

...do's (a Company Limited by guarantee)
...ance: Yarners Lane, Barkingide, Ilford, Essex. IG8 1QG
Telephone 01-550 8822
Reg. No. 61825 England

BAR 1

170 WINDSOR AVENUE Day Care Centre,
Dalfast

VIC/JMP/AHP/RY

RECEIVED

INSIT DIVISIONAL OFFICER			
Serial	Ref.	Initial	Date

Dear BAR 1

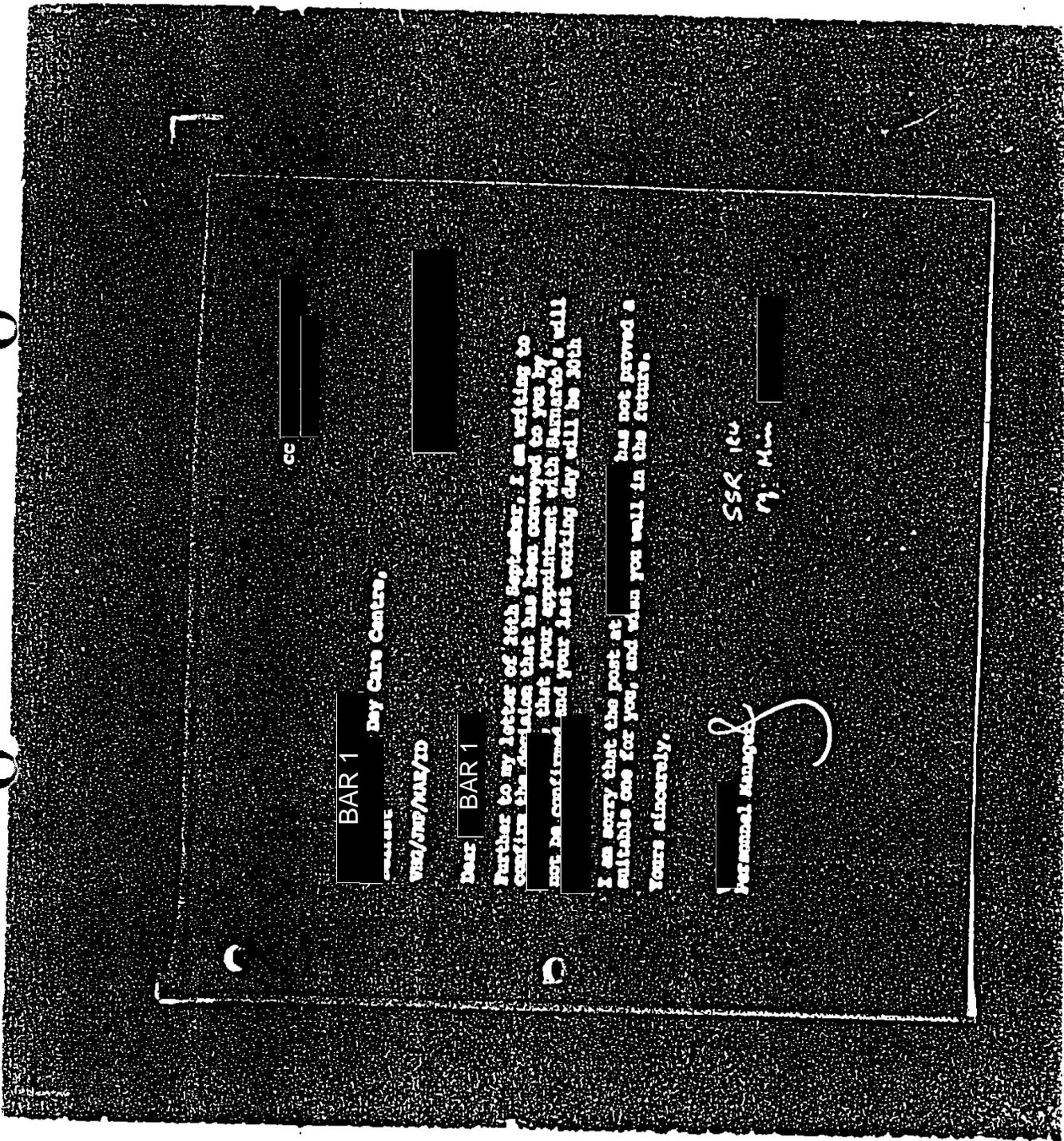
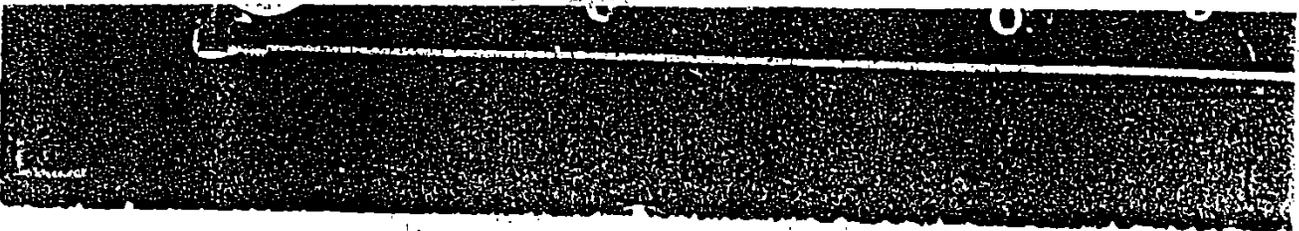
LETTER OF APPOINTMENT

