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HISTORICAL INSTITUTIONAL ABUSE INQUIRY  
- - - - -

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Tuesday, 8th December 2015

commencing at 10.00 am

(Day 166)

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

1 Tuesday, 8th December 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (10.35 am)

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

11 Sorry we are late starting this morning, but there  
12 are a number of administrative issues that had to be  
13 resolved.

14 In the course of Mr Aiken's opening, as yesterday,  
15 he will refer to a number of individuals by name. Any  
16 name that is covered by our redaction policy -- and you  
17 may take as a working rule they all are -- then those  
18 names cannot be used or referred to or mentioned in any  
19 way outside the chamber.

20 Yes, Mr Aiken.

21 MR AIKEN: Chairman, Members of the Panel, good morning.

22 Before I resume this morning I know that Mr Boyd has  
23 attended this morning and he is going to give his  
24 appearance on behalf of one of the individuals appearing  
25 before the Inquiry.

1 CHAIRMAN: Yes, Mr Boyd?

2 MR BOYD: Good morning, Mr Chairman. Mr Chairman, I appear  
3 on behalf of BAR1.

4 CHAIRMAN: Thank you. Instructed by?

5 MR BOYD: Instructed by Reavey & Company, Mr Chairman.

6 CHAIRMAN: Very well.

7 Opening submissions on Module 8

8 by COUNSEL TO THE INQUIRY (cont.)

9 MR AIKEN: Members of the Panel, just one housekeeping  
10 matter from yesterday in relation to inspections. If we  
11 can just bring up, please, 22340, you will recall that  
12 we were discussing the monthly voluntary visitor  
13 obligation under regulation 4 of the 1975 voluntary home  
14 regulations. We looked at a pro forma that was produced  
15 to the Hughes Inquiry by **BAR79** , **██████████**  
16 **██████████** , and we had some difficulty  
17 dating when that may have arisen. If we look at  
18 paragraph 2 here, this is a letter from **BAR111** , his  
19 **██████████** , to his solicitor in 1985, so in the context of  
20 the Hughes Inquiry, and he is saying:

21 "Over the years the method of recording these visits  
22 varied. There developed about mid-1980 a pro forma  
23 which was completed after each statutory visit."

24 Then he goes on to explain the number of visits made  
25 in 1981 and 2. So the pro forma we were looking at --

1 and you are aware of the SWAG commentary on it -- began  
2 in mid-1981. What, if any, the process was before that  
3 is something that we will have to continue to work with  
4 Barnardo's to try and iron out as best we can, but  
5 that's one matter I wanted to bring to your attention.

6 Then the second matter is to make the Panel aware,  
7 as is often the case with the ongoing work of the  
8 Inquiry, that during the currency of yesterday and last  
9 evening further police material was received by the  
10 Inquiry that's relevant to matters that I will be  
11 dealing with. It won't be possible for me to deal with  
12 that material today. It is likely in any event that  
13 I won't be able to fully complete the ground that we  
14 will be covering. So it will be something that I will  
15 open up to you during the currency of the next  
16 fortnight.

17 With that if I can then take us to where we had  
18 reached last evening. We had been looking at The Hughes  
19 Inquiry report as far as it related to Barnardo's,  
20 because although in 1985, it was looking at events in  
21 Barnardo's Sharonmore in the early part of , and it  
22 is that I want us to return to this morning to pick  
23 up the chronology of allegations and how they developed.

24 On 28th April of Detective Chief Inspector  
25 Colgan of the RUC was directed to carry out

1 an investigation into the behaviour of a then BAR12.  
2 I know, as the Chairman has reminded everyone, the names  
3 that we use should not be used beyond the chamber. DCI  
4 Colgan explained at the outset of his detailed police  
5 report of 25th October -- and that can be found in  
6 the bundle at 7058 to 7076 -- that the background to the  
7 investigation he was asked to conduct was because over  
8 the preceding number of years there had been  
9 suspicions -- and that's the word that is used -- that  
10 BAR12 may have displayed an unhealthy interest in  
11 certain youths whom he had met during the course of his  
12 duties and whom he had afterwards befriended and  
13 associated with. The police investigation would  
14 ultimately form RUC file [REDACTED], and that file runs  
15 from BAR-8217 to 8432 in the bundle. A partial copy of  
16 it is also to be found in a later police file in 1997,  
17 because what I am going to deal with now touches on  
18 HIA516 we discussed yesterday, and in 1997 HIA516  
19 renewed and augmented the allegations that we are now  
20 going to look at. For completeness the 1997 file can be  
21 found at BAR-7004 to 7251.

22 As I mentioned yesterday, as the Panel is aware, the  
23 Inquiry is not conducting trials, is not determining  
24 anyone's civil or criminal liability. It is looking at  
25 systems issues that may have caused, facilitated or

1 failed to prevent abuse occurring in institutions.  
2 Nevertheless I am going to explain matters relating to  
3 the investigation in respect of BAR12 in some  
4 detail at this point, not only because of the systems  
5 issues around how Barnardo's dealt with an individual  
6 coming into Macedon and befriending a boy under care,  
7 which would subsequently lead to allegations of sexual  
8 abuse by him, but these matters, including the sequence  
9 of events, will be of particular relevance when the  
10 Panel comes to look at the detail of the 1997 to 2001  
11 Macedon Inquiry, of which HIA516 played a part along  
12 with BAR47 and HIA101, and which led to the  
13 prosecutions and subsequent overturned convictions of  
14 BAR1 and BAR2.

15 DCI Colgan explains at the outset of his report  
16 that his investigation into BAR12, as he then was, or  
17 BAR12 I will call him for ease, would lead him to  
18 examine three particular associations, one of which  
19 related to his involvement with a boy in Macedon and  
20 that is HIA516.

21 The first association involved his community  
22 work in the area during the mid-  
23 working with youths in the local community centre,  
24 taking them on trips, and the sequence of events  
25 involving purchasing gifts for them, including

1 motorcycles, allegations of showing them dirty books and  
2 concerns over association with a particular boy who was  
3 taken on trips from Rathgael. The investigation  
4 revealed that BAR12 had often been referred to by those  
5 boys as "fruity BAR 12", and while there were allegations  
6 of showing dirty books, no allegations of improper  
7 conduct were made by any boy to police. However, in  
8 May it involved a detailed memo being written by  
9 the chief superintendent about the matters.

10 Now that memo is at 7089 to 7091 in the bundle.  
11 I am not going to open it, but the Panel will have the  
12 opportunity to consider the detail of it and the concern  
13 that was expressed in it, and ultimately BAR12 was  
14 transferred to , but to be clear, there were no  
15 complaints made by any boy of any abuse.

16 The second association involved a particular  
17 incident in , by which time BAR12 was already  
18 involved with HIA516, as we will come to see. By this  
19 stage BAR12 was based in Newtownabbey, and he bought  
20 a present of a tape recorder for a young boy, and the  
21 Panel are aware of who that is. The reference -- I will  
22 allow that to be known by the core participants -- is at  
23 BAR-8285.

24

25

1                   . The present of the tape recorder was  
2 not passed on to the boy. There were no allegations  
3 made by the boy against BAR12, and the police  
4 subsequently reinvestigated the allegations of that boy  
5 against the adult because of the involvement of BAR12.  
6 It was the association and the buying of the present  
7 that was of concern.

8                   The third association related to HIA516 or HIA516 in  
9 the care of Barnardo's at Macedon. It is that  
10 association that we are going to look at in some detail.  
11 By way of context HIA516, born on                   , and

12  
13  
14  
15

16                   He was, HIA516,                   years of age when he entered  
17 Macedon and he remained in Macedon until June                   , when  
18 all of the children there moved across to Sharonmore.  
19 He continued in care of Barnardo's in Sharonmore until  
20 May                   , when at the age of                   he was transferred to  
21 Rathgael.

22                   We will come to see that BAR12 first became involved  
23 with HIA516 in October or November of                   , when HIA516  
24 or HIA516 was                   , that he was involved with him for  
25 a                   -year period through to November                   with in

1 greater part the knowledge of Barnardo's. The  
2 relationship was terminated by Barnardo's in  
3 November -- we will look at that in some detail --  
4 though it appears that contact did continue after that  
5 without Barnardo's permission and documents that are  
6 relevant to this can be found at 7111 through to 7114.

7 Going back to the investigation that was conducted  
8 by Detective Chief Inspector Colgan in , he records  
9 at 7058 in the bundle that two relevant matters came to  
10 the attention of police in respect of HIA516's  
11 association with BAR12. The first is in October  
12 and the second in November . So what I am doing at  
13 the moment, Members of the Panel, I am saying that from  
14 for a -year period until November there was  
15 involvement between BAR12 and HIA516 known about by  
16 Barnardo's, but I am parking that for the moment and  
17 looking at what the police discovered or what came to  
18 their attention when they conducted the investigation in  
19 before going back to look at what Barnardo's did at  
20 the time.

21 So the first of the matters that came to the police  
22 attention as part of the investigation was in  
23 October , at which point HIA516 was and still  
24 living in Macedon, and an individual who wished to  
25 remain anonymous gave information to a detective

1 constable in Police Station. The reference  
2 to that is at 7063. The information was that concern  
3 was being expressed by staff at Barnardo's in regard to  
4 the relationship between BAR12, then attached to  
5 Police Station, and HIA516. The  
6 information that was received by police was that BAR12  
7 had been involved in charitable work for Dr Barnardo's,  
8 thus meeting the residents, and it was understood that  
9 he was taking HIA516 out on a regular basis, that he had  
10 taken him to a sauna and had settled small accounts of  
11 his. So that's the information that was given  
12 anonymously to a detective constable in October .

13 According to Detective Chief Inspector Colgan's  
14 report during his investigation the detective  
15 constable brought this information to the notice of the  
16 subdivisional commander in . The reference  
17 for that is at 7063.

18 Now in June of Detective Chief Inspector Colgan  
19 spoke to that detective constable who had received the  
20 anonymous information in October . He was asked to  
21 and did go back to his anonymous source, who confirmed  
22 that they couldn't supply any further information and  
23 continued to wish to remain anonymous. The reference  
24 for that is at 7063.

25 The second piece of information that the Detective

1 Chief Inspector Colgan refers to is that on  
2 6th October so one year later, at which point  
3 HIA516 is now not in Macedon but in Sharonmore, having  
4 moved in , and aged , but on 6th October  
5 **BAR 30** , phones Police  
6 Station to complain about the relationship between BAR12  
7 and his son, which was described by him as  
8 "over-friendly". He also alleged to police at that time  
9 that BAR12 had bought his son a stereo and a pony, both  
10 of which would turn out to be correct. The references  
11 to that are at 7064 and 7099. He told the police that  
12 he would put his complaint in writing.

13 If we can bring up, please, 7064, this is where he  
14 says he will bring the complaint up in writing, and then  
15 if we look, please, at 7192, we can see the telegram  
16 that **BAR 30** sent:

17 "Verbal complaint to station. I again confirm my  
18 complaint against the  
19 who is using my son (HIA516). The said has  
20 given a gift (A) a stereo set (B) an animal pony, which  
21 I believe that this said is doing for his own  
22 needs against the moral rights of my son to achieve  
23 a behaviour which I feel must be classed by the said  
24 and the society and the human society as  
25 immoral. I require the said to be brought

1 before the police and court of our land to answer for  
2 his behaviour towards my son. BAR 30 ."

3 Now, however, later the same day -- so this comes in  
4 overnight on 6th October -- later the same day BAR 30

5 phones the police station again in the morning  
6 requesting that the complaint that he had made be  
7 withdrawn and that the telegram should be disregarded.  
8 In his statement to the police of 20th December he  
9 explained that the withdrawal was because of facts he  
10 had since learned. What they were are not set out in  
11 his statement, but a statement was recorded from him on  
12 20th December .

13 Despite that, the Detective Chief Inspector Colgan  
14 in his investigation explains that the telegram was  
15 and what was alleged in it was investigated by police in  
16 October and November . A police inspector was  
17 appointed to investigate, and on 20th November he  
18 spoke to BAR36, [REDACTED],  
19 and also to BAR111 -- we mentioned his name earlier  
20 this morning in a different context --

21 . Detective  
22 Chief Inspector Colgan records that BAR36 and [REDACTED]  
23 BAR111 were said to have confirmed to the inspector in  
24 November the association between BAR12 and HIA516,  
25 that HIA516 had been receiving gifts and that Barnardo's

1 had supported the association and considered it correct  
2 and proper.

3 If we just look, please, at 7064, in the middle of  
4 the page you can see the reference to what I have just  
5 described:

6 "They confirmed the association between BAR12 and  
7 the boy, HIA516, and that the boy had been receiving  
8 gifts. They had supported the association and  
9 considered it correct and proper."

10 Now we will come to see that Barnardo's had, in  
11 fact, terminated the relationship in writing to BAR12 by  
12 November and there may therefore be  
13 a misunderstanding here in the police document in that  
14 we don't have the police file, but what we have is  
15 the wider investigation involving Detective Chief  
16 Inspector Colgan where he records what he was being  
17 told.

18 In any event, as I mentioned, on 20th December  
19 the inspector recorded a statement from **BAR 30**  
20 confirming the withdrawal and the outcome of that  
21 investigation in December was that HIA516 was not  
22 interviewed and no further enquiries took place.

23 So that's what Detective Chief Inspector Colgan was  
24 able to establish about the two matters that had caused  
25 him to be asked to look at this third association

1 between BAR12 and HIA516, and then as part of his own  
2 investigation into these matters as far as they related  
3 to HIA516 he reinvestigated it, and in so doing he  
4 established that -- and he records this in his report --  
5 that the children came from an extremely difficult  
6 background; that HIA516's behaviour in Barnardo's as  
7 characterised to the detective chief inspector was  
8 extreme and evidenced by a series of incidents that were  
9 outlined, and the reference for that is at 7065: that  
10 when staff could no longer control his behaviour,  
11 application was made by Social Services to the court and  
12 a Training School Order was made placing him in  
13 Rathgael.

14 He also established that BAR12 had first met HIA516  
15 in November , then when he was aged , when police  
16 were returning HIA516 to Macedon following an absconding  
17 incident, when he had gone to see his mother. The  
18 reference for that is at 7066. There were a number of  
19 subsequent similar absconding events where BAR12 would  
20 be involved with others bringing HIA516 back to Macedon.

21 As part of the detective chief inspector's  
22 investigation many statements were taken from  
23 , who  
24 explained their involvement with Barnardo's in late

25 In summary, BAR12, having got involved,

1 encouraged other to get involved in Barnardo's  
2 and formed initially an intention to set up a trust fund  
3 for the children in Macedon and collections for the  
4 children in Macedon, and then became more focused BAR12  
5 would say, as we will see, at the suggestion of  
6 Barnardo's on one child rather than all of the children,  
7 but we are going to look at just one police statement  
8 from to summarise the position.

9 If we look at 7135. As I say, a significant number  
10 of were asked to set out their recollections.  
11 If we just take that on up, please. Just take the --  
12 no. Go up. Go up, please. No. Sorry. The other way.  
13 Just stop there. Thank you. This is explaining  
14 that,

15 BAR12 came after that. He was transferred.

16 "I remember in there was trouble with a boy  
17 HIA516 from Macedon in our area. He was running away  
18 from the home. From what I can remember **BAR 66**

always seemed to be when HIA516 ran away  
20 and so became involved."

21 Sorry. I think that should read "BAR12":

22 "As BAR12 was the supervisor, he ..."

23 No. **BAR 66** was always involved.

24 "As BAR12 was the supervisor, he also became  
25 involved and then appeared to develop a sympathetic

1 approach I believe to assist HIA516 rather than use  
2 sternness. HIA516 used to come down .  
3 Personally ..."

