential staff is usually designated the key worker, but because the children are in the care of the Boards they have a Board Social Worker who, we insist, maintains involvement in the case.*<sup>31</sup>

- 2.18 The HSCB does not accept the analysis of the Social Work Advisory Group following their inspection in November 1983. In particular, the HSCB does not accept that their predecessors "*abdicated almost total responsibility*".

- 2.19 The HSCB agrees that it retained legal responsibility for all children

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<sup>30</sup> BAR 22062 - 22063

<sup>31</sup> BAR 22062

placed in Barnardo's by its legacy organisations. The HSCB also agrees that a member of staff of its legacy organisations ought to have maintained involvement in the management of each child placed.

- 2.20 The HSCB submits that there is evidence which shows that whilst Health Boards did, in some cases, delegate social work function to Barnardo's, they did so in the knowledge that they retained legal responsibility for the child in care and, as such, the Health Boards remained involved in the managing of the child's case. Particular examples have already been addressed in paragraphs 2.9 to 2.11 above.
- 2.21 It is also noted that in addressing this within their report, the SWAG recommendation was "*Management should get in touch with the Eastern Board to ensure that all fieldwork staff fulfill their responsibilities to the children by maintaining reasonable contact*".<sup>32</sup> The Inquiry might question why, if the Department held concerns about policies or actions of the Boards, they did not directly take that up at a senior level within the Board themselves? There is no evidence that they did so, and the SWAG report does not suggest they contemplated such action. Further, the Inquiry has previously heard that the SWAG reports prepared on Voluntary Homes were not provided to the Boards as users of them.<sup>33</sup>
- 2.22 The HSCB submits that the totality of the evidence demonstrates co-operation between its legacy organisations and Barnardo's, all designed to ensure the best interests of the children involved. Indeed in the Inspectors themselves also noted that the key worker system of having a named residential social worker being the primary contact for the child in the home, was "*proposed by the Residential Care Association (now*

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<sup>32</sup> Recommendation number 20 at BAR 26585

<sup>33</sup> The situation appears to have been the same in respect of the report on Barnardo's. During the Hughes Inquiry, Mr Weir QC noted that the Board had not had sight of the report prior the evidence. BAR 22066 - 22067

*Social Care Association) and it envisaged one Social Worker taking responsibility for both the field and residential work aspects of the care of the child”<sup>34</sup> The report continues by noting full implementation of such a system is impossible within a voluntary home because the statutory body will have legal authority.*

- 2.23 It is also perhaps apt to note that evidence has been seen of other co-operation between Barnardo’s and the statutory Health and Social Services sector. In her statement dated 13<sup>th</sup> November 2015 at paragraph 6, BAR 13 notes:

*“The health and wellbeing of children was reviewed by a Barnardo’s medical officer, as well as, for example Consultant Psychiatrists, and occasionally educational psychologists.”<sup>35</sup>*

- 2.24 An important context for the children resident in Barnardo’s was described thus by Mr Aiken BL:

*“... Barnardo’s set itself up, as indeed it continues to do, with the aim of working with and helping the most vulnerable, difficult and damaged children. In the context of Macedon and Sharonmore that often included caring for children who could no longer continue to live in other children’s homes or might otherwise have been in training schools. Barnardo’s was seen as the last resort to avoiding a Training School Order.”<sup>36</sup>*

- 2.25 He further noted that Dr Bywater, the Child Medical Officer at Barnardo’s headquarters recorded in 1971:

*“Recently the consultant psychiatrist, Dr McAuley, has arranged to take his*

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<sup>34</sup> BAR 26565, paragraph 8.3

<sup>35</sup> BAR 608

<sup>36</sup> Day 165, pg 58, lines 12 – 20

*clinic staff to Macedon from time to time to help our staff with their management of difficult children, and I think his help could be very valuable. He seems willing to do this as an extension of his child guidance clinic work and is not being paid a sessional fee.”<sup>37</sup>*

- 2.26 The HSCB notes that this is a reference to the Child Guidance Clinic at the Royal Belfast Hospital for Sick Children, which came under the management of the Belfast Hospital Management Committee and later, from 1973, the Eastern Health and Social Services Board. It therefore offers an example of services from the statutory sector that were available to assist residential children’s homes, both statutory and voluntary, to meet the needs of children who often presented as particularly troubled. It appears Barnardo’s welcomed this and considered it to be of valuable assistance. The work of Dr McAuley will be considered further by this Inquiry in Module 13.