Now that your medical examination and other necessary formalities have been satisfactorily completed, I have pleasure in sending you this formal letter of appointment, and should like to extend you a warm welcome to our staff.

The terms and conditions of your appointment are given below:

1. Post: **Officer**
2. Location: **[Redacted]**
3. Date of commencement: **[Redacted]**
4. Probationary Period: 6 months
During your probationary period you will be expected to establish your suitability for the post.
5. Remuneration, Emoluments, etc.:
 - (a) Salary: £ 2040 per annum (paid four-weekly in arrears)
Scale No: 30 Scale Points: £1701; £1804; £1971; £2040; £2127; £2193; £2277; £2304; £2465; £2529
 - (b) Additions to Salary:
 - i) £112 p.a. Cost of Living Supplement
 - ii) -
 - (c) Increments are paid on 1st April in each year, subject to a satisfactory appraisal report and to a minimum of six months in the grade.
 - (d) Allowances:
 - i) Holidays and absence - A fund of the cash value of the emoluments for eleven weeks per annum is made by adding the thirteenth part of the annual total to each four-weekly payment.
 - ii) Other: £150 p.a. Qualification Allowance
 - (e) Emoluments - Board residence valued for superannuation purposes at £... per annum. Barnardo's undertakes to provide suitable accommodation, but no commitment is given that any particular accommodation will be provided.
 - (f) Charges: **[Redacted]**

159



cc [redacted]

BAR 1 Day Care Centre,
[redacted]

WEG/JMP/MAJ/10

Dear BAR 1

Further to my letter of 26th September, I am writing to confirm the decision that has been conveyed to you by [redacted] that your appointment with Barnardo's will not be confirmed and your last working day will be 30th [redacted]

I am sorry that the post at [redacted] has not proved a suitable one for you, and wish you well in the future.
Yours sincerely,

Personnel Manager [Signature]

SSR 164
M. Min



From: [redacted] Assistant Divisional Director (Child Care) N. Ireland.
To: [redacted], Personnel Manager, Barkinguid.

ME/MS

IVFO

RE: [redacted] BAR 1 Nursery Officer, [redacted]

[redacted] BAR 1 is due to terminate her employment as Nursery Officer at [redacted] on the [redacted]. She had written to our Senior Residential Officer requesting that she be considered for a transfer to a post in Macdon. In view of [redacted] BAR 1's long years of experience with the older age group, and the fact that she has a qualification, it has been decided that she be transferred to the post of Residential Social Worker, Macdon, as from the [redacted]. I enclose SSR 185. [redacted] BAR 1 will be reviewed after the customary period of probation in her new post.

Will [redacted] BAR 1 be issued with a new letter of appointment, which would state that there will be a new probationary period?

[redacted]
Assistant Divisional Director (Child Care).