4 This is his own view he is expressing:

5 "... I found him an obnoxious boy and felt he was  
6 playing on BAR12's sympathies. In Christmas period  
7 BAR12 and **BAR 66** attended a party in  
8 Dr Barnardo's. I remember HIA516 got a bicycle from  
9 BAR12 Christmas. Just about that time Clubsound were  
10 running a pantomime in the Tonic cinema in Bangor and  
11 George Jones had mentioned allowing children in free of  
12 charge. We arranged through various children's homes,  
13 Barnardo's included, for an attendance of children.  
14 Some time shortly after the New Year of BAR12  
15 approached me about setting up a trust fund for HIA516.  
16 Because of my personal feeling for HIA516 I declined.  
17 I know there was no enthusiasm amongst the other members  
18 of the party for it and the whole scheme aborted."

19 If we just scroll down. Just take that off the  
20 screen then, please.

21 Now a file note from BAR14,  
22 , of 2nd November -- if we look, please, at  
23 BAR-156. If we just scroll down so we can see that it  
24 is BAR14 who is signing off. You can see the date,  
25 2nd November . We have got the context from the

1 statement we looked at. If we can just  
2 scroll up, please, to the beginning of the document. So  
3 the file note reads:

4 "BAR8 asked me today for advice regarding a request  
5 by to set up  
6 a trust fund for HIA516. I discussed this with  
7 **BAR 67** , the Trusts Officer.

8 The intention of the should be determined  
9 so that terms of reference can be drawn up which are  
10 consistent with their wishes. It would be better that  
11 they approach an independent solicitor to have a trustee  
12 prepared, otherwise we may be seen as exercising undue  
13 influence.

14 Barnardo's would be happy to assist with the  
15 investment of money and the administration of it until  
16 HIA516 attains the age of 18 years.

17 The trustee should include a terminating clause so  
18 that at some point in time the trust fund can be  
19 closed."

20 He goes on to describe the trust fund:

21 "BAR8 was to speak to again with a view  
22 to arranging a meeting between either **BAR111** ", who  
23 was the , "or myself and  
24 BAR24", who at that point was the social work officer in  
25 headquarters, "together with the ."

1           Now I am going to summarise, because there is a lot  
2 of detail available about this, but BAR12 began to  
3 supply gifts to Barnardo's and then it became more  
4 specific towards HIA516. Contact between the two of  
5 them continued on a regular basis from that point on  
6 with BAR12 taking HIA516 out from Barnardo's with their  
7 consent.

8           In February           then Miss Hilary Reid, now  
9 Dr Hilary Harrison, who was working for Barnardo's in  
10 Tara Lodge, was asked to conduct a befriending interview  
11 process in respect of BAR12's relationship with HIA516.  
12 Now what was unusual about this was that the  
13 relationship was already created and ongoing, but  
14 Dr Harrison, as she now is, was asked to carry out this  
15 exercise, which would normally come before the  
16 relationship is established. It can be found at 11428.

17           If we just begin there, please, you can see from the  
18 top that it was conducted across two interview sessions  
19 that lasted five and a half hours in total. It is  
20 a very detailed document and I will leave the Panel to  
21 read the detail rather than me reading it out now, but  
22 it goes into the personal background of BAR12, the  
23 nature of his desire to befriend and assist young  
24 people, and if we just scroll down through the document,  
25 you can see the subjects that are covered. So a record

1 is there of the development of the friendship with  
2 HIA516 across the year and the half that preceded it.  
3 If you just pause there, you can see just on the screen  
4 that's underlined:

5 "BAR12 is disappointed in the response of the new  
6 staff to this ..."

7 That's the not really being  
8 interested in the fund he had been hoping to get going:

9 "... which he has kept going himself."

10 You can see what he says is:

11 "... through this contact continued to visit Macedon  
12 and began to take some of the children out. HIA516 and  
13 BAR47 were in the group."

14 He says then:

15 "At one stage he was told by BAR24,  
16 at Macedon ..."

17 So that would have been at some stage in .

18 March/April we saw yesterday BAR24 returned as

19

20 :

21 "... that it would be better if he concentrated on  
22 one child, as the children badly needed individual  
23 stable relationships outside of the home. He decided  
24 that he would take this interest in HIA516, with whom  
25 a natural relationship had already developed. HIA516

1       seemed pleased ..."

2               Then there's a discussion about the implications for  
3       HIA516's family and views are expressed about the  
4       family. You can see:

5               "BAR12 admitted" -- the part that's underlined --  
6       "he was very generous with money and that this had  
7       caused some difficulty with staff in the past."

8               So the Barnardo's staff had been challenging it  
9       appears from this record the amount of money that was  
10      being expended by BAR12 and the discussion in the  
11      document was recognising that it wasn't a lot of money  
12      to BAR12, but they were discussing the impact on someone  
13      like HIA516, for instance, to whom it was a lot of  
14      money. You can see that reference is being made:

15              "Even though the amount of money being spent was  
16      little from BAR12's income, it would be important to  
17      follow staff directions on this point."

18              Then if we just scroll further down, please, you can  
19      see reference is made to the relationship with staff and  
20      the last sentence in the document:

21              "I got the impression, however, that BAR12 ..."

22              Sorry. The last sentence in this paragraph:

23              "I got the impression, however, that BAR12 regards  
24      himself almost as one of the staff and he certainly  
25      appears to have a detailed knowledge of the running of

1 Macedon in general -- I don't think this has all been  
2 gained from HIA516."

3 Then the present situation with HIA516.

4 "He sees HIA516 at least once a week when he takes  
5 him horseriding."

6 They go on to discuss the benefit of that to HIA516.  
7 If we just scroll down, then you can see in the last  
8 paragraph Dr Harrison, Miss Reid as she was then, was  
9 raising the likelihood that as HIA516 gets older, he  
10 won't have the same interest in having a relationship  
11 with BAR12 -- with an adult male and how would BAR12  
12 deal with that reality.

13 You can see then the second paragraph on page 5. He  
14 had been -- HIA516 had been to BAR12's house in .  
15 He was bored stiff there according to BAR12, but he  
16 said:

17 "It was interesting that although we had seemingly  
18 agreed about the inadvisability of setting unrealistic  
19 material standards for HIA516, BAR12 ended our  
20 conversation on HIA516's activities by stating that he  
21 would be willing, if HIA516 proved interested enough, to  
22 buy him a horse!"

23 Ultimately that is something that does happen.

24 Then there is description of the background of the  
25 BAR12 and discussion of him having felt he had missed

1 out on marriage and children himself. If you scroll  
2 down, please, it covers his social life and interests.  
3 If we move further down -- just pause there -- you can  
4 see how he described the relationship:

5 "For the first time he admitted that he saw HIA516  
6 as a substitute son and really did get a kind of  
7 parental pleasure in his contact with him, but knew that  
8 this relationship could become different as HIA516 grew  
9 older. BAR12 himself could be exposed to hurt and anger  
10 and recognises this, but he says he has no expectations  
11 that HIA516 would give back emotionally."

12 Then his employment situation is discussed. Then  
13 what's recorded -- just scroll up a few lines, please:

14 "In terminating the interview I explained that we  
15 normally make out a report and I would then send for  
16 references. BAR12 told me he would phone names and  
17 addresses of referees through. As he was obviously  
18 wondering" -- "wondering" I think that should be --  
19 "about the implications of this for the future of his  
20 friendship with HIA516, I told him that it was unlikely  
21 any action would be taken in haste and that we would be  
22 discussing the situation with senior staff, as was  
23 normal in befriending assessments."

24 Then the conclusion that was put forward:

25 "BAR12 impresses me as a rather lonely man who feels

1 he has missed out on marriage and family life. Some  
2 areas of his life, ie relationship with HIA516, interest  
3 in team's personal problems" - that's his own staff,  
4 which is talked about elsewhere in the report -- "make  
5 up for this and he is at least willing to admit this.  
6 I feel this is a very normal desire for someone in  
7 BAR12's circumstances and I feel he has been  
8 particularly honest about it. How much he is prepared  
9 or willing to accept the guidance of others, however, is  
10 difficult to say. I feel his own needs might tend to  
11 override his better judgment.

12 On the whole I felt he was a genuinely caring  
13 person, who no doubt has offered HIA516 some very  
14 positive help."

15 Then under "Recommendations" Miss Reid says:

16 "It would be inappropriate for me to offer  
17 a recommendation, being unaware of the total picture."

18 Now Dr Harrison, as she now is, speaks of this  
19 process, being asked to engage in this way, in the  
20 annexe to her statement to the Inquiry, if we look,  
21 please, at 974, her statement in this module on behalf  
22 of the Department, and if we just scroll down a little,  
23 please, you can see she makes reference to her police  
24 statement that she made as part of her involvement with  
25 the Macedon Inquiry, but she makes reference to:

1            "... a report that I completed in            on a  
2                            who befriended a child in Macedon."

3            Then she says:

4            "I believe I was asked by [REDACTED] at the  
5            time, BAR111 [REDACTED]", so [REDACTED]  
6            [REDACTED]", "to consider BAR12's general suitability as a  
7            befriender, as I had no previous knowledge of him or the  
8            child whom he had befriended. Although I cannot recall  
9            the full circumstances of the case, I note that I did  
10           not make a recommendation regarding BAR12. It would  
11           appear from the concluding statement in the report that  
12           I was not confident I had been provided with sufficient  
13           information to enable a full appraisal of the  
14           situation."

15           Now that was in February of            , and you saw the  
16           reference to the preparedness to buy a pony. Well, in  
17           the summer of            , by which time HIA516 is Sharonmore  
18           now after June            , is aged            , BAR12 did purchase  
19           a pony for HIA516's sole use and he covered the stabling  
20           fees and riding session fees. A statement was obtained  
21           from the horse trainer who the pony was purchased from,  
22           who dealt with the riding lessons. It is at 7066 and  
23           also 7136.

24           Now before we look at what HIA516 alleged in June  
25           , when Detective Chief Inspector Colgan went to

1 speak to him, I want to look at two reports that the  
2 police subsequently obtained from Barnardo's and from  
3 the Eastern Health & Social Services Board, because they  
4 set out the sequence of events and the thinking behind  
5 various relevant decisions that were made.

6 The first is of 9th August from **BAR111** on  
7 behalf of Barnardo's, **[REDACTED]**  
8 **[REDACTED]**, and that report begins at 7109. This is  
9 a statement that he makes to the police where he  
10 exhibits the report. If we move on to the next  
11 page then, we can see the report.

12 He sets out -- I am just going to again flag up the  
13 titles and allow the Panel to reflect on the document --  
14 the background to the original committal to care -- if  
15 we move on through, please -- the early knowledge of the  
16 relationship, setting out how it began he believed in  
17 October -- scroll down, please -- and the detail  
18 behind the development of the trust fund and engaging  
19 with HIA516, and you can see from January it  
20 appears -- this is the bottom paragraph -- many of the  
21 interests in Macedon were not as  
22 sustained as that of BAR12. He was most motivated. If  
23 we scroll down, please, you can see from the third  
24 paragraph Barnardo's are saying:

25 "From early to October there were numerous

1 discussions with BAR12. It is difficult to get  
2 an accurate picture of his involvement/activities/places  
3 visited, as records of these are not available."

4 So this is one year on, if you like, into the  
5 relationship he is saying that there were these  
6 discussions through that first year:

7 "However, it is our impression that attempts were  
8 made to help BAR12 modify some aspects of his behaviour,  
9 ie his excessive generosity. At an earlier stage it is  
10 our impression that BAR12 without staff knowledge took  
11 HIA516 on day trips to Portrush and Bangor."

12 You can see:

13 "So far -- following discussion in October , so  
14 far as we are aware BAR12's outings with HIA516 were  
15 activity-based, for example, horseriding and roller  
16 disco. He visited regularly each week at an agreed time  
17 and to some extent restricted his gifts. However, on  
18 occasions he was unable to comply with the wishes of  
19 staff concerning gifts, for example, purchasing a record  
20 player at Christmas, and also felt unable on occasions  
21 to accept our professional approach to dealing with  
22 HIA516. Eventually, following a series of meetings  
23 referred to in 4 below, his contact with the boy was  
24 formally terminated."

25 That termination we will see took place in

1 November , but then **BAR111** says this:

2 "In March ", so that's six months after the  
3 termination, "staff began to suspect that HIA516 was  
4 again seeing BAR12. The boy was arriving back to  
5 Sharonmore from school on occasion with cigarettes,  
6 sweets and money. On 17th March he didn't attend  
7 school. When he didn't return, a member of staff who  
8 was anxious to trace his whereabouts contacted BAR12 at  
9 work, as he thought that he may have gone to ..." the  
10 particular area. "At that time BAR12 was based in ..."   
11 that area. "He said he had not seen HIA516, but  
12 intimated that he would look for him. BAR12 and HIA516  
13 arrived at Sharonmore at approximately 5.30. Apparently  
14 he had been at the roller disco in Whitewell.

15 Then you have a list of the gifts that were known to  
16 have been given and the known dates for them. You can  
17 see the horse was purchased in October according to  
18 this document, and setting out the arrangements for the  
19 lessons.

20 Then if we move on to the next page, please, then we  
21 have the interaction between Barnardo's and BAR12:

22 "From early in Macedon staff became  
23 increasingly aware of BAR12's emotional dependence on  
24 HIA516. It took the form of expensive presents to the  
25 boy and to some extent unasked for advice to the staff

1 as to how he, HIA516, should be treated. In addition,  
2 it became clear when HIA516 and BAR12 were out together,  
3 on some occasions BAR12 would overlook minor acts of  
4 misbehaviour on the boy's part. Initially this was  
5 brought to BAR12's attention by staff on duty, but the  
6 problem gradually increased to the point where there was  
7 sometimes open disagreement between BAR12 and Macedon  
8 staff over various issues concerning HIA516. One of  
9 these issues concerned the frequency and value of  
10 presents. Various meetings were arranged between  
11 Macedon staff and BAR12 to try to agree the conditions  
12 under which the contact would continue. The difficulty  
13 with BAR12 increased to the point where the Eastern  
14 Board social worker and Sharonmore (as the unit had  
15 become) felt that intervention by myself was necessary."

16 So that's BAR111 [REDACTED], the [REDACTED]

17 [REDACTED]:

18 "A meeting was convened in this office on  
19 6th May at which BAR60 from the Eastern Board,  
20 BAR9, a Senior Social Worker in Barnard's Sharonmore,  
21 and myself were present together with BAR12. It was  
22 made clear to him what our reservations were and we  
23 stated the conditions under which the contact would be  
24 allowed to continue."

25 If we just scroll up a little bit so I can see the

1 number of this page for a moment, please. Now just  
2 scroll back down to that. So we can see reference is  
3 made to this meeting and that a letter was to be sent.

4 I hope I am right about this, but if we look at 157,  
5 please -- yes. So the meeting takes place on 6th May  
6 and then on 14th May, although it was dictated on 6th,  
7 a letter is sent by Barnardo's. If we just scroll down  
8 a little, please, we can see that it is from [REDACTED]  
9 **BAR111**. You can see that it is copied to BAR36, who is  
10 [REDACTED], [REDACTED]  
11 [REDACTED], BAR9, [REDACTED] who had been in  
12 charge of the unit HIA516 was in, and also to the  
13 Assistant Principal Social Worker in the Eastern Health  
14 & Social Services Board. If we -- we can see the letter  
15 says:

16 "Dear BAR12,

17 Further to our meeting on Wednesday, 6th May to  
18 discuss your relationship with HIA516 in Macedon,  
19 I would like to confirm that both the Eastern Health &  
20 Social Services Board and Barnardo's are prepared to  
21 agree to its continuing subject to the following  
22 conditions:--

23 1. That you are prepared to accept the guidance of  
24 Macedon staff as to the frequency, nature and length of  
25 time you spend with HIA516.

1           2. That you accept their decision as to the value  
2 of presents and amounts of money you give to HIA516.