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<sup>37</sup> Day 165, pg 78, lines 14 – 20, Source document at BAR 624

### 3. REGISTRATION AND INSPECTION

- 3.1. Macedon was registered as a Voluntary Children's Home between 29<sup>th</sup> June 1950 and 7 July 1982.<sup>38</sup> Sharonmore was then registered from 7 July 1982 and operated as a children's home until 1998. It appears however that in practice Macedon ceased operation some 12 months earlier in 1981.
- 3.2. As noted in earlier submissions, the Ministry of Home Affairs ("the Ministry") and, later on, the Department of Health and Social Services ("the Department") was the regional registering authority for all voluntary homes in Northern Ireland. The Department also held the power to inspect all children's homes in Northern Ireland. The HSCB does not intend to rehearse and repeat the governing legislation having considered same in written submissions already filed, particularly Modules 4 and 9.
- 3.3. Limited documentation is available to the Inquiry to consider how the Department discharged its inspection function in relation to the Barnardo's homes as "*unfortunately the Department cannot trace any material relating to Macedon and has very limited material in relation to Sharonmore*". The available documentation is limited to: a memorandum from Ms Forrest dated 28<sup>th</sup> April 1953 when Macedon was described as:

*"Well staffed, well equipped, excellent care and training. Children attend outside schools."*<sup>39</sup>

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<sup>38</sup> BAR 25003

<sup>39</sup> HIA 1462

and a subsequent inspection report from the Social Work Advisory Group, following inspection of Sharonmore in November 1983.<sup>40</sup>

- 3.4. However, the evidence given to the Hughes Inquiry by BAR 79, [REDACTED], suggests a much higher level of engagement between the charity and their Social Work Advisor:

*Q: In terms of the DHSS, we have heard - no doubt we will hear again if Mr Weir is here - about the question of how frequent your contact was with DHSS before the intensive SWAG report, which I think took place in November 1983. If I might pre-empt that, may I ask you what was the position before November 1983? How often would the DHSS come in and examine this particular facility?*

*A: I am sorry I cannot comment on prior to my appointment in October 1982.*

*Q: The reason why I ask this is that we understand that this was a special, almost one-off thing, perhaps following certain events, that they were going to do a detailed one in every home in Northern Ireland. What is the level of communication between either the homes and the project leader or yourself and the DHSS?*

*A: I would see our Social Work Adviser from the Advisory Group approximately on a six-weekly basis.*

*Q: That is someone from the SWAG group?*

*A: That is right.*

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<sup>40</sup> BAR 26553 - BAR 26608

Q: *Every six weeks?*

A: *Approximately. We would diary date to get together to discuss issues of general concern, issues specifically relating to - for example, these would have been on the agenda - discussion of developments to discuss our ways of progressing in implementing the range of departmental circulars that we have had over the last two and a half years. That is the kind of working relationship that I have initiated, and that, you know, seems to be working very well.*

Q: *Do I understand you right to say that that is something that came from you really? You made the approach and suggested that you keep in closer touch?*

A: *I think it has been more of a mutual thing, but it was following on from my previous practice in the last division of Barnardo's that I worked with.* <sup>41</sup>

- 3.5. This, it is submitted, is a much higher level of engagement between the Department and a Voluntary Children's Home that has ever been seen before in the evidence to this Inquiry. It is unfortunate that more detail cannot be discerned from the lack of available papers, but it is clear that BAR 79 clearly discerned a benefit to children:

Q: *Why particularly do you have those meetings? What benefit, for example, do the children in the home get from something like that - indirectly, perhaps?*

A: *I think, clearly, they are not just a meeting with a cup of tea and - I think there is a statutory requirement that is being fulfilled in a way, and certainly on the part of the Department, to ensure that we are complying with the Voluntary Homes Regulations; and that we are*

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<sup>41</sup> BAR 22036 - 22037

*complying with recommendations in these reports; that we are complying with circulars. I think that they are all concerned, I hope, about good practice, which ultimately benefits the children.<sup>42</sup>*

- 3.6. The HSCB agrees with the evidence of BAR 79 about the indirect benefit to children that would flow from a regulator being actively involved in monitoring standards and compliance with policy and procedure within Homes.
- 3.7. Although, it is known that the regulator undertook weekly inspections of Manor House Lisburn in the face of serious concerns prior to its closure in 1953, the type of arrangement described by BAR 79 in his evidence to the Hughes Inquiry does not appear to have extended to (or been invited by) the other voluntary children homes investigated by the Inquiry to date. This is regrettable given that the ultimate beneficiaries would have been the children in residential care in Northern Ireland.