Enclosure.

162

Dr. Barnardo's is a Charity Limited by guarantee
Reg. Office: Tavens Lane, Barnsbury, (Hond. Esm.) G8 10Q
Telephone 01-693 0822
Reg. No. 01625 England

ACCEPTED CONTRACT OF EMPLOYMENT

BAR 1
Name:
Address:
VIA/NO/YES/NO

Dear BAR 1
LETTER OF APPOINTMENT

Now that your medical examination and other necessary formalities have been satisfactorily completed, I have pleasure in sending you this formal letter of appointment, and should like to extend to you a warm welcome to our staff. The terms and conditions of your appointment are given below:

- 1. Post: **Assistant Inspector**
- 2. Location: **London, Holborn**
- 3. Date of commencement: _____
- 4. Probationary Period: **6 months**
During your probationary period you will be expected to establish your suitability for the post.

5. Salary, Deductions, etc.
(i) Salary: **£ 3139** per annum (paid four weekly in arrears) (incl. pension)

Scale No: **2604 1** Scale Points: **21971 23001 23171 23191 23271**
23441 23461 2353

(ii) Additions to salary:
(i) **£112 P.M. Cost of Living Supplement**
(ii) **Phase 2**
(iii) _____

(c) Allowances:
(i) **£190 P.M. Qualification Allowance**
(ii) _____
(iii) _____

(d) Deductions:
(i) **£ 483 p.a.** for your board residence. Barnardo's undertakes to provide suitable accommodation, but no commitment is given that any particular accommodation will be provided.
(ii) _____
(iii) _____
(c) _____

6. Special Conditions: **None as please have right of your C.B.C.C.F.S.**

Barnardo's

Dr. Barnardo's is Company Limited (by guarantee)
Reg. Office: 1, Queen's Lane, Barnabygate, Ilford, Essex. IG6 1QG
Telephone 01-550 2822
Reg. No. 81623 England

BAR 1
Sharnamore,
Belfast.

RECEIVED
PERSONNEL DEPT.

1962/MAY/28/10

Dear BAR 1

I am writing to confirm that with effect from [redacted] you have transferred to the Sharnamore Project and have been promoted to the post of Third Senior on Scale N.O.2. Your salary from that date will be at the rate of £2057 per annum plus £112 per annum Cost of Living Supplement plus £171 per annum Qualification Allowance less £489 per annum board residence. The incremental points on N.O.2 are as follows: £1676; £1775; £1868; £1967; (£2057); £2153

As is our usual practice your new post will be subject to a probationary period of twenty-six weeks. Your other conditions of service remain as set out in your original letter of appointment.

May I conclude by asking you to sign and return the enclosed copy as soon as possible.

Yours sincerely,


Marg. Given,
Personnel Manager

I confirm my acceptance of the post in the general terms and conditions set out herein.

Signature: BAR 1

Date: [redacted]

Printed: Her Majesty Queen Elizabeth the Queen Mother,
President: Her Royal Highness the Princess Margaret, Countess of Snowdon.

Personal File

Dr. [redacted] (with Divisional Office)
412 Andrew Hall, Room 1019, SDA
Telephone 0237 [redacted]

775811

BAR 1



Dear BAR 1,

I would like to summarize our discussion at [redacted] as follows:

I understand that you are aware of the comments contained in your most recent Annual Staff Review and Advances, the substance of which is that your and [redacted] have serious doubts as to your ability to operate as an associate in the Ballistics Corp. I have discussed your review at some length with both BAR 36 and [redacted] and agree with their conclusions. From the evidence in this review, it also seems to me that the likelihood of your being able to operate at the required level in the future is small.

In these circumstances I feel unable to recommend that you be awarded an increment on the 1st April next, and as you know, I have made this recommendation, with Mr. BAR 14 approval, to the National Director, who will consider this in due course and advise you of their decision through Headquarters personnel in the near future.