3           3. That you discuss with them where you are going  
4 to take HIA516 on your days out and for how long.

5           I must add that if you are not prepared to abide by  
6 these conditions, we will have no option but to review  
7 the arrangements.

8           It is also fair to say that we do believe that  
9 within the appropriate context as discussed at the  
10 meeting there does exist the potential for HIA516 to  
11 derive benefit from the relationship."

12           Now if we can go back, please, to 7114, because  
13 that's the position in May of           , and then you can see  
14 if you scroll down, please:

15           "The situation, however, continued to deteriorate in  
16 terms of the problems referred to above to the point  
17 where both Barnardo's and the Board considered that  
18 HIA516 was unlikely to derive any further long-term  
19 benefit from the relationship."

20           So you can see the question for Barnardo's and the  
21 Board on each occasion was: "Will HIA516 benefit from  
22 this?" Having concluded that HIA516 wasn't going to  
23 benefit long-term:

24           "BAR12 was invited to a meeting at which the contact  
25 was to be reviewed. The conclusion of the discussion

1 was that it would be better for all concerned if contact  
2 were severed, and a copy of the letter sent to BAR12  
3 following this meeting is enclosed."

4 Now the letter does not sit in this part of the  
5 bundle, but if we can look, please, at 158, the letter  
6 again, if we just -- it is dated 2nd November. It is  
7 signed by **BAR111** and again copied to the head of  
8 Macedon, the head of the unit in which HIA516 is and  
9 then also the Eastern Health & Social Services Board.  
10 You can see:

11 "I refer to my letter of 14th May in which certain  
12 conditions were laid down which were intended to govern  
13 your future contact with HIA516. From discussions with  
14 both the Eastern Health & Social Services Board and the  
15 staff at Sharonmore it is clear that these conditions  
16 have not been complied with and therefore I intend to  
17 review the arrangements.

18 I would be grateful if you would come to a meeting  
19 in this office on Tuesday, 10th November in order  
20 to discuss whether and how your contact with HIA516  
21 should continue."

22 That meeting takes place, and if we look at 16113 --  
23 so the letter has made clear as far as **BAR111** is  
24 concerned the conditions had not been kept. On 12th  
25 November then:

1           "Further to the discussion that took place on 10th  
2           November in connection with your contact with HIA516  
3           I note that you felt unable to accept the conditions  
4           which we considered should govern this relationship in  
5           the future and that you have decided to terminate it  
6           from now.

7           Consequent to this the Eastern Health & Social  
8           Services Board has also decided that HIA516's best  
9           long-term interest would be served by ending the  
10          contact."

11          Ultimately the Eastern Board is the entity in whom  
12          HIA516 -- ultimately responsible for his care, albeit  
13          they have placed him to reside in Barnardo's:

14          "As I indicated, the Board has full parental  
15          responsibilities for this family in the form of Fit  
16          Person Orders and have therefore the right to make  
17          whatever decisions of this nature which they think  
18          proper.

19          Although it has been agreed that you should have no  
20          further contact with HIA516 or with the unit by visit,  
21          letter or telephone, I understand that you wish to  
22          recover some property of yours within the unit. If  
23          would you care to telephone me at this number, I would  
24          be happy to deal with that."

25          You can see again those that it is copied to. Now

1 you can see on the copy list as to who was receiving  
2 this letter that there is reference to , who  
3 was the Principal Social Worker within the North and  
4 West District of the Eastern Health & Social Services  
5 Board. She provided at Detective Chief Inspector  
6 Colgan's request a report. It is of 8th September .  
7 I am simply going to show it to you. I am not going to  
8 go through it. If we bring up 7104, please, this is her  
9 statement and then she exhibits it. If we look at 7105,  
10 please, there then is the report which follows. If we  
11 just quickly scroll through, please, so we can see the  
12 nature. Again it is covering the same type of issues,  
13 questions that they were asked to address by the police.  
14 You can see the conclusion then that she reaches:

15 "BAR12's first contact with HIA516 was accidental  
16 and . Thereafter he with other  
17 at expressed a general interest in  
18 Macedon and he was encouraged by staff to focus his  
19 attention on one child rather than all the children in  
20 the unit. Our concerns about the relationship between  
21 the BAR12 and HIA516 were very real and increased with  
22 the passage of time, but it should be emphasised that  
23 this concern was HIA516's special needs as a deprived  
24 child who has not learned to behave in a socially  
25 acceptable manner and BAR12's inability to provide

1 structure for him. In discussions with BAR12 about how  
2 he and HIA516 would spend time when they were out and  
3 the amounts of money which would be involved were raised  
4 with him in this context. It is also true that at  
5 an earlier stage of the relationship as well as at the  
6 last discussion with him the question of the  
7 interpretation of his behaviour was raised in the light  
8 of **BAR 30** " -- that's the father, **BAR 30** --  
9 "tendency to make complaints about the treatment of the  
10 children and in the light of common sense. At no time  
11 was there reason to believe that the relationship was  
12 other than that of a sympathetic adult taking  
13 an interest in a deprived child."

14 Then if we go back, please, to **BAR111** at 7114,  
15 having looked at the sequence of events, if we just  
16 scroll through, please, if we just pause there, you can  
17 see he sets out the reasons why the decision is made  
18 that contact should be severed. That was to do with the  
19 emotional dependence that they found BAR12 to have  
20 towards the boy:

21 "... that BAR12 found it extremely difficult to  
22 refuse HIA516 anything, and as a result the boy was  
23 often able to play BAR12 off against members of staff,  
24 and in the context of dealing with a difficult and  
25 disturbed young boy BAR12 was unable to understand the

1 reasons for our decision about his treatment nor to  
2 cooperate in their implementation."

3 There is then a section -- I am not going to read  
4 that out now -- if we move on down -- that describes  
5 HIA516's difficult behaviour in Barnardo's. The various  
6 amounts of money that was given are recorded over the  
7 course of the period of the relationship. If we scroll  
8 on down, please, and then the conclusion that he  
9 reaches:

10 "The only other formal contact between Barnardo's  
11 and BAR12 took place in February . At the review  
12 panel held the previous December, which was attended by  
13 the Eastern Board, it was decided that an investigation  
14 of BAR12 should take place, primarily because of the  
15 change in the nature of the relationship during the  
16 preceding year or so."

17 So this is referring to ultimately what Dr Harrison  
18 was asked to do:

19 "It was dealt with as a befriending application and  
20 investigated by a member of staff from another project  
21 in a similar way to many other requests to befriend  
22 children in our care. Where it differed from our normal  
23 practice was that by that stage the relationship had  
24 already begun and the decision therefore was not whether  
25 a relationship should be allowed to start, but rather of



1 entirely innocent. That's at 7154 to 7156. The  
2 interview begins at 7152.

3 Now in June Detective Chief Inspector Colgan  
4 went to Rathgael to interview HIA516, who by this stage  
5 was and was two months into his stay in Rathgael,  
6 having gone there from Barnardo's. He explained to  
7 police -- and this is on 7067 -- how he had met BAR12  
8 through the absconding, how they had become friendly,  
9 that BAR12 would have taken him out about once a week,  
10 that he bought him a stereo, a pony, a bicycle, given  
11 him money, taken him on trips to Portrush, been to his  
12 house, visited him at and taken him to  
13 the Valley Leisure Centre, because he said to police he  
14 would not go into the sauna.

15 Detective Chief Inspector Colgan then explains in  
16 his report that he began to ask questions about the  
17 sauna when HIA516 tried to escape from the room in  
18 Rathgael that the interview was being conducted in. He  
19 ran up a flight of stairs at the back of the room  
20 pursued by a member of staff from Rathgael. After about  
21 five minutes, according to the detective chief  
22 inspector, HIA516 returned with the staff member, who  
23 explained to the police on HIA516's behalf that there  
24 were certain matters that HIA516 would tell them about.  
25 Detective Chief Inspector Colgan then records that

1 HIA516 was tearful, but said that things had happened  
2 with BAR12 that he would tell them about. The detective  
3 chief -- if we look at 7067, please, Detective Chief  
4 Inspector Colgan again records that HIA516 explained the  
5 relationships, the gifts, then how he had been shown  
6 obscene books and how he had been indecently assaulted.

7 Bring up 7067, please. If we just scroll down,  
8 please, we can see the reference then to the nature of  
9 the assaults. Now what is said here is relevant not  
10 just for the particular circumstances we are looking at,  
11 but it will become of greater relevance to other issues  
12 when we come to look at the Macedon Inquiry, but what  
13 HIA516 said happened was recorded then in a police  
14 statement of 25th June .

15 If we look at 7137, please, so he gives his  
16 background and the absconding. Taken back to the home.  
17 Became friendly. Given the gifts that he records. Then  
18 he says:

19 "During our visits to he bought dirty  
20 books with photographs of nude women. It was usually  
21 dark. He stopped near and he moved over  
22 beside me. He was driving a . He put his arm  
23 round me and tried to kiss me. He tried to put his hand  
24 on my penis, but I wouldn't let him. He tried to pull  
25 my zip down. He then took his penis out and it was

1 hard. He tried to make me put my hand on his penis, but  
2 I wouldn't let him and I got out of the car. Every time  
3 we went to he tried the same thing, but  
4 I never let him touch me. Sometimes he would put his  
5 hands on my penis over my trousers, but I pushed his  
6 hand away. I liked BAR12, because he bought me things,  
7 but I didn't want to touch -- but I didn't want -- but  
8 I didn't want to touch me. Once he took me to the  
9 Valley Leisure Centre, but I wouldn't go into the sauna  
10 with him, because I knew he would try it on again. That  
11 is why I wouldn't go into his house in . The last  
12 time he tried it on was about three months ago when we  
13 went to ride the horse in . He tried to kiss  
14 me and put his hand on my penis, but I wouldn't let  
15 him."

16 He again describes what he says BAR12 did:

17 "He tried this on every couple of weeks over two to  
18 three years."

19 Then he said:

20 "Sometimes when he took his penis out, he asked me  
21 to wank him, but I refused. I tried to get out of the  
22 car, but he held on to me. I punched him and got out.  
23 Once when we were out horseriding I stopped my horse and  
24 he came over beside me on his horse, tried it on again,  
25 but I moved away on my horse."

1           Now the -- that statement at 7137 will be something  
2           that you will want to look at again when I come on in  
3           the chronology to later events involving HIA516, but the  
4           allegations that are made are of indecent assault and  
5           gross indecency.

6           That having been made to the detective chief  
7           inspector, he then submits a preliminary report to his  
8           superiors and that's at 8248 and 9. Then on the same  
9           day -- so immediate action was taken by           because  
10          on 25th June           BAR12 was suspended

11          The reference for that is at 8220 and 7072.

12          Solicitors for BAR12 wrote on 29th June, so four  
13          days later, challenging the suspension without proper  
14          information being given to BAR12 as to what it was about  
15          so he could respond to it. That's at 8253.

16          HIA516 was asked to and agreed to a medical  
17          examination. That's at 7067. The report from  
18          Dr Crosbie will be of importance to the Panel beyond  
19          dealing with the particular allegations that are made in  
20          this statement. If we can look, please, at 7138, if you  
21          just scroll down with me, please, if you look at the --  
22          I am not going to read it out. If you look at the  
23          latter half of the second paragraph. Now that report is  
24          of 8th July           and the examination had taken place you  
25          will see on 28th June           .



1 just scroll a little further down the left-hand corner  
2 of the page, again this document is being copied to the  
3 Eastern Health Board as well as within Barnardo's.

4 The police investigation continued and after  
5 July HIA516 identified to police a house he said he  
6 had been taken to; the riding centre, he showed the  
7 police where that was, and other locations; a quarry on  
8 a particular road where the assaults were said to have  
9 occurred. The references for that are 7068 and 7140.

10 But the fact of BAR12's suspension from in  
11 connection with a sexual offence against a boy in  
12 a boys' home

13 That fact  
14 prompted a further investigation as to how that  
15 occurred. I am just going to give the Panel the  
16 references, because it involved meetings taking place  
17 between Barnardo's and the Board and discussions,  
18 including involving the Department, about these events  
19 and how to deal with them, and that can be found at  
20 16104 running through 16111. It involved interaction  
21 between the various organisations and the police about  
22 what was occurring. Doreen Brown is a name you will  
23 have heard before from the Department of Health & Social  
24 Services was engaged in the discussions that were taking  
25 place.



1           When he returned, I told him that I was prepared to  
2           investigate his complaint to the best of my ability

3  
4           , but that I was not prepared to listen to abuse  
5           from him. If he wanted, we could continue, and if he  
6           did not want the matter investigated, to just say so.  
7           I also advised him that if BAR12 had indecently  
8           assaulted him, then he should be punished and steps  
9           would have to be taken to ensure that he did not assault  
10          another boy.

11          HIA516 then composed himself and apologised for the  
12          behaviour, said he was prepared to continue. I told him  
13          that I wanted to hear everything that had taken place  
14          and he agreed to tell us and let us record it. He then  
15          related to us his relationship, which included a number  
16          of allegations of indecent suggestions and assault."

17          You can see what is described about the allegations  
18          that were made, including number (5), which is  
19          an augmentation to what had been in the earlier  
20          statement. If we scroll down, please. That statement  
21          is at 7141, please, of 19th August . He refers to  
22          having:

23          "... already made a statement. The things I told  
24          you are true. I don't want to go over those again,  
25          because I don't feel like it. I don't want to go to

1 court about BAR12, but I will tell the police ."

2 Then he makes reference where things happened. Then  
3 it must be at that point that the first statement comes  
4 to an end, because there is then another statement that  
5 begins on the next page, please, of the same date, and  
6 he then gives further detail about what he says  
7 occurred. I am not going to go through this now except  
8 to observe the limit of what was alleged, which was  
9 summarised in the report that we looked at. If we just  
10 scroll down, please. Just keep going, please. So there  
11 is a three-page statement that is made. It's a document  
12 that you may want to then look at again in due course  
13 when I identify some further relevant matters on the  
14 chronology.

15 Now as this was all unfolding BAR12, as you know,  
16 was suspended. There is an incident then involving  
17 HIA516's mother calling at his house with drink taken.  
18 A call is made to the investigating team to try to get  
19 them to come out and take a statement from her. They  
20 are not in a position to come out. His ,  
21 who is a , takes the statement confirming  
22 that her husband had put HIA516 up to making the  
23 allegations. BAR12 takes her to Police  
24 Station. The duty officer was not prepared to take  
25 a statement from her and one that had been written out

1 by her involving BAR12 and his wasn't  
2 handed over. The references to that are at 7145 through  
3 to 7151.

4 The following day, 14th September, police did  
5 interview **BAR 30** in prison. Now by this stage he  
6 himself was convicted of  
7 -- the references are at 7064 -- and he confirmed to the  
8 police that he himself had no direct evidence of  
9 anything improper having occurred between his son and  
10 BAR12 and he had not, in fact, spoken to his son about  
11 it. His statement reveals what he says Barnardo's had  
12 told him about what was occurring. 7102 to 7103.

13 Now on 22nd September then a more detailed interview  
14 took place with BAR12 and that can be found at 7165  
15 through 7171. He explained that he had taken HIA516 out  
16 probably for 150 days over the preceding years that he  
17 had been involved with him. He didn't want to answer  
18 some of the questions that were put to him, but he  
19 denied showing him dirty books at any stage and he  
20 denied sexually assaulting him in any way. That's at  
21 7166 and 7177.

22 On 8th October a medical examination of him  
23 took place. If you look at 7073, please -- sorry --  
24 7181, again Dr Crosbie. You can see -- if we just  
25 scroll down, the conclusion you can see is that:

1            "We found no abnormality to suggest any form of  
2 abnormal homosexual practice in this man."