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<sup>42</sup> *Ibid.*

#### 4. THE MACEDON INQUIRY

- 4.1 The Inquiry has received significant information relating to allegations of abuse at Macedon between █████ and █████ (save in one respect) which came to public attention in or around 2000 when a major police investigation was undertaken in relation to allegations of former residents. This culminated in the convictions of two members of staff following a criminal trial in 2004, those convictions being subsequently overturned by the Court of Appeal in 2005.
- 4.2 The details of that process were outlined in detail by Mr. Aiken BL in his opening to Module 8 and the HSCB does not intend to rehearse same.
- 4.3 The HSCB does however wish to highlight its role in that process, having held legal responsibility for the complainants when they were children, while noting that there has been no evidence at any time that the HSCB legacy organisations had any contemporaneous knowledge of such practices in Barnardo's.
- 4.4 Upon the allegations being made, the HSCB legacy organisations (being the Eastern Health and Social Services Board, North and West Belfast Health and Social Services Trust, South and East Belfast Health and Social Services Trust, Down Lisburn Health and Social Services Trust and Ulster Community and Hospitals Trust) were engaged from 20 December 1999 in meetings with Barnardo's and the RUC.<sup>43</sup> The need for a co-ordinated approach was identified and *"it was accepted that a collaborative approach involving Police, Barnardo's, Trusts and Eastern Board be adopted with a view to taking forward investigations."*<sup>44</sup>

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<sup>43</sup> BAR 20115

<sup>44</sup> BAR 20121

- 4.5 The Inquiry panel has available minutes of subsequent meetings that were convened between these interested parties. The HSCB submits that the overall theme of same, demonstrate close involvement by the EHSSB and the relevant Trusts to address issues arising, which include but are not limited to:
- i. Ascertaining the circumstances of alleged perpetrators to ensure no immediate risk would arise to other children<sup>45</sup>;
  - ii. Identification of relevant historical documentation held by the Board and/or Trusts<sup>46</sup>;
  - iii. Identifying individuals named<sup>47</sup>;
  - iv. Ensuring appropriate assistance for the complainants which is addressed in detail at paragraph 4.6 below;
  - v. Undertaking searches to identify other children that may have been affected, for example those that had been fostered by BAR 4<sup>48</sup>;
  - vi. Offering support in relation to practical supports for the complainants in respect of consultations or court appearances<sup>49</sup>;
  - vii. Supporting the complainants during the time of the trial<sup>50</sup>.
- 4.6 The Inquiry panel has heard that counselling services were “*offered to those who came forward to Barnardo’s to say what happened to them*”.<sup>51</sup> The HSCB notes that the Eastern Health and Social Services Board took a lead role in this process insofar as those that made complaints to police were concerned. This was regularly reviewed through the joint meetings referred to above and was progressed through referrals to the Mental Health Team for support, or requesting priority for referrals<sup>52</sup>, or through funded support.

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<sup>45</sup> for example BAR 20125 – 20126

<sup>46</sup> for example BAR 20126

<sup>47</sup> for example BAR 20146, 20151 - 20152

<sup>48</sup> for example, BAR 20137, BAR 20142

<sup>49</sup> BAR 20153

<sup>50</sup> BAR 20201

<sup>51</sup> Day 165, pg 13, lines 7 – 10

<sup>52</sup> for example BAR 20127, BAR 20139

When, by September 2000, a difficulty was identified in obtaining psychological counselling for BAR 47 it was agreed that the Director of Social Services would contact a psychotherapist and that the Board would pay for the cost of her psychotherapy and counselling.<sup>53</sup> This was noted to have commenced by October 2000 with confirmation that the Board should be invoiced directly. The same meeting discussed supports required by other individuals, with the Director of Social Services noting “*the Board would ensure a fast track to psychotherapy and/or counselling*”.<sup>54</sup> In November 2000 the Board’s willingness to assist was again noted.<sup>55</sup> Through these processes HIA 216 also received support. The EHSSB continued to fund this for a period of around 5 years into mid 2007.<sup>56</sup>

- 4.7 While noting that these matters do not strictly fall within the timeframe of the Inquiry, the HSCB considers it important to highlight the role played by the Eastern Health and Social Services Board upon the allegations concerning Macedon coming to light. Their actions, it is submitted, demonstrate recognition of: the need to consider any current risk arising from historical allegation; the importance of a co-ordinated approach between agencies in matters of Child Protection; the need to support victims of childhood abuse. In so doing the Board was ensuring it fulfilled obligations to children currently in its care, and recognising support for children in respect of whom it previously acted *in loco parentis*.