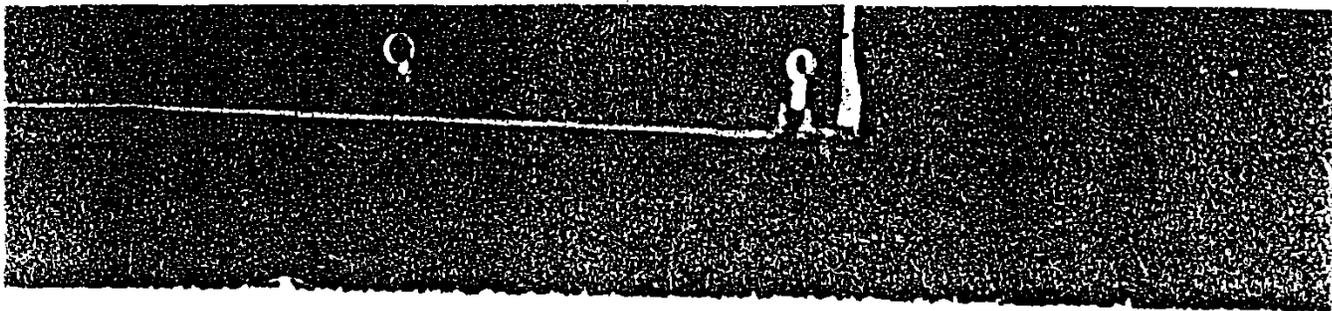
I also feel that you may be able to operate more effectively and more also derive greater satisfaction from working as a basic grade possibility of such a transfer. and would suggest that you consider the world of course continues to be at [redacted] In these circumstances the post would be unchanged. However, as a [redacted] your eventual maximum salary would be the top point of Scale 3, rather than the top point of Scale 4 as at present, and eventually would have an effect on your level of pension.

Perhaps you would consider this suggestion and let me know whether you wish to accept it. If I do not hear from you by Monday 20th March 1982, I shall assume that you would prefer to remain at Third Section.

Yours sincerely,

Assistant Divisional Director (Civil Care)

166



Dear [redacted]
 Was this my special reason
 why I have had no reply from you
 regarding the divorce procedure?
 Regarding the lack of handling
 required to get up to standard for my
 position as this [redacted]
 I did not have introduction of new
 management to the [redacted] I have not
 been offered the opportunity of staying for
 full the C.S.S. course of what I am willing
 to live up.

Yours Sincerely
 [redacted]

BAR 1

BAR 1

Dear BAR 1

Further to our meeting of [redacted] to discuss your Annual Staff Review, and my letter of [redacted] I understand from BAR 36 that there has been very little improvement in your performance in your post as a [redacted] at [redacted]

I am writing to confirm that it has been decided to hold a Disciplinary Interview as part of the Serious Disciplinary Procedure, in my room at the Divisional Office on Friday [redacted] at 10.00 a.m.

The grounds upon which the disciplinary interview is being held is inadequate performance of duties, s.6(1)

- 1. Insufficient ability to accept an appropriate level of responsibility in the absence of the Group Leader and Assistant Group Leader.
- 2. Insufficient ability to work with and control the young people.
- 3. Inability to offer appropriate supervision and support to junior staff.

Further details of the Disciplinary Procedure are set out in your copy of Staff Notes (a photocopy of which I enclose) and I particularly draw your attention to the fact that you have the right to bring a friend to the interview.

I enclose a second copy of this letter which I should be grateful if you will sign and return to me, in the envelope provided.

Yours sincerely,

[redacted] Group Divisional Director (CALLI Case)

I acknowledge receipt of this letter and will attend the meeting.

Signed: _____

Date: _____

Dr. Barnardo's (a Company Limited by Guarantee)
Reg. Office: Tavistock Lane, Barnstaple, (Devon), Exmoor. (TS9 1QG)

20/102

BAR 1

19 Quetzal Avenue South,
Beverlyhills,
CALIF.,
90210.

Dear BAR 1

YOUR SERVICE WITHIN THE BUREAU'S DISCIPLINARY PROCEDURE

Further to the interview which was resumed on [redacted] regarding the inadequate performance which occurred during the past nine months, I must formally notify you that this letter is a Civil warning under the Bureau's Disciplinary Procedure.

The inadequate performance was:-

- (a) The issue of accepting an appropriate