3            Now in concluding his report the detective chief  
4 inspector, if we go to 7075, he expressed his personal  
5 view that he believed them to be true, the allegations  
6 that were made, but in his opinion a criminal  
7 prosecution wouldn't be successful. He set out the  
8 reasons why he said that and recommended the file be  
9 marked "no prosecution".

10           He submitted his report to Detective Superintendent  
11 Drew and his summary report is at 7077. If we can just  
12 move through to that, please, he summarises in  
13 considerable detail over the course of four pages. I am  
14 not going to go through that except to show this is what  
15 happened factually. If we scroll through, you see he  
16 looks at the first association, which was to do with the  
17 mid           in East Belfast. Scroll through, please. The  
18 second association, which was over the        **HIA 516**        and  
19 Barnardo's. The third, association which was over the  
20 tape recorder incident. Then he said:

21           "There is no allegation or evidence that BAR12 has  
22 committed any criminal offence against ..."

23           This is the boy from the third matter:

24           "... or ..."

25           the boy from the first matter:

1            "... and these matters can be dismissed from further  
2            consideration.

3            The association with HIA516, however, and the  
4            complaints made by him in his statement to police  
5            against BAR12 allege serious criminal offences over  
6            a prolonged period of two to three years and possibly  
7            even longer.

8            There are prima facie charges of gross indecency and  
9            indecent assault on a male person.

10            As Detective Chief Inspector Colgan has very  
11            properly pointed out, there is no corroboration to  
12            substantiate these charges and in offences of this  
13            nature corroboration is required in practice. That is  
14            not to say that the absence of corroboration should  
15            preclude charges being preferred. There is, however,  
16            verification of many matters raised by HIA516 in his  
17            statement."

18            Scroll down, please. He then sets out issues over  
19            the credibility that the complainant is likely to have  
20            to deal with and he expresses his own view as to the  
21            veracity of the allegations, but then says:

22            "I do not go along with him in saying these case  
23            papers should be marked 'no prosecution'. While I have  
24            no doubt he has reached this conclusion only after the  
25            most careful deliberation, the chief inspector's main

1 reason in arriving at this decision is that HIA516 would  
2 be a very reluctant witness and throw a tantrum in the  
3 witness box if he was under pressure and had to go to  
4 court. HIA516 still has a liking for .

5 Whether this be true or not, the Crown has  
6 a responsibility to ventilate the many issues involved  
7 here in open court, more particularly with the present  
8 climate of public opinion, and to leave it to judge and  
9 jury, if such be the case, to pronounce judgment on  
10 BAR12's guilt or innocence and I recommend accordingly."

11 Now, as the Chairman knows very well and I am sure  
12 Panel Members perhaps to a lesser extent, these are the  
13 types of deliberations that have to go on in cases of  
14 this kind where professionals doing their job come to  
15 different views about it as to the course that should be  
16 taken, but the detective superintendent has expressed  
17 this view and the matter then travels across to the DPP,  
18 and if we look then, please, at 8295. We may have  
19 a better copy. If we go to 7056. Yes. If we can  
20 maximise that. So this is a direction given by

21 of the DPP on 16th December and he says:

22 "Whilst this file reports an investigation into  
23 certain relationships between BAR12 and a number of boys  
24 over a period of years, there is only a specific  
25 allegation of sexual malpractice in relation to the

1 association with HIA516.

2 In this particular case not only are there  
3 assertions by HIA516, but BAR12's relationship with him  
4 appears to be a curious one. From the social welfare  
5 reports and the other facts contained in the file HIA516  
6 appears to have been a disturbed and violent character  
7 and yet BAR12 formed not only a close personal  
8 relationship with him but gave him very expensive gifts.  
9 This may raise a suspicion that the relationship was  
10 an improper one.

11 However, I have concluded that there should be no  
12 prosecution of BAR12, since there is no reasonable  
13 prospect of securing a conviction for an offence of  
14 sexual malpractice. He has denied the allegations. The  
15 boy is clearly disturbed, violent,  
16 and authority in general and widely reported by  
17 responsible people as being, among other things, a liar.  
18 His statements are not in agreement insofar as the  
19 number of visits he paid to BAR12's house are concerned,  
20 nor the place where an offence was committed in the car,  
21 and I do not believe that in these circumstances it  
22 would be right even to invite a court to act on the  
23 assertions of this boy, which at least insofar as their  
24 sexual consent is concerned are uncorroborated.

25 I direct no prosecution ..."

1           So that was the view that was being taken in respect  
2           of the two statements that we looked at which made  
3           allegations of indecent assault and gross indecency.

4           I am going to leave that subject for now and we will  
5           return to it when we get to 1997 in the chronology, but  
6           another matter that will be of relevance beyond the  
7           period of time to which it relates is an incident that  
8           took place in May           . This involved BAR47,  
9           , and on 17th May           BAR47, who is then aged           ,  
10          who had absconded from Sharonmore and spent time with  
11          her 20-year-old boyfriend, informed BAR9,  
12          , that she had had  
13          sexual intercourse with her then boyfriend on Friday,  
14          14th May           . You will recall that it was some five  
15          weeks later that -- and we have looked at this  
16          already -- that BAR9,  
17          was recording information from BAR47 about what HIA516  
18          was telling her about what BAR12 had done.

19          Now the records demonstrate that BAR9 informed  
20          Social Services and the police. Reference to that is at  
21          8738, and on the same date BAR47 made a statement to the  
22          police at 8737. I am just going look at 8732, please,  
23          because there is a -- just scroll down to the bottom,  
24          please. Recorded in the "Observations" section and in  
25          paragraph 11, and I ask the Panel just to note the

1 content of that paragraph, because it will be very  
2 relevant in terms of timing when we look at subsequent  
3 allegations that are made. So the events that we are  
4 dealing with here are from May , and just so I flag  
5 up the issue for you at this stage, BAR2 had left the  
6 employ of Barnardo's in December .

7 Now the -- this particular situation was drawn to  
8 BAR9's attention. The reason he was told about it he  
9 explains was because BAR47 had told him they had broken  
10 up, the individuals, because according to the police  
11 report BAR47 informed the police that the sexual  
12 intercourse was consensual, but it formed part of police  
13 investigation file C6526/82, which runs from 8721 to  
14 8747 in the bundle.

15 On 19th May the individual involved was interviewed  
16 and confirmed the relationship and that consensual  
17 intercourse had taken place. That's at 8744, and on  
18 20th May 1982, if we can look, please, at 8739,  
19 a meeting was held by Barnardo's and the Eastern Health  
20 & Social Services Board, where it was decided to  
21 recommend that court proceedings, ie the  
22 prosecution of the boyfriend of BAR47, was not in the  
23 best interests of BAR47. Since the parties had since  
24 split up, there was no risk of repetition of engaging in  
25 that activity. The discussion that had taken place in

1 the records talks about the progress that BAR47 had made  
2 in the work that Barnardo's was doing with her and that  
3 engaging in a criminal process at this time in this way  
4 would be likely to set her back rather than assist her  
5 progress.

6 The investigating officer, Constable Clarke,  
7 consequently recommended no prosecution, a view shared  
8 by her sergeant, her inspector and then the  
9 superintendent, and the chief superintendent then, while  
10 acknowledging the prima facie case of unlawful carnal  
11 knowledge, took into account the views of Barnardo's and  
12 the Eastern Health & Social Services Board that the  
13 prosecution wasn't in the best interests of BAR47 and  
14 recommended no prosecution. On 7th September the  
15 DPP directed no prosecution.

16 Now what I ask the Panel -- four factual matters  
17 that arise from what we have just looked at in brief  
18 terms. These events in May are taking place in  
19 Sharonmore, Macedon having closed in June . The  
20 factual background is the preparedness to disclose to  
21 a staff member what had occurred. So BAR9 is told about  
22 it and records it. The matter is then referred to  
23 Social Services and the police, and the date of this is  
24 important. I mentioned to you already BAR2 left the  
25 employ of Barnard on . The reference

1 for that is at BAR-15967.

2 Now what I want to mention now, Members of the  
3 Panel -- I am going to have to take a slight diversion  
4 from what I had intended to do in that in --  
5 Barnardo's were in a position to produce to the Inquiry  
6 a letter from April that **BAR111** had written  
7 back to police about BAR2 and the implication of the  
8 letter was that the police were asking about BAR2 for  
9 some reason. I was going to tell you that police had  
10 not been able to produce the file that would explain why  
11 that letter was written, why **BAR111** was replying as  
12 he did, and I would have been telling you that when  
13 Barnardo's uncovered the matter in 2000, looking at all  
14 the child protection issues relating to Macedon, they  
15 spoke to **BAR111**, who could not remember the reason.  
16 They talked to **DL 518**, who also could not remember.  
17 It would have been difficult to take the matter beyond  
18 the content of the letter itself and the necessary  
19 factual implications that arise from it, but overnight  
20 the police file has been provided. It is presently  
21 being worked on by the Inquiry staff, and what I propose  
22 to do is at some later juncture over the course of the  
23 proceedings in this module I will unhappily take you  
24 back to and set out what that file shows. It does  
25 contain relevant material that included the police

1 speaking to staff members in Macedon or then in  
2 Sharonmore but who worked with BAR2 in Macedon and also  
3 speaking to BAR2 himself. It did not involve I should  
4 put on the record at this point any allegation of  
5 interfering with the boy or a girl. It was to do with  
6 his own personal relationship. That's a matter that we  
7 will have to return to and perhaps if I can ask you to  
8 note it so that it can be slotted into your chronology  
9 of these matters, because the context of it and the  
10 nature of the evidence will be relevant, especially the  
11 point at which it takes place. So I can park the  
12 issue for now until I have had an opportunity to prepare  
13 that material for you.

14 Then I am going to move to April . In April  
15 HIA216, who is an applicant to the Inquiry, then  
16 years old, made allegations against BAR4. He was  
17 a retiring , who worked for a period of up to two  
18 months -- it may have been no more than a month -- in  
19 Macedon during the summer of That was part of  
20 an resettlement scheme to help to  
21 Ultimately he, having gone through this  
22 process, did return to of a different  
23 kind and ultimately moved to

25 He was born on and was aged about

1 when he worked in Barnardo's. At the time and still he  
2 is married to and at the time they lived in  
3 . From the police material available to the  
4 Inquiry it is clear he had some involvement in  
5 Children's Home in and he and his wife  
6 were involved in fostering children at some point in the  
7 area. It's a matter that the Health & Social  
8 Care Board are looking into in terms of material that  
9 they have about this.

10 But on 24th April BAR8, social worker at  
11 Barnardo's, paid a home visit to HIA216, if we can look,  
12 please, at 227, and the home visit records:

13 "When I called with HIA216 today, I explained the  
14 purpose for visiting was in relation to information she  
15 had given to me in confidence some time ago. The  
16 information I referred to had, according to HIA216,  
17 involved herself and a member of Barnardo's staff in  
18 a series of incidents which she alleged had taken place  
19 in Macedon, a branch home of Dr Barnardo's, when she was  
20 quite a young child.

21 When HIA216 had at a much earlier date given me  
22 information re these incidents she had given me  
23 permission to discuss this with ,  
24 BAR36. However, she said she definitely did not want to  
25 pursue this. Following discussion with BAR36, I once

1 again conversed with HIA216 re the alleged incidents.  
2 HIA216 again stated that she did not wish to pursue this  
3 today. However, as we focused on being in care,  
4 Macedon, the vulnerability of children in care, the  
5 rights of children in care, the basic rights of a child  
6 admitted to care to live without fear, HIA216 said she  
7 would be prepared to talk with **BAR79**, then the  
8 **██████████** " -- you will recall he took over in  
9 -- "**BAR111** , **██████████**  
10 Barnardo's, and the RUC re the incidents involving her  
11 and a staff member in Macedon Children's Home. She said  
12 she would be very embarrassed and nervous relating to  
13 the incidents to strangers. Nonetheless -- relating the  
14 incidents to stranger. Nonetheless she would be willing  
15 to do so, as she felt that children who are taken from  
16 their parents for various reasons and placed in care  
17 should not be subjected to abuse or live in fear of  
18 staff who are being paid to care for them."

19 She went on to make some other comments about the  
20 contrast, what you were supposed to receive in care, but  
21 if we move through, please, on to the next page:

22 "We talked at length re Macedon as HIA216 recalled  
23 certain events, her memories of the cottage where she  
24 lived when a young child following her transfer to  
25 Macedon from **██████████**. As we talked,

1 I asked HIA216 to tell me once again what she alleged  
2 had happened in the cottage with a member of staff when  
3 she was a little girl.

4 The following is an account of HIA216's view of the  
5 incidents:

6 'It happened when I was about years old.'

7 I will ask the Panel to note that:

8 "'I can't remember exactly. There was a staff who  
9 worked in the cottage. His name was BAR4. I think his  
10 surname was BAR4.

11 He was or something to do with the .  
12 It could have been the . I can't remember.  
13 I didn't like him and I was afraid of him. He would  
14 come into the sitting room of the cottage and sit very  
15 close beside me on the settee. He would take my hand  
16 and forcefully place it between his legs on his  
17 privates. This happened many times. How many I can't  
18 recall, but it occurred quite often, usually at bath  
19 time'."

20 I will ask you to note, Members of the Panel, what  
21 is described as taking place:

22 "I asked HIA216 why she had not confided in either  
23 another staff member, Board social worker or an older  
24 child. HIA216 intimated that she could not tell staff  
25 as she was afraid that they would not believe her.

1 Maybe he would hear of it and she would be in trouble.  
2 She did not have a social worker long enough to be able  
3 to confide in."

4 She makes the point they changed very regularly in  
5 her mind:

6 "To further questions re the staff member HIA216  
7 told me that she could not be sure of his age, as to  
8 a child of someone of 20 years old appears old.  
9 She thought, however, that he may be in his early 30s,  
10 lived in . On leaving Macedon he had gone to  
11 work in another children's home."

12 If you scroll down, please:

13 "It was obvious that recalling these incidents were  
14 both painful and emotive for HIA216. I found HIA216 to  
15 be consistent with her account of the incidents on the  
16 occasions I talked with her. HIA216 supplied more  
17 information re ex-staff member than formerly, ie  
18 surname, where she thought he lived, where she had  
19 thought he had gone to work on leaving Macedon  
20 Children's Home."

21 Now I will leave that on the screen just for  
22 a moment and say this. It would seem from that home  
23 visit record that HIA216 had, in fact, disclosed  
24 something of these matters to BAR8 at some earlier  
25 stage, that at some earlier stage BAR8 had discussed



1 She recalled when she had commenced at Macedon in  
2 February , when **BAR 23** had begun as  
3 and ended in December . It was during  
4 that time, **BAR 23** time, that she recalled  
5 the following:

6 "A was on block placement with Macedon from  
7

8 Didn't remember the length of the placement, but it  
9 was months rather than a year.

10 He became much liked by both staff and young people.

11 He tried to motivate the boys into sailing and  
12 renovating the old greenhouses, which was in disrepair  
13 at the bottom of the back lane.

14 HIA216 seemed especially fond of BAR4. She would  
15 seek him out and ask when he was next on duty.

16 A vacancy for assistant houseparent came up at  
17 Macedon. BAR4 applied, but was unsuccessful.

18 **BAR 23** was disappointed that he was not  
19 placed."

20 There is a reference to a memo from the time.

21 "BAR4 left .

22 As far as I recall he applied for a few residential  
23 posts in the Lisburn area. I am not sure if he was  
24 successful or not.

25 ... small children of their own ..."



1           years of age at the time and not    years old, as  
2           previously stated.

3           On leaving Macedon BAR4's intention was to apply  
4           ..."

5           Gives further details about what he was going to do.  
6           If we move down, please:

7           "HIA216 intimated that she fully accepted the  
8           information I had related to her. She told me that to  
9           her knowledge she had not been informed of the  
10          placement. She therefore assumed that he was a staff  
11          member. This, HIA216 said, was probably due to the high  
12          turnover the staff. Staff, she said, frequently came  
13          and went. You accepted anyone who worked in the cottage  
14          or big house even for a short period of time.