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<sup>53</sup> BAR 20143

<sup>54</sup> BAR 20154

<sup>55</sup> BAR 20147

<sup>56</sup> BAR 6435

5. **BAR 4**

- 5.1. The HSCB has already addressed this individual in written submissions to Module 9, Chapter 4, paragraph 4.4. In Module 8 the Inquiry heard of his connection to Macedon and a complaint by HIA 216.
- 5.2. BAR 4 was named in a complaint by HIA 216 during [REDACTED]. A memo documenting this information being shared with the Principal Social Worker by police is dated 18 November [REDACTED].<sup>57</sup> By 21 November [REDACTED] records indicate that the Senior Social Worker had obtained her file, studied it, and found no indication of untoward events.<sup>58</sup> The Director of Social Services was informed by memo dated 28 November [REDACTED].<sup>59</sup>
- 5.3. Subsequently during the investigations by police and social services described in Chapter 4. It is noted that at a meeting on 29 March 2000, BAR 13 of Barnardo's is recorded as advising "*that there was no recorded information in relation to BAR 4's period of volunteer involvement with Macedon. It was acknowledged that the witness statement provided by HIA 216 placed BAR 4 in Macedon at a specified period during [REDACTED]*".<sup>60</sup>
- 5.4. The HSCB has already responded to specific queries from the Inquiry regarding the knowledge of their predecessor regarding HIA 216 visiting BAR 4's home.
- 5.5. As already detailed by the HSCB there are no records in its possession which detail that the Board was aware of HIA 216 visiting BAR 4's home.
- 5.6. To place the lack of any information regarding visits by HIA 216 to BAR 4 in

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<sup>57</sup> BAR 10502

<sup>58</sup> BAR 10503

<sup>59</sup> BAR 10504

<sup>60</sup> BAR 20170

context, the HSCB noted that Barnardo's shared information about HIA 216's involvement with persons outside the home with other persons. Full details of information as documented in records held by the HSCB, and referenced to the Inquiry bundle, are as follows:

- i. By report dated 25 January [REDACTED] it was noted: *"has developed a very good working relationship with the [REDACTED] Family]. Goes to them every weekend, fits into the family very well, particularly attached to Mr [REDACTED] ...."*<sup>61</sup>;
- ii. By report dated 7 May [REDACTED] in relation to HIA 216's sister's discharge from care, it was noted that HIA 216 was understood to stay with her married sister and family from time to time during the weekend<sup>62</sup>;
- iii. By 15 January [REDACTED] HIA 216 had begun, within the previous few weeks, to stay with a different family. Barnardo's had carried out a fostering assessment in respect of that family which was provided to the Board<sup>63</sup>;
- iv. In [REDACTED] Barnardo's requested that the Board consider funding a trip to [REDACTED] that HIA 216 wished to take part in. To assess this request the Board Social Worker visited HIA 216 on two occasions and filed a report dated 5 November [REDACTED]<sup>64</sup>. It is noted that when the Social Worker visited on the second occasion it was recorded: *"HIA 216 was not in when I called but helping out in a house nearby of a Social Worker who used to work in Macedon."* The Social Worker then visited her at that location. The HSCB does not believe that this is a reference to BAR 4 because: he is not known to have ever been a Social Worker, and he is not known to have resided in the immediate locality of Macedon, which was situated in Whiteabbey. Records detail that he was resident in the [REDACTED] area. No prior notification of this visit appears to have been given;