15          There is reference to the inaccuracy over the age:

16          "HIA216 told me it was a genuine mistake. The  
17          incidents occurred a long time ago and on reflection she  
18          must have been, she said, pathetic and immature for her  
19          age, and when recalling events from memory, she'd a  
20          mental image of herself being very young.

21          HIA216 said that since she last talked with me she  
22          had given some thought to that particular time in her  
23          life and BAR4's relationship with her, and she recounted  
24          other instances when BAR4 made sexual advances towards  
25          her. According to HIA216 these took place outside of

1 Macedon, usually on the return journey from to  
2 Macedon, when she had been visiting his home.

3 I questioned HIA216 as to the frequency of the  
4 visits, the involvement of family during the visits,  
5 where the sexual acts had taken place and how frequent  
6 were the acts.

7 To my question HIA216 told me that her visits to  
8 BAR4's home had been quite frequent. As far as she  
9 could recollect his wife and children had usually  
10 been present. No sexual advances were made when she was  
11 at his home. However, when visiting BAR4's home, he  
12 travelled the ordinary route to . Not so,  
13 according to HIA216, on the return journey. HIA216  
14 informed me that BAR4 insisted, in spite of her  
15 protests, to travel on the back route from to  
16 Macedon. This route necessitated travelling on lonely  
17 country roads which led on to the Road and  
18 eventually into . HIA216 recalled that  
19 during these journeys BAR4 had regularly forced her hand  
20 between his legs."

21 If we go to 8466, please, we will get the third  
22 page:

23 "At this point in our discussion HIA216 said quite  
24 sadly, 'You know, I should have told staff, but I was  
25 afraid that they wouldn't believe me and nothing done.

1 Things changed in Macedon, you know. You don't remember  
2 what it was like. Kids were afraid to say anything  
3 about staff. This was before your time in Macedon.  
4 Things changed over the years'."

5 You will recall BAR8 began about :

6 "HIA216 told me that she had nothing to gain from  
7 making accusations against BAR4, that she would probably  
8 never have related her experience to anyone had she not  
9 heard about the abuse of children both in Kincora and in  
10 other residential establishments. HIA216 reiterated  
11 that kids in care have the right to be treated properly  
12 by staff who are paid good wages to care for them. She  
13 said she would not like to think of BAR4 being in  
14 a position where he could continue to abuse and harm  
15 kids like he did to her. She said this was why she was  
16 telling us of her painful experience when she was in  
17 Macedon.

18 During our lengthy discussion HIA216 showed no  
19 vindictiveness towards BAR4, only sadness. It was  
20 obvious that reminiscing and discussing this period in  
21 her young life evoked trauma, fear and not a little  
22 regret."

23 Now I will ask the Panel to note again the extent of  
24 what is described here and where it is said to have  
25 occurred. So it's in the cottage in Macedon, on the

1 road on the way back to Macedon in the car and not in  
2 the house in .

3 Now I am going to pause there to take you to  
4 a passage in BAR8's police statement of 25th April 2001  
5 during the Macedon Inquiry. If we look, please, at  
6 8503, in the statement she reflects on what we have just  
7 been looking at, the sequence of events in , and you  
8 can see:

9 "I was aware that an allegation of sexual abuse by  
10 staff at Macedon came in when HIA216 asked me to  
11 visit her at her home. During this visit HIA216  
12 disclosed to me that she had been sexually abused by  
13 a staff member named BAR4."

14 She is shown then the file record:

15 "HIA216 during the same visit told me that BAR2 had  
16 rubbed his hand up and down her thigh while on a run in  
17 one of the vehicles belonging to the home and that he  
18 had stopped the vehicle up a lane at the Glenavna Hotel.  
19 She explained that she felt uncomfortable and told him  
20 to stop or she would tell other staff. She explained  
21 that he did stop. I questioned her further if anything  
22 else had happened. She explained to me that BAR2's  
23 family lived in and that she wanted no bother.  
24 She told me that if I wanted to know about BAR2 to go to  
25 BAR47, who would tell me much more about him.

1 I questioned her further and HIA216 told me just to go  
2 and ask BAR47. She wouldn't talk to me further, but she  
3 did ask me not to record this, as she was too afraid.  
4 I did go to **BAR 79** and BAR36, "  
5 -- **BAR 79** being the -- "and  
6 told them both about HIA216's disclosures about both  
7 BAR4 and BAR2. I later spoke with BAR47 and enquired if  
8 BAR2 had ever done anything to her. She denied this,  
9 but wouldn't be drawn into talking about him further."

10 Now if I pause there, we have been looking at the  
11 file notes from the two visits in which talk about  
12 BAR4. There is no mention in those documents about  
13 BAR2, but BAR8 is recollecting in 2001, when speaking to  
14 the police, that at the same time in she was being  
15 told about BAR2 by HIA216 and a particular incident in  
16 a motor vehicle, but asked not to record it. It would  
17 appear -- there are certainly no records that have been  
18 provided to the Inquiry that document this at the time,  
19 either the disclosure itself or the discussing of it  
20 with **BAR 79** and/or BAR36, but this is BAR8's  
21 recollection at that point in time.

22 We can see the next sentence then says:

23 "It is not until around Christmas that BAR47  
24 started to disclose ..."

25 We will look at that, because the first BAR47's

1 statement is in June '98, which doesn't refer to this,  
2 and then there is one in 1999 that does.

3 Now there is another earlier piece of evidence that  
4 relates to this contained in a telephone memo of BAR13  
5 of 18th October 1999, so before the police statement but  
6 during the Macedon Inquiry. If we look at 17791,  
7 please, this is a record that BAR13 has maintained in  
8 the file of the conversation that took place over the  
9 disclosure about BAR4, and it says:

10 "BAR8 had gone to **BAR 79** and BAR36. BAR8 said  
11 <sup>BAR 79</sup> did not think that any action could be taken. She  
12 felt she wasn't allowed to do anything. She had  
13 independently telephoned the Care Unit and HIA216 had  
14 been interviewed."

15 So the implication of that is she has ignored what  
16 she was told and proceeded to contact the police:

17 "No-one had been in with her at the interview. It  
18 had been a bad experience for HIA216.

19 BAR8 believed that some actions had eventually been  
20 taken to track BAR4 down."

21 We will come to see that shortly:

22 "During this episode", as in the episode,  
23 "HIA216 had also spoken of BAR2 taking her in the  
24 minibus and rubbing his hand up and down her thigh.  
25 BAR8 had asked HIA216 if this had gone any further and

1 HIA216 said 'No, but if you go to BAR47, she will be  
2 able to tell a whole lot more'. HIA216 was sure there  
3 was a sexual relationship between BAR47 and BAR2."

4 That's obviously her view that she is expressing:

5 "BAR8 brought this up with **BAR 79** , who said she  
6 had no basis to question BAR47. BAR8 ignored that and  
7 had questioned BAR47, who at the time denied any  
8 relationship."

9 So that is a step further than in BAR8's 2001 police  
10 report -- police statement, because what's being said  
11 here in this note is that she'd ignored the discussion  
12 about not taking the matter further and had actually  
13 spoken to BAR47 about BAR2, who denied there had been  
14 any relationship between them.

15 "Last week HIA101 had made a reference to BAR29 ..."

16 These are another two individuals involved in the  
17 Macedon Inquiry who made allegations:

18 "... yelling because of what BAR2 had done to her in  
19 Bushmills."

20 That's a matter we will come back to:

21 "BAR8 has since reminded BAR47 of the time she asked  
22 her about BAR2 and her denial. She said she didn't  
23 remember ever being questioned by BAR8, but would have  
24 denied the suggestion and still would. BAR8 said BAR47  
25 was tearful. BAR47 said she remembered the screaming

1 and yelling of BAR29."

2 So there are two aspects to that I would ask you to  
3 note, Members of the Panel. First is it is recording  
4 that in there was a discussion, but also that there  
5 was a reminder or a discussion about reminding about  
6 that discussion taking place at some date prior to this  
7 memo, and an affirmation of what had been previously  
8 said.

9 Now BAR8 then addresses this issue in her second  
10 statement to the Inquiry. If we look at 2502, please,  
11 and paragraph 4, so what she's recollecting:

12 "I do not believe the matter was recorded and  
13 I recall that **BAR 79** told me that HIA216 had to go  
14 to the police to report this matter and also told me not  
15 to be asking any of the other young people or adults  
16 from Macedon about any alleged abuse. I believe BAR36  
17 was also present when I spoke to **BAR 79** and she was  
18 in agreement with him."

19 It is unclear if there was any further discussion --  
20 I am talking about in the point -- whether there  
21 was any further discussion with HIA216 about it, and we  
22 can try to clarify that in the coming days, but  
23 a statement was made by -- and we saw the reference to  
24 BAR8 getting in touch with the police -- a statement was  
25 made by HIA216 on 1st October .

1           If we can look, please, at 7614, and again this is  
2           a document for the Panel to note to come back to when we  
3           get further down the sequence.

4           HIA216 explains the background, and if we can just  
5           scroll down, please, she sets out then in the statement  
6           what she says BAR4 did to her. So in the police  
7           statement she described how he put a hand down his  
8           trousers and on to his penis.

9           "I said I was going to tell a member of staff but he  
10          said they wouldn't believe me."

11          Then a few weeks later he is bringing her back from  
12          Sunday dinner at his house and on the journey back she  
13          describes how he started to touch her breasts and below  
14          her waist.

15          "I told him to stop and he did and then drove back  
16          to Macedon.

17          I had been to his home before alone and he had  
18          stopped on the                    Road, but he never tried to  
19          touch me. We had just chatted about his wife and his  
20          kids. These incidents happened when I was        or        .  
21          I am        years old now. I never told anyone about this,  
22          because I knew nobody would believe me."

23          She said:

24          "The only other person I told was an        **BAR 70**        ",  
25          who was in Macedon with her. There is a statement

1 from BAR 70 .

2 You will note it doesn't refer to BAR2. It only  
3 refers to BAR4. You will note there are two forms of  
4 incident described, one in the cottage and then a second  
5 being on trips back from visits to a house in .

6 The friend BAR 70 was spoken to, if we can  
7 look, please, at 7623, and she confirmed that -- what  
8 she had been told.

9 "She told me that this man had made her put her hand  
10 round his privates."

11 Now in November then Barnardo's assisted the  
12 police with information to try and trace BAR4 so that he  
13 could be investigated about these matters. The  
14 references to that are 8467 through to 8469. It would  
15 appear from a file note of [REDACTED]

16 [REDACTED] BAR111 [REDACTED] of 11th November -- that's at  
17 232 and 3 -- no file could be found on BAR4. So there  
18 is no file. It sits with him not being an employee.

19 The investigation formed police file [REDACTED] and  
20 while we know the identity of the file, we have not yet  
21 received the file itself and are beginning to seek it.  
22 We do know from a later file that on 2nd June the  
23 DPP directed no prosecution on the basis that there was  
24 no corroborative evidence, and we are able to tell from  
25 another file -- visit -- file note of a visit by BAR8 --

1 if we look at 234, please, which is on  
2 22nd December so it is six months after the DPP  
3 direction of no prosecution, you will see that it's the  
4 same two. **BAR 70** is visited and HIA216 is with  
5 her:

6 "HIA216 explained that she had received a visit from  
7 Whiteabbey CID.

8 The female officer had explained that they had  
9 interviewed BAR4."

10 If we had received the police file we would, of  
11 course, be able to have the interview transcript:

12 "According to HIA216, the officer told her that due  
13 to the intervening period of time between the time of  
14 the offences and the delay in informing the authorities  
15 the matter would not be pursued and no further  
16 investigation made."

17 Now Barnardo's staff, however, did not let the  
18 matter rest there, as evidenced by a file note from the  
19 then BAR13, now BAR13,

20 . If we can look at  
21 199, please, if we just scroll down to the bottom for  
22 a moment, please, so the Panel can see. Okay. So it is  
23 signed BAR13, then the ,  
24 in February , but the first part of it is from  
25 January . So it if we scroll back up, please:

1 "I contacted Emily Barnett, Police Liaison, and  
2 asked her to clarify the RUC position on  
3 non-prosecution. I had concerns that the individual who  
4 HIA216 had mentioned was possibly fostering in the  
5 area. This was only informal information.

6 The RUC have had insufficient evidence for  
7 prosecution but there may still have been sufficient  
8 information for concern of a childcare nature in  
9 relation to the foster parent.

10 Emily Barnett, having checked the police file,  
11 informed me that the person suspected was living in  
12 at the time of interview. She felt that the young  
13 person's allegations were of a serious nature. However,  
14 the incident was so long ago that it would be difficult  
15 to collect evidence.

16 After further discussion I decided to contact BAR 71  
17 , social worker in , and Miss Barnett felt  
18 this was the appropriate course of action. The police  
19 investigation would not appear on record in Northern  
20 Ireland and could therefore constitute a missing link in  
21 communication at some stage."

22 Then on 28th January or that may be from 28th  
23 January:

24 "I telephoned BAR 71 ..."

25 This may be 2nd February:



1 perhaps, Chairman, before we pause for lunch, and that  
2 is to record that the police have provided the Inquiry  
3 with a file that raises a systems issue that was  
4 identified in . . . . . If we look, please, at 8158, we  
5 will find a letter of 4th February . . . . . from Mrs Doreen  
6 Brown, who was involved for the Department with The  
7 Hughes Inquiry. She was in the Childcare Branch of the  
8 DHSS, and what she is writing about ultimately, if I can  
9 summarise it in this way, is a problem over the  
10 provision of information about the outcome of police  
11 investigations to children's homes, and reference is  
12 made to the **BAR 78** case, because it had two parts to it,  
13 one in Manor House in Lisburn and then the other in  
14 Barnardo's Sharonmore. If we just scroll down, please,  
15 you can see:

16 "Concern has been expressed to the Department  
17 regarding the lack of feedback to those who reported the  
18 incidents to the police, were involved in the early  
19 stages of the investigation and were responsible for the  
20 day to day care of the boys concerned. It may be that  
21 procedures already exist for the police to pass on such  
22 information but that the matter was simply overlooked in  
23 these two incidents. However, I would be interested to  
24 establish whether normal police practice would allow for  
25 the information to be passed on, as we would be anxious

1 to ensure that in any case involving a child in  
2 residential care the appropriate persons, either in  
3 health and social services boards or in voluntary  
4 organisations, would be kept informed of the progress of  
5 the investigation being carried out and be told of their  
6 outcome."

7 Now, as may be familiar to the Panel, certainly to  
8 the Chairman, the immediate police reaction was to treat  
9 this as a complaint that had been made, and Mrs Brown  
10 wrote back, if we look at 8150, a letter of  
11 clarification on 6th March making it clear that  
12 she wasn't making a complaint against police, but rather  
13 she was essentially wanting to make sure that the  
14 communication mechanism was improved.

15 Chief Superintendent Hood wrote back on 5th April  
16 . If we look at 8136, please, he indicated that  
17 there was much ongoing discussion, given the time frame  
18 in April , about indecency offences against children.  
19 He flagged up that new procedures may emerge from those  
20 discussions and in the meantime all subdivisional  
21 commanders had been instructed to ensure that feedback  
22 was provided to those in residential care looking after  
23 children.

24 Now I am not going to trouble you with -- there is  
25 then a directive issued and a flow of correspondence

1 that ultimately appears to suggest that steps were then  
2 taken to amend the police code to deal with this  
3 specific issue of provision of information about  
4 outcomes to children's homes in these circumstances.  
5 All of that material was in a police file about that  
6 subject given to the Inquiry by the PSNI that can be  
7 found in the bundle at 8105 to 8160. So the issue was  
8 picked up and progressed and dealt with.

9 Chairman, would this be an appropriate time to ...?

10 CHAIRMAN: Yes. We will adjourn now and sit not before

11 2.15.

12 (1.10 pm)

13 (Lunch break)

14 (2.40 pm)

15 CHAIRMAN: Sorry to have kept you, ladies and gentlemen, but

16 I have had to deal with a costs hearing over the

17 luncheon adjournment. We are now ready to resume.

18 Mr Aiken.

19 MR AIKEN: Chairman, Members of the Panel, when we broke for

20 lunch I looked very briefly at a systems issue that had

21 been identified in between the Department and the

22 police, and I am going to now go back to look at some

23 events that were occurring in Sharonmore in April .

24 Some of these incidents are relevant for a number of

25 different reasons. The first is to demonstrate how

1 matters that came to light of an abusive nature were  
2 dealt with, but also some of the individuals who are  
3 involved in some of these events then at a later date  
4 make very serious allegations, and it allows the Panel  
5 to see what involvement they had with various types of  
6 authorities at the time and what was being said at the  
7 time they were in Sharonmore.

8 The first relates to HIA101. Between November  
9 and January HIA101, who was then , was living in  
10 the independent living flat/maisonette at Sharonmore and  
11 he was having a romantic relationship with a girl called  
12 **BAR 72** , who was , who also lived in Sharonmore. He  
13 was 18 months older than her. It is quite clear from  
14 the papers, which I am not going to open, that the  
15 matter was entirely consensual between them. There was  
16 a relevant history involving **BAR 72** that was brought  
17 to the attention of police, and she herself did not want  
18 the matter investigated. It turned out that she had  
19 only spoken to staff in Sharonmore because her period  
20 was late, and Social Services and the police were then  
21 informed whenever that matter was brought to the  
22 attention of staff. The matter was reported to police.  
23 The police investigation is contained within file  
24 C653686, which can be found at BAR-7836 to 7866.

25 It is the case as part of that investigation that

1 HIA101 was spoken to by police and made a statement  
2 about the events, which, of course, is beyond the time  
3 period that abuse is subsequently alleged to have  
4 already taken place.

5 CHAIRMAN: Of course, even though it was consensual, it was  
6 unlawful --

7 MR AIKEN: Yes.

8 CHAIRMAN: -- in view of her age.

9 MR AIKEN: Yes. Constable Hanna submitted her report on  
10 27th March and recommended in the circumstances no  
11 prosecution. That was endorsed by her senior officers,  
12 and indeed the point you make, Chairman, Superintendent  
13 Pollock formed the view that while an offence had been  
14 committed, in view of the circumstances he didn't  
15 consider court proceedings appropriate. On 14th April  
16 the DPP directed there should be no prosecution in  
17 respect of the incident that had come to light.

18 Then around the same time -- and this may be  
19 an issue that the Panel will want to reflect on, because  
20 there are a series of these matters illustrating sexual  
21 conduct between various individuals residing in  
22 Sharonmore -- but on 16th December a member of  
23 staff at Barnardo's Sharonmore found a girl in bed with  
24 a boy. He is one of the applicants to the Inquiry. The  
25 Panel is aware who he is, but at this point I give the

1 core participants the reference. It is at 7822. It is  
2 HIA50, who was formerly of Barnardo's, but at this point  
3 when this event was taking place he was an absconder  
4 from St. Patrick's Training School. As a result of  
5 being found in the girl's room in Barnardo's he was  
6 taken to Social Services and the matter was reported to  
7 police.

8 The police investigation was recorded in police file  
9 C657286, and that can be found at 7811 to 7835. HIA50  
10 made a statement to police on 28th December , which  
11 is at 7833, where he explained frankly the relationship  
12 he and **BAR 73** had been having up to  
13 December , and he very much liked Barnardo's.

14 If we just look at 7833, please, this is one of the  
15 points that the Panel may wish to note, given that you  
16 will hear some oral evidence about this from HIA50 about  
17 his time in Barnardo's. 7833. It's just down towards  
18 the bottom of the page. So you can see this is  
19 December I am pretty sure, although Ms Smith is  
20 dealing with HIA50 and it can be looked at, but he did  
21 not ever return to Barnardo's after this, but you can  
22 see at the bottom of the page:

23 "I have been staying at Sharonmore since February of  
24 last year and I like it very much and I hope to return  
25 as soon as possible."

1           So that was the view that was being expressed at the  
2           time of this police statement when HIA50 was resident in  
3           St. Patrick's Training School.

4   CHAIRMAN: Does that mean he had been coming there over  
5           a period --

6   MR AIKEN: He had been staying --

7   CHAIRMAN: -- or was it referring back to the time that he  
8           had been a resident?

9   MR AIKEN: It is the latter. He had been in Sharonmore. He  
10          had then been sent to the training school. He had  
11          absconded from the training school back to Barnardo's  
12          where this incident takes place. Then he is expressing  
13          his view post his time in Sharonmore. That's my  
14          understanding of the sequence. No doubt Ms Smith will  
15          confirm that in the evidence. This is a page you may  
16          wish to return to.

17          HIA50's witness statement was 20th December  
18          The girl's witness statement was not procured until 24th  
19          February          , when she was accompanied at a police  
20          interview by          **BAR 8**          . That statement is at 7827,  
21          and so you have -- there were reasons for that that are  
22          explained in the police report that I am not going to go  
23          into about the particular girl's background and her  
24          approach to these matters, but Constable Cossham then  
25          prepared her report in April          . It appears -- the

1 report runs from 7819 to 7825. The submitted file  
2 appears to have been mislaid originally and the police  
3 submitted it again in August of .

4 Then in that report the investigating officer did  
5 recommend that HIA50 face prosecution for unlawful  
6 carnal knowledge, but senior officers recommended there  
7 should be no prosecution. That can be found at 7825.  
8 On 21st August of the DPP directed there should be  
9 no prosecution.

10 Then in July there is a second police file that  
11 involves the same girl but with a different boy, and  
12 their interaction with one another seems to pre-date the  
13 particular incident in -- that HIA50 was involved with  
14 this girl in respect of and also post date it, but  
15 according to the file between November and  
16 March a -year-old boy and a -year-old  
17 girl -- so they are the same age -- were having a sexual  
18 relationship in Sharonmore. The matters were brought to  
19 the attention of the police and formed police file  
20 C658686, which can be found at BAR-7562 to 7587.

21 They each explained in their police statements that  
22 they made use of the toilets for their activity,  
23 ensuring that the staff were downstairs and that no-one  
24 was about. After the girl had left the home at the end  
25 of March , according to the boy having two-timed her

1 with another boy in the home, which may or may not be  
2 a reference to HIA50, he reported the matter to his key  
3 worker, the fact that he'd been having this sexual  
4 relationship. The reference for that is at 7581. The  
5 police concluded that as they were each willing  
6 participants, it would be unfair to prosecute the boy  
7 and not the girl and directed there should be no  
8 prosecution. Their police statements reveal that the  
9 way in which they carried on was to hide their behaviour  
10 from staff and steps were taken by them to ensure that  
11 they weren't discovered, but once the boy reported the  
12 matter to his key worker, then the police were informed  
13 and the investigation took place. Having recommended no  
14 prosecution, then the DPP agreed with that and directed  
15 no prosecution.

16 Then I pause from these incidents of sexual conduct  
17 coming to light and being dealt with by reporting to  
18 Social Services and police to deal with a tragic  
19 incident that was apparent in the papers that have been  
20 disclosed to the Inquiry and indeed we had been alerted  
21 to it through the evidence of this young lady's brother  
22 during the Rathgael module.

23 On Barnardo's Sharonmore suffered  
24 the tragedy of the death of one of their residents in  
25 Sharonmore. BAR48, then aged , her date of birth



1 . If we can look, please, at 18346, you can  
2 see this is described as a strictly confidential file  
3 note, described as the fatal incident. I am not going  
4 to go through the detail of the document. It runs from  
5 18346 to 18349. The Panel will have the opportunity to  
6 consider that document. If we look at 18347, please,  
7 midway down the page it is recorded when the sequence of  
8 events are set out:

9 "BAR48's lack of response to the first knock was not  
10 unusual practice for her. (There has been no history of  
11 self-abuse or hysterical action or serious suicide  
12 attempts with this child. There is no history of  
13 solvent or drug abuse.)"

14 So it appears that, contrary to what the children  
15 were saying they knew that BAR48 had a tendency to do,  
16 the staff as far as this document is concerned were not  
17 aware of any incidents.

18 On the same day BAR13 reported the matter to  
19 Dr McCoy, then Head of the Social Work Advisory Group.  
20 The reference for that is at 18352. At the time the  
21 documents disclose that BAR48, aged , working towards  
22 ultimately moving out of Sharonmore, had been working as  
23 a community service volunteer with the NSPCC.

24 The inquest, as I said, took place in and  
25 the verdict is available to the Panel. I am not going

1 to open it, but the Panel will be able to see it at  
2 18235.

3 There is a file of papers relating to this which  
4 runs from 18231 to 18546. It may be whenever you have  
5 the opportunity to reflect on this, there might be more  
6 you feel needs to be done, but I can say I have raised  
7 the issue with Mr Sayers whether there was a formal  
8 investigation learning lessons report at some later  
9 stage that sought to identify any further steps that  
10 could have been taken to ensure solvent abuse was  
11 identified or prevented, and I know that's being checked  
12 as to whether there is anything else.

13 I am going to leave that matter at this point and  
14 move then into . In March a -year-old  
15 female -- the Panel are aware her name can be found at  
16 7882 -- was a resident of Sharonmore. She had been  
17 admitted the previous March when she was aged . She  
18 disclosed to her key worker and group leader, so two  
19 members of staff, that she had been raped by her  
20 stepfather when she was years of age. Barnardo's  
21 staff called in the relevant Health & Social Services  
22 Board and the police and facilitated and encouraged the  
23 girl to share her abuse with the police over the  
24 following months.

25 A police statement from the Barnardo's key worker --

1 if we just can take that off the screen, please -- from  
2 the Barnardo's key worker of 6th March , which I am  
3 not going to open, but which is available at BAR-7302  
4 and 3, sets out the sequence of events, and the young  
5 girl with the encouragement of Barnardo's staff  
6 eventually agreed to medical examination, and the  
7 report, which I am again not going to open, confirmed  
8 that she had been abused. That can be found at  
9 BAR-7306.

10 The police file relating to this, C6458/87, can be  
11 found in the bundle at 7284 to 7319. For the reasons  
12 contained in the file a prosecution did not result, but  
13 you may consider the file when you have had  
14 an opportunity to reflect on it illustrative of the  
15 extremely difficult and indeed harrowing circumstances  
16 that Barnardo's staff may have found themselves in in  
17 terms of some of the matters that they had to deal with  
18 and manage.

19 The difficulty that these issues present is not new  
20 to the Panel, but, for instance, in this case alone  
21 prior to this particular police investigation the same  
22 girl when aged had made three different allegations  
23 of indecent assault during , so after she was in  
24 care, saying they were happening while she was in care  
25 while resident in Barnardo's, which had been brought

1 each time to the attention of the police and  
2 investigated, and one example is a June allegation  
3 which was investigated by police and recorded in file  
4 C61118/86, which can be found at BAR-7867 to 7895.  
5 These are claims being made about things happening  
6 outside the home, but which, when reported to  
7 Barnardo's, were then reported to the police.

8 In this file, for instance, were claims about the  
9 behaviour of a young boy that this particular girl  
10 happened to fancy, but he did not return the attention,  
11 and as a result he found himself being the subject of  
12 an allegation of indecent assault, which, when  
13 investigated, was found not to be borne out. It  
14 demonstrates the potential for claims to be made that  
15 are not necessarily made out, even though they're coming  
16 from someone who in another instance is making a claim  
17 that is borne out.

18 Available to the Panel as an example is an earlier  
19 police file at C61158 from late , which is before  
20 the girl came to Barnardo's, when lesser claims not  
21 involving rape were made against the stepfather which  
22 weren't substantiated and that runs from 8512 to 8538.  
23 It is perhaps a stark illustration, that combination of  
24 files, of the complexity that can be at hand when  
25 dealing with these types of issues and children who are

1 caught up in them.

2 That takes to us November , and in November  
3 a -year-old girl living in Barnardo's alleged to  
4 a senior member of staff that she had been raped by  
5 a -year-old male resident of Barnardo's then living in  
6 the independent living unit, the maisonette. There was  
7 about 18 months' age gap between them. Social Services  
8 were informed and her key worker in Barnardo's took the  
9 girl to the police station. It quickly became apparent  
10 from what she disclosed that what had, in fact, occurred  
11 was consensual between them, and the allegation was made  
12 because of the embarrassment of the girl at the key  
13 worker finding her in bed at the maisonette. There also  
14 was another witness to events at the time who confirmed  
15 their nature.

16 The police, however, proceeded with -- leaving the  
17 rape claim aside, proceeded with an unlawful carnal  
18 knowledge investigation. That investigation can be  
19 found at C62689 and runs from BAR-7938 to 8018 in the  
20 bundle. The police inspector, noting that the matter  
21 appeared to have been reported to police after the girl  
22 had been found in a compromising position by her social  
23 worker, recommended no prosecution, but instead that the  
24 matter be referred to Social Services for control and  
25 counselling of the girl, and that is a reference that

1 can be found at 7910. On 15th February the DPP  
2 then directed there should be no prosecution in respect  
3 of the matter.

4 Now the same boy was then involved in a different  
5 allegation. On 26th January a -year-old resident  
6 of Barnardo's, a different girl from previously -- and  
7 you are aware of who she is -- had been out with her  
8 then boyfriend, this time now a 19-year-old who is  
9 ex-resident of Sharonmore, but they had met at  
10 an aftercare group in Sharonmore that they both  
11 attended. On the night in question the girl had, in  
12 fact, not returned to Sharonmore when she was supposed  
13 to from this date and Barnardo's reported her missing.  
14 The police found her in the boy's flat the next  
15 afternoon -- the man's flat the next afternoon. When  
16 she returned to Barnardo's, she alleged to her social  
17 worker that her boyfriend had, in fact, raped her.  
18 Barnardo's reported the alleged rape to the police and  
19 the police investigation is contained within police file  
20 C621990, which can be found in the bundle at BAR-7935 to  
21 8018. The boy was arrested, charged and admitted  
22 consensual intercourse and the forensic evidence  
23 appeared to lend weight to his account of what had  
24 occurred and later the complainant withdrew her  
25 complaint while continuing to insist that her account

1 was true.

2 The investigating officer did recommend prosecution  
3 for unlawful carnal knowledge, but the senior officers  
4 did not agree and on 9th July 1990 the DPP directed that  
5 in all the circumstances it was not appropriate to  
6 proceed with a charge of unlawful carnal knowledge and  
7 directed no prosecution.

8 Then in March 1992 a -year-old girl who was  
9 residing in Barnardo's Sharonmore made allegations of  
10 indecent assault against her schoolteacher. She was  
11 facilitated by Social Services in making the complaint  
12 to police. The investigation can be found in police  
13 file C617292, which runs from 8059 to 8090 in the  
14 bundle. There were two schoolgirl friends of the girl  
15 who were present when the indecent assault was alleged  
16 to have occurred. They did not substantiate the  
17 allegations. The police were also able to note that  
18 this was not the first such claim of indecent assault  
19 brought by the same girl. The schoolteacher, someone  
20 with an unblemished record over twenty years, vehemently  
21 denied the allegation that was made. The investigating  
22 officer expressed the view that a prosecution would not  
23 be successful, but the detective inspector went further,  
24 saying that for whatever reason best known to the girl  
25 she had attempted to get her teacher into trouble for

1 something he hadn't done and recommended no prosecution.

2 The DPP similarly directed there be no prosecution.

3 Again it demonstrates the complexity that can arise  
4 in dealing with these issues, that claims are being  
5 made, they are being taken seriously, they are being  
6 reported and investigated and found to be  
7 unsubstantiated.