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<sup>61</sup> BAR 10449

<sup>62</sup> BAR 10456

<sup>63</sup> BAR 10463 – 10466 and BAR 10509 – 10512

<sup>64</sup> BAR 10481 – 10483

- v. On 6 August [REDACTED] Barnardo's notified the Board of arrangements for HIA 216 to travel to Blackpool from 5 - 14 September [REDACTED] with a friend and her mother<sup>65</sup>;
- 5.7. While no such forms have been identified in relation to HIA 216 within material located by the HSCB, the Inquiry panel may wish to note Dr Barnardo's forms submitted in August [REDACTED] to the Welfare Authority in relation to HIA 216's siblings. It is noted that such forms were required to be completed for: "*first visits; visits to new addresses; holidays of more than 3 nights; all holidays for [REDACTED] children...*"<sup>66</sup>.
- 5.8. The HSCB has also considered the documentation disclosed by Barnardo's in relation to HIA 216. No documentation, or notification to the Board, concerning any involvement of BAR 4 with her has been identified.
- 5.9. Overall, the evidence indicates that the Board was never advised of visits between HIA 216 and BAR 4 and therefore no assistance is able to be offered regarding the manner of any notification or the Board's attitude to the arrangement. The examples detailed in paragraphs 5.6 and 5.7 may assist in demonstrating the nature of notification given by Barnardo's and documentation used by them in other instances. It will be noted that this varies from the use of particular forms, to correspondence either seeking approval or simply placing the Board on notice.
- 5.10. The HSCB has also previously addressed in their written submissions to Modules 4 and 9 arrangements that were in place in the Eastern Health and Social Services Board from 1972 regarding the requirement for the Welfare Department in Belfast to approve couples and families before children in their care were allowed out, even for day visits. While it is noted that HIA

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<sup>65</sup> BAR 10494

<sup>66</sup> BAR 10567 - 10569

216 was within the care of a different area authority, her allegations relate to a period some ■ years later. The HSCB's submission has been that the approach taken in Belfast represented good social work practice, and expects that it would have developed regionally.

- 5.11. The HSCB considers that their predecessor should have been advised by Barnardo's of any contact children placed in their Homes were having with outside individuals as, as developed in Chapter 2 of these submissions, the HSCB legacy organisations had legal responsibility for those children.
- 5.12. The HSCB would also draw the Inquiry's attention to the assessment of BAR 4 and his wife as foster parents, referencing::
- i. When writing to express interest in adopting children in July ■■■■■, BAR 4's wife referenced: *"we know the Matron at Manor House, Lisburn and has kindly offered to stand as a reference"*<sup>67</sup>;
  - ii. In December ■■■■■, when writing to indicate interest in short-term foster care, reference was again made to: *"we have dealings with Manor House, and often have the children up"*<sup>68</sup>;
  - iii. The assessment of the couple noted: that BAR 4 had been allowed to select any employment on a resettlement course for four weeks following his ■■■■■ service: *"He worked as a house parent with Barnardo's but because of lack of qualifications and low income he felt he had to find other employment"*. Reference was also made to the couples *"dedication in keeping contact with children in care"* which was shared by their ■■■■■ year old daughter who played with children from Manor House, both when she visited the Home and when the children visited the family. Her brother was described as also being *"used to having other children in the house, visiting or staying for weekends"*<sup>69</sup>;

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<sup>67</sup> BAR 20028

<sup>68</sup> BAR 20029

<sup>69</sup> BAR 20031 - 20035

iv. The couple named both the Matron of Manor House, and a member of Barnardo's from Macedon as referees in their formal application<sup>70</sup>. References were provided by both<sup>71</sup>. The reference from Barnardo's, dated 27 January [REDACTED]<sup>72</sup>, comments in relation to BAR 4 working in Macedon for four weeks in a voluntary capacity. It also notes: "BAR 4 calls in occasionally to Macedon". No reference is made to taking any children from Macedon out for the day or otherwise.

5.13. In considering BAR 4's connection with Barnardo's as being in a voluntary capacity, the HSCB notes that the use of volunteers was an issue considered by the Social Work Advisory Group upon their inspection of Sharonmore in November 1983. The advisers detailed arrangements for the use of volunteers by Barnardo's at that time in their report. They also noted in respect of a volunteer that had commenced in the week of the inspection:

*"The advisers were told that he might occasionally be left in charge of the unit in the absence of staff. They are concerned by this and recommend that the practice should be reconsidered."*<sup>73</sup>

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<sup>70</sup> BAR 20040 – 20041

<sup>71</sup> BAR 20042 and BAR 20058 in relation to the employee of Barnardo's; BAR 20051 – 20053 in relation to the Matron of Manor House, Lisburn.

<sup>72</sup> BAR 20058

<sup>73</sup> BAR 26555 – 26556, paragraph 6.6 of the SWAG Report. A recommendation was made that "Volunteers should not be left in sole charge of units" – BAR 26583