8 In her statement to the Inquiry -- and this takes us  
9 to September 1992 -- Dr Harrison drew attention to  
10 a document from September 2002 -- sorry --

11 September 1992 recording an anonymous disclosure from  
12 a man. If we just look at 1017, please, this is the  
13 record of the -- you will see it is from I think it's

14 to BAR14. It is setting out the record. If  
15 we just scroll down, please, the matter was  
16 investigated, as evidenced in the document, but perhaps  
17 it displays the level of difficulty that can be  
18 encountered in matters of this kind if the information  
19 isn't capable of being nailed down as to precisely what  
20 it is is being claimed.

21 That takes us back to the case of BAR46 and BAR3  
22 that we talked about.

23 CHAIRMAN: Although it may seem a little early, but our  
24 indefatigable stenographer has been working since  
25 2 o'clock. So I think we will take a short break now.

1 Ten minutes.

2 (3.10 pm)

3 (Short break)

4 (3.20 pm)

5 MR AIKEN: Chairman, Members of the Panel, before the break  
6 I had just indicated we were going to return to the  
7 subject of BAR46 and BAR3. You will recall that  
8 yesterday we looked at the -- after BAR3 had left the  
9 employ of Barnardo's in the early part of after his  
10 departure BAR46 made a disclosure to BAR2, who then  
11 talked to BAR8, who talked to BAR24 about what was  
12 described in the file note that we looked at from April  
13 as attempts to kiss him, which were not passed on.  
14 Then we now come to , and on 24th November  
15 BAR46, who was born on , then years  
16 old, who had made the previous disclosure, spoke to BAR 75  
17 , by then a former member of Barnardo's staff, who  
18 been a group leader in Sharonmore. BAR46 had been in  
19 Barnardo's from 16th May , aged from , to  
20 22nd October , so spanning the transfer to  
21 Sharonmore, when he left aged . So this engagement,  
22 this discussion he had with **BAR 75** was just over  
23 years after **BAR 46** had left the care of  
24 Barnardo's.

25 As we saw yesterday, just to recap it, BAR3, who was





1 we can see then report of interview with the applicant  
2 for the childcare post. So they record the educational  
3 qualifications. Just scroll on down, please. Then  
4 a description of previous work undertaken. The reasons  
5 for wishing to take up the post.

6 "He has now realised he is best suited for work with  
7 young people after his experience in .  
8 Having contributed in some small way to need there, he  
9 wishes to make further contribution to our work at  
10 Macedon."

11 Then his family background. Scroll down, please.  
12 Then medical examination is conducted for employment.  
13 That was done on 16th May, so about two weeks after the  
14 employment was taken up. Scroll through, please.

15 Then we have the letter of appointment, which is, as  
16 you will recall, Barnardo's centralised organisation.  
17 The letter appointing him was 1st June , and date of  
18 commencement you can see is recorded as 23rd April .  
19 So that's the type of document and the process that  
20 appears to have been gone through in order to get a job  
21 in Macedon.

22 Having looked at that appointment process, I want to  
23 go back, if I may, to and BAR46 linking in with

24 **BAR 75** . As I said, he sought out **BAR 75** , who  
25 was a former residential social worker in Macedon, and

1 on 28th November, if we look at 8579, please, this is  
2 a police statement from **BAR 75**, where he records  
3 that on 28th November he went to see BAR46:

4 "During this visit with BAR46 he disclosed to me how  
5 when on a visit to Dublin with a member of Barnardo's  
6 staff that he had been sexually assaulted. He said the  
7 member of staff was named BAR3 and he went on to say  
8 that BAR3 had forced anal intercourse with him. BAR46  
9 gave me the impression this happened prior to ,  
10 perhaps . I remember a comment BAR46 made to me  
11 either in Macedon or Sharonmore in that BAR3 was  
12 a real 'fruity boy' and that BAR3 had tried to touch him  
13 up. He wouldn't elaborate on that comment and BAR3 had  
14 meanwhile left the employment of Barnardo's.

15 As a result of this meeting with BAR46 I phoned  
16 BAR13, , on 29th November and  
17 followed this up the following day ..."

18 Now I'll pause there just to remind you that the  
19 allegation that was made previously in matches what

20 **BAR 75** also appears to have been told. Now you  
21 will recall from the document yesterday that **BAR 75**  
22 did not feature at all. The people who were told about  
23 BAR3's conduct towards BAR46 in were BAR2, and BAR2  
24 spoke to BAR8. BAR8 in her police statement said that  
25 she also spoke to BAR46. So now **BAR 75** is also

1 saying that he had been told by BAR46 and again  
2 repeating the same type of abuse that was said to have  
3 occurred, whereas now in BAR46 is saying to BAR75  
that, "I was the subject of an anal rape."

5 It appears that in December BAR46 had  
6 a solicitor acting for him, because in the police  
7 material, if we look, please, at 8541, the police  
8 disclosed an occurrence record where the incident is  
9 being -- if we can just maximise that. The date of it  
10 on the left-hand side we miss, but it is December  
11 from a stamp that we will see on the next page.

12 "At date and time stated phoned  
13 about a client of his who had been sexually abused in  
14 a Barnardo's home in

15 Then he gives the details of the individual. Then  
16 if we move through to the next page, please, you can see  
17 the stamp is January , but the document itself on the  
18 left-hand side, the part that's cut off, we can see a  
19 .

20 So what then happens on 15th December , if we  
21 can look, please, at 8583, **BAR 46** made contact with the  
22 police and asked to report sexual abuse. You can see  
23 the record at the first paragraph recording what the  
24 police officer wrote as to having occurred.

25 Then as per the second paragraph of this memo, on

1 16th December **BAR 46** made a statement to the police  
2 about what had occurred with BAR3. If we can look,  
3 please, at 8614. Now if I can just ask the Panel to  
4 note at this point BAR46 will feature again in the  
5 Macedon Inquiry. So what he says at this point is  
6 perhaps something you can bear in mind when we come to  
7 look at the Macedon Inquiry. He explains about his time  
8 in Barnardo's. If we scroll down, please, he says:

9 "One is of the staff, BAR3 or BAR3, asked for  
10 permission to take me out of the home for the weekend.  
11 BAR3 would be in his now and he may have been  
12 at one time. He was . This  
13 weekend we went to Dublin and I thought it was great  
14 going to Dublin. We travelled to Dublin in his car and  
15 stayed in a posh type hotel. I think there was  
16 in the name of the hotel. On the Friday night we went  
17 to the pictures and saw a Dracula film. We then went  
18 back to the hotel and he ordered drink to be delivered  
19 by room service. I was drinking whiskey. I would have  
20 had about three drinks. Then on the Saturday we went to  
21 a market and I bought a ring for my wee girlfriend. In  
22 the early evening he took me downstairs to a bar and  
23 bought me a few beers. On the Sunday we headed off home  
24 in his car."

25 So you will note there is no suggestion of any

1 sexual abuse during the weekend:

2 "On the Sunday we headed off home in his car and  
3 while still in Eire we stopped at a hotel for something  
4 to eat. He asked me if I wanted a day off school and I  
5 said 'Yes'. So he phoned and said his car was broken  
6 down and we wouldn't get home until the Monday. I think  
7 there was in the name of this hotel. It was  
8 very old and there was ivy growing all over it."

9 So if I can pause there, this is a second hotel, but  
10 of importance BAR3 has to BAR46's recollection phoned in  
11 to Barnardo's to explain that they are not going to be  
12 home because the car has broken down.

13 It was -- the hotel was very old and ivy was growing  
14 all over it:

15 "There was a double bed and a single bed. We had  
16 something to eat and I think he bought me whisky and  
17 beer. I was tired. I went up to the room and went to  
18 sleep in the single bed. Then BAR3 stayed in the bar.  
19 I was awakened later when BAR3 came into the room."

20 Then he describes what he says occurred in terms of  
21 the abuse that he suffered. I will just allow you to  
22 read that. So you can see then reference to he was  
23 going to tell big BAR9 -- that's a reference to BAR9,  
24 staff member -- what he had suffered, but BAR9 wouldn't  
25 believe him because he had been in trouble before.

1 "After that he drove me back to the home."

2 He said he let on he was sleeping the whole way  
3 home. Then he indicates that:

4 "A couple of months later he was on night duty and  
5 came to my room. He tried to get into my sleeping bag.  
6 I held on to the zip and just curled into a ball. He  
7 just went away then. When BAR3 was leaving the home to  
8 work somewhere else, he tried to shake my hand to say  
9 goodbye. I wouldn't shake hands with him and he just  
10 laughed. I haven't seen BAR3 since that time. I have  
11 found it very difficult to live with this all my adult  
12 life, and because of support from my family and friends  
13 I have now been able to report what BAR3 did to me."

14 Now on 4th January **BAR 75** made a statement  
15 to police. It is at 8618 and 9. He recorded in the  
16 statement the sequence of events in respect of the  
17 disclosure, but also comments that BAR46 made to him in

18 . If we can look, please, at 8619. So that's  
19 echoing what he said in his conversation with BAR13,  
20 because BAR13, then, as now, ,  
21 had made a statement to police on 23rd December 1994 --  
22 it can be found at 8617 -- where she explained being  
23 contacted by **BAR 75** , and as the offences were said  
24 to have occurred in the Republic of Ireland, the  
25 investigating officer recommended that they be referred

1 to An Garda Siochana for investigation. That can be  
2 found at 8585.

3 The police report of Detective Constable Duff, who  
4 investigated this matter, is of 10th February 1995 and  
5 it runs from 8622 to 8633. The reason for the referral  
6 to the Republic of Ireland is that was believed to be  
7 where BAR3 had come from originally and that's where he  
8 was believed to be residing, although it transpired he  
9 may already have been much further afield but had, in  
10 fact, died in 1993.

11 On 30th May 1995 the RUC referred the matter to the  
12 Garda by letter, enclosing the police report, and it  
13 seems from the Macedon Inquiry police report that the  
14 Garda could never trace BAR3 and the investigation never  
15 progressed. He had, in fact, died in June 1993. There  
16 is a police file relating to the referral for  
17 completeness at CM7841/95 and that can be found at 9085  
18 to 9111.

19 Now I am told by the Inquiry legal team one of the  
20 steps that the Inquiry is able to take is to look at the  
21 service user file of BAR46, because there is no file on  
22 BAR3 beyond the documents that we have been looking at  
23 and his resignation letter, which I will come back to,  
24 but I am told by the Inquiry legal team that there is  
25 nothing in the Barnardo's service user file that shows

1 BAR46 being taken on a trip by BAR3, or to Dublin,  
2 and/or the South of Ireland, and/or being detained away  
3 longer than it should have been.

4 I have also taken the step of asking both counsel  
5 for Barnardo's and counsel for the Health and Social Care  
6 Board to have their respective material checked to see  
7 whether there is any indication of a trip of this kind  
8 with or without BAR3 and which did or did not run over  
9 an extra day to the Monday, causing school to be missed  
10 and a call to come in to indicate they would not be  
11 returning. You may consider, Members of the Panel, it  
12 is the sort of event that one might expect to be  
13 recorded in the file of the individual. To date Mr  
14 Sayers has confirmed for me there is nothing in the  
15 service file as far as Barnardo's can find and the  
16 Health & Social Care Board will check their material.

17 But Barnardo's has confirmed to the Inquiry that on  
18 1st July 1999 it settled BAR46's civil claim for  
19 £25,000. We can see that at 13495. That's the  
20 settlement letter from 1st July 1999. The money was  
21 paid in September of 1999. Now to date the medical  
22 evidence from the claim hasn't been capable of being  
23 produced, because its relevance relates to beyond the  
24 fact of the allegations as far as BAR3, but the Panel  
25 may have found it of assistance, knowing what was being

1 said at this point in time, given that further matters  
2 were going to arise in a police statement in 2000  
3 affecting individuals other than BAR3. Whether that  
4 position changed I will make you aware of that as and  
5 when if there's any more information. So the decision  
6 was obviously made to resolve this case and pay this sum  
7 arising out of the events that were described in the '94  
8 material.

9 I am going to leave the BAR46/BAR3 matter at this  
10 point and move on to or return but move on to 1997 and  
11 return to HIA516 or HIA516 and his complaint, which we  
12 looked at yesterday, that began in against BAR12 --  
13 or we dealt with this morning, but on this occasion the  
14 complaint is wider than BAR12.

15 On 18th March 1997 HIA516, then just short of his  
16 birthday,

20 wrote -- and that's something he would be subsequently  
21 convicted of -- wrote a ten-page handwritten letter to  
22 the Chief Constable of the RUC. That handwritten letter  
23 can be found at 7036 to 7045 and the typed version of  
24 it, which will be much easier to read for the Panel, is  
25 at 7197 to 7200. I am not going to open that now.

1 I am going to summarise that he renewed his  
2 allegations against BAR12 that we looked at this  
3 morning, though augmented them to include an allegation  
4 of buggery or anal rape. In addition to that  
5 augmentation as far as BAR12 was concerned, he also made  
6 allegations against his father, **BAR 30** , himself by  
7 this stage convicted of

, though not his son HIA516, and he was the  
9 first individual to make allegations against BAR1.

10 The police investigation of these allegations would  
11 form police file C61193/97. It is some 248 pages in  
12 length. It can be found at BAR-7004 to 7251 in the  
13 bundle. As part of the investigation RUC officers  
14 travelled to Prison to interview HIA516 and his  
15 police statement of 6th May 1997 can be found at  
16 BAR-7026.

17 Now if we can bring that up, please, in the  
18 statement he made the same allegations about BAR12  
19 touching him as part of their trips out, but if we move  
20 through, please, to 7028, the allegations are more  
21 detailed, but if we look down at the bottom of this  
22 page, please, the section that begins "One night ..."

23 So he describes various touching incidents that are  
24 said to have occurred, and then he makes this  
25 allegation, if we can scroll down, please, on to the

1 next page. So you can see from the last sentence that  
2 we can see on the screen -- it is now five lines up:

3 "I didn't tell anyone and after this night I never  
4 seen BAR12 again."

5 So he is dating this as the last occasion when he  
6 and BAR12 were together. So now the allegation is of a  
7 -- as far as on this page is concerned is one of violent  
8 rape in BAR12's car. Now BAR12 was not reinterviewed  
9 about --

10 CHAIRMAN: Just scroll down a little bit. At the end it  
11 refers to him saying:

12 "I told them" -- that's the earlier account --  
13 "something of what happened."

14 MR AIKEN: Yes.

15 CHAIRMAN: Yes.

16 MR AIKEN: You can see he says:

17 "As far as I can remember they took a statement from  
18 me, but I heard nothing more about this."

19 Now the reason given in the police report for BAR12  
20 not being reinterviewed now it included a more serious  
21 allegation was that the allegations against him been  
22 investigated in and, as we will see shortly in the  
23 chronology, the police travelled back to -- once they  
24 became aware of the matter, they travelled back to  
25 to ask HIA516, "Why did you not mention the rape

1 at the time you spoke to us in ?" We will see what  
2 the answer to that is shortly. Obviously was  
3 fifteen years earlier and at that stage HIA516 was .

4 Ultimately the police record in the report at 7019  
5 that no explanation could be given by HIA516 for why the  
6 allegation of buggery, as it was then called, was being  
7 made in 1997 but not made in .

8 Now it does appear from the supervisory --  
9 supervising officer's report that BAR12 was made aware  
10 of HIA516's complaint of 1997. If we just look at 7024,  
11 please, and in the middle of the page you can see:

12 "BAR12 has been made aware of HIA516's complaint  
13 dated 6th May 1997."

14 Now the police did -- in addition, the police  
15 pursued the allegations against **BAR 30** , HIA516's  
16 father. On 13th May 1997 they spoke to HIA516's sister,  
17 BAR47, who verbally confirmed, if we look at 7018,  
18 please, if we look just at the bottom of 7018:

19 "BAR47 confirmed verbally that she had been  
20 abused by her father. She had declined to pursue  
21 a formal complaint against him. She had no recollection  
22 of her brother HIA516 being present or witnessing her  
23 at the hands of her father. BAR47 declined  
24 to make a written witness statement."

25 You will recall there had been a report to police in

1 1991 which did form a police investigation.

2 The police then tried to interview **BAR 30** in  
3 prison on 22nd May 1997, but he refused to remain. He  
4 was subsequently extradited to the  
5 to face a

6 There the matter ended as far as dealing with HIA516's  
7 complaint about his father at least at that point in  
8 time, but in his police statement of 6th May 1997, if we  
9 can go back, please, to 77029, he -- this can also be  
10 found at 4365 and 4366, which is part of the Macedon  
11 Inquiry papers, but we are looking at it at the moment  
12 as part the '97 police file that was a standalone file  
13 at the time. If we scroll down to the bottom, please,  
14 we can see the passage that begins:

15 "When I was in Macedon, I became friendly with one  
16 of the female staff, **BAR1**. We used to call her '

17 ', because she used to frighten us at night. While  
18 she was there, she used to bathe most of the boys at the  
19 home, and I think I was around and it was before  
20 we went to the new home in Glengormley, Sharonmore.

21 **BAR1** used to bath me all the time whenever she was on  
22 duty and she would ask me to stand in the bath when she  
23 was finished with the other boys. In fact, she always  
24 kept me to the last. I used to stand in the bath  
25 waiting for **BAR 1** to put the towel around me. She

1 would start playing with my penis and it used to get  
2 erect. She would rub my penis up and down and then she  
3 would kneel down and put my penis in her mouth and start  
4 sucking on it. She used to say to me, 'Wasn't it nice?'  
5 and I always told her it tickled me. This would go on  
6 for ten minutes or so. Then she would wrap the towel  
7 around me, dry me off and tell me to go for supper.  
8 About half an hour later we were put in bed, and while  
9 in bed **BAR 1** used to turn off the light so that she  
10 could frighten use -- frighten us with the '.  
11 Whenever she did this, there would be four or five of us  
12 in the dormitory."

13 Scroll down, please.

14 "She sometimes clawed at the boys and tried to scare  
15 them. When she came to my bed, she put her hands under  
16 the blanket and played with my penis until I took  
17 an erection and then she would put her mouth around my  
18 penis again. I used to laugh because it tickled me and  
19 she would stop. This type of thing happened many times  
20 with BAR1 up until we moved to Sharonmore. BAR1 didn't  
21 move to Sharonmore."

22 That will be seen that part is not correct:

23 "I began to misbehave after going to Sharonmore and  
24 I was put into Rathgael, where I lost contact with my  
25 sister and brother until I was about 17. I would like

1 these complaints investigated ..."

2 So this is the first allegation that was made  
3 against BAR1 in May of 1997. It has, as you will note,  
4 two parts to it, both touching and sucking happening in  
5 the bathroom and also as part of the " " game in  
6 the dark along with others.

7 Now, as we come to see, BAR1 worked in Macedon from  
8 until , when she moved  
9 across to Sharonmore for a period of time. HIA516 was  
10 aged through to during that  
11 period.

12 Now you have seen the two planks to the allegation.  
13 BAR1 was then interviewed on 4th June 1997.  
14 A transcript of that interview can be found at 4887 to  
15 4924. Obviously it spanned some forty pages. So I am  
16 going to summarise what she had to say. There was  
17 absolutely no truth in his allegations at 4888. She was  
18 shocked by them. She explained her working history to  
19 the police, how she was what she described as old stock,  
20 but younger staff with new ideas had come along.  
21 Smacking was out. She described HIA516 as one of the  
22 more difficult boys to handle. There was a lot of  
23 trouble with him, she said, but she thought she had  
24 a good relationship with him. She could remember  
25 smacking HIA101, his younger brother, for stealing money

1 from her. That's at 4906. We looked at that episode  
2 yesterday, which happened in . She could remember  
3 BAR47 -- if we look at 4907, please, she could remember  
4 BAR47 disclosing to BAR8 that her had tried to  
5 . That was in , and  
6 again we looked at that yesterday or this morning. She  
7 said at 4908 that she would have bathed the younger  
8 ones, but the older ones bathed themselves. She  
9 indicated at 4910 that she did tell the kids ghost  
10 stories and could remember them calling her " ".  
11 She thought the lights would be on when she was telling  
12 the stories, although, as we will come to see, most of  
13 the children say the lights were off. She said she had  
14 never heard the like of HIA516's allegations. She  
15 queried in 4912 whether his father was behind them,  
16 because he was a troublemaker in Barnardo's. She said  
17 the allegations were complete lies, fabrication and  
18 disgusting, and she was there to be a mother to them and  
19 she only saw them as children. She was asked could she  
20 think of a reason why he would make the allegations up  
21 and she said no, they had come out of the blue. She  
22 thought the motivation was likely to be money. She said  
23 that on 4916. She referred to her mother and how she  
24 had been brought to avoid scandal and wouldn't bring  
25 that on her mother. She finished by saying it was quite

1 a story he made up about her and that she didn't touch  
2 him in any sexual way.

3 If we look at 4921, please, if you just scroll down  
4 a little, please, she is asked is there anything else  
5 she would like to say about the allegation. She said:

6 "I can't -- I can't get over the fact that he's made  
7 all these sexual allegations. I thought I was com... --  
8 I thought it was to do with smacking them. I would have  
9 given them a smack, you know.

10 Q. Right. No. I think I've made that quite clear  
11 to your --

12 **A. Uh-huh.**

13 Q. It was in relation to allegations of sexual  
14 nature, sexual abuse."

15 If we scroll down, please:

16 "A. I thought they were maybe going to make a case  
17 out of me smacking them, because that could have been.  
18 Just punishment, you know, the way you would. Nothing  
19 sexual with it, but --"

20 If we scroll down, please:

21 "Q. As I say --

22 **A. -- a smack on the legs or something, you know."**

23 **So that's what she is saying in interview was she**  
24 **thought that she was going to face allegations, because**  
25 **she seems to accept that she would have smacked the**

1 children, and indeed that's certainly borne out by the  
2 document we saw when in Tara Lodge she used a slipper.  
3 We saw yesterday in she used a wooden spoon on  
4 HIA101, but what she would not accept is the allegations  
5 that there was any sexual interference with any child or  
6 sexual interference with HIA516.

7 As I said to you, after the interview the  
8 investigating officer did travel to on 30th  
9 July 1997 to speak to HIA516 and ask him why he hadn't  
10 mentioned the anal rape now alleged against BAR12. The  
11 report says:

12 "HIA516 could not offer an explanation as to why he  
13 had not done so."

14 If we just look at that at 7019, please, it is just  
15 in the last paragraph -- that paragraph that's on the  
16 screen, the section that begins:

17 "HIA516 was updated. He was informed that his  
18 allegations had been previously investigated. He was  
19 also informed of direction of no prosecution  
20 in . HIA516 could offer no explanation why he did  
21 not mention the alleged act of buggery by BAR12 when  
22 interviewed in ."

23 Then about ten days later on 12th August, if we just  
24 scroll up a little what's on the screen at the moment,  
25 HIA516 telephoned Detective Inspector Mulholland, the

1 investigating officer, to tell him that he had decided  
2 to withdraw his complaints, but he subsequently wrote to  
3 DI Mulholland on 12th August as well saying he didn't  
4 want to withdraw them, and on 27th August 1997 Detective  
5 Inspector Mulholland, the investigating officer,  
6 submitted his ten-page report to his superiors. The  
7 report can be found at 7013 to 7023. He drew attention  
8 to the fact that the allegations were uncorroborated.  
9 As you saw, most of the police reports make that remark.  
10 He also pointed out that HIA516 had not made the  
11 allegations against BAR1 or his father in when he  
12 was no longer in Barnardo's and was in Rathgael. He  
13 drew attention to the fact that -- and you will recall  
14 this from when we looked at this -- that HIA516 did not  
15 make one police statement in . He made a series of  
16 police statements. They were a first statement and then  
17 two more statements on the same day a couple of months  
18 later. He referred back in his report to what the DPP  
19 letter of had said in about the difficult  
20 credibility issues that there were going to be and  
21 consequently recommended that the file should be marked  
22 "no prosecution".

23 In the covering report from his chief inspector,  
24 Chief Inspector Bailey, he noted that the investigating  
25 officer's own view was the allegations were true

1           nonetheless for all the reasons identified by Detective  
2           Inspector Mulholland. He concurred with him there was  
3           no likelihood of securing a conviction and endorsed  
4           marking the file "no prosecution". The same view was  
5           taken by Superintendent Hook, who did, amongst other  
6           things, draw attention to the fact there was the new  
7           buggery allegation against BAR12, and on 19th  
8           September 1997 the police submitted the file C61193/97  
9           to the DPP, and on 21st October 1997 the DPP directed no  
10          prosecution.

11           This fact of each of the three complainants --  
12          sorry -- each of the three individuals who faced the  
13          allegations being written to and told that there was to  
14          be no prosecution in respect of HIA516's allegations  
15          became a central difficulty in the Macedon trial,  
16          because HIA516 was included in the indictment and  
17          testified, and it had not been made apparent to the  
18          court that a letter had been written to BAR1 in 1997  
19          saying she would not face prosecution for any of  
20          HIA516's allegations, which were simply repeated. It  
21          wasn't a new statement by the time of the Macedon trial.

22           If you can bear with me for a short further journey,  
23          you have heard me mention the Macedon Inquiry on  
24          a number of occasions. It was a very extensive police  
25          investigation and I am only going to be able to

1 highlight a number of matters at this stage. I am going  
2 to have to return to some other matters and draw your  
3 attention to some specific issues from the Macedon  
4 Inquiry in due course, but if I can at this stage flag  
5 up it was a very extensive police investigation. It ran  
6 it seems in earnest between 2000 and 2001 and led to  
7 a trial in 2004. Due to its nature it is difficult to  
8 summarise in a manageable form for present purposes.  
9 I am going to provide an overview of it at this point.

10 The Macedon investigation is contained in police  
11 file C6419/01 and amounts to some 2746 pages. It can be  
12 found in the bundle at BAR-4001 to 6746. As with police  
13 files from that period, it contained a police report  
14 from the investigating officer, who was not the first  
15 investigating officer, but following the renewal of the  
16 investigation Detective Constable Boyce took on that  
17 mantle in 2000. It is dated 30th April 2001 and runs to  
18 120 pages. It is extremely detailed in nature and it  
19 can be found at BAR-4234 to 4354.

20 It explains that after HIA101 and BAR47 made police  
21 statements in the summer of 1998, and in particular  
22 HIA101's police statement, because BAR47's 1998 police  
23 statement doesn't in itself allege abuse, but after  
24 those statements and after a period of time -- I use  
25 that word -- delay appears to be certainly the

1 allegation amongst some of the individuals who were  
2 wanting the matter pursued -- the investigation appears  
3 to have been reviewed and recommenced. It ultimately  
4 produced allegations from police statements against four  
5 individuals: BAR1, BAR2, BAR3 and another man who had  
6 not hitherto appeared and that's BAR52. You will recall  
7 perhaps me at the outset yesterday indicating Barnardo's  
8 had provided a statement to explain his background.

9 The police decided to concentrate on the period that  
10 BAR1, BAR2 and BAR3 worked in Macedon and Sharonmore.  
11 BAR1 was the longest serving in that she worked from  
12 and her last day working for Barnardo's,  
13 although not her last day working in Sharonmore, because  
14 you will recall or I will demonstrate how she moved  
15 across to Tara Lodge in , that the investigation  
16 would cover that period to  
17 although, as we will see, most of the  
18 allegations, bar one allegation from BAR47 about BAR2,  
19 all are said to relate to the period up to  
20 , when Macedon closes.

21 Now what I would like to do before we perhaps close  
22 today is show you the allegations that were first made  
23 in 1998 by HIA101 and BAR47.

24 If we look at HIA101's statement first, please, it  
25 is at 4391. This is of 25th June 1998 and it runs for

1 some seven pages. I am not going to read the statement  
2 out now. You will have the opportunity, Members of the  
3 Panel, to consider the detail of the statement and the  
4 allegations that it contains, but it contains very  
5 graphic allegations of sexual abuse that are alleged  
6 against the three individuals.

7 If we just scroll down, please, we can see if we can  
8 move to the central parts of it. There is the reference  
9 to the " " -- if we just scroll further down,  
10 please -- which is known as BAR1's nickname. You can  
11 see references here to the games again, the ghost  
12 stories and turning the lights out and placing her hand  
13 inside his pants. If we just scroll down a little  
14 further, please, then we have the bathing and you will  
15 see there were two baths that are said to have been  
16 present.

17 "If you were in the bath or the shower on your own,  
18 she'd just stand and watch up. Sometimes she used  
19 to ..."

20 You can see reference to what's described in the  
21 statement as:

22 "... getting her tits out and show them to me.

23 One time I can remember when I was about  
24 when I went into the bathroom and saw BAR37, who was in  
25 the bath with his younger sister BAR38, and BAR1 was

1 stood watching them. Before that thing with them in the  
2 bath I can remember another incident with BAR1 and  
3 another member of staff called BAR2."

4 That's a particular point that you will want to come  
5 back to with some of the later allegations. Then  
6 there's reference to BAR2 being involved in the ghost  
7 stories and interfering. If we scroll on down, please  
8 -- scroll further down, please -- then there's reference  
9 to the stealing incident and the being hit over that.  
10 If we scroll further down, please, then there's  
11 reference to BAR 30 , hIA101 making allegations  
12 against his father. Scroll down, please. Just stop  
13 there:

14 "It was after that incident I told BAR8 I didn't  
15 want to go on any visits to my ma and da. The visits  
16 were then stopped."

17 It seems, you will recall, the visits stopped at the  
18 time of BAR47's allegations and they don't appear to  
19 have restarted after that. Then you can see the  
20 allegations made against HIA516. If we just scroll  
21 down, please, and then if I can just draw your attention  
22 to what is alleged on this page, because -- you will  
23 recall we have looked in detail at the statements in  
24 respect of HIA516 and what he says occurred with BAR12.  
25 Here you have an allegation being made by HIA101 about

1 what he saw happening to HIA516 at BAR12's hands in his  
2 house. You will see:

3 "They came into the front room a short while later.  
4 I didn't say anything about what I had seen, but HIA516  
5 just gave me a look that I took as meaning say nothing."

6 He says he believes it was after that that BAR12  
7 started buying presents.

8 "He bought him a horse and all."

9 You will recall I drew your attention to HIA516 was  
10 alleging it was the last time he saw him that a rape  
11 happened in the car.

12 Just scroll down, please. Then there's reference to  
13 another boy in Macedon. Then the particular incident in  
14 Bushmills which was the subject of an allegation by  
15 BAR29. So some corroboration that's being put forward  
16 for that which would form a later police statement from  
17 BAR29. Just scroll down, please. So you can see:

18 "I contacted an ex-member of staff from the  
19 children's home called BAR8. I have always had a lot of  
20 respect for her. She has treated me like a mother. It  
21 was after talking to her that I felt that I was strong  
22 enough to make a official complaint to police about all  
23 the physical and sexual abuse that I have suffered as  
24 a child."

25 That was the first allegation made to police about

1           **BAR2.**

2                   **I am sure I have sapped the will of everyone and**  
3           **perhaps this is an appropriate point to pause.**

4 CHAIRMAN: Yes. Very well. We will resume tomorrow.

5 (4.30 pm)

6 (Inquiry adjourned until 10 o'clock tomorrow morning)

7                                   --ooOoo--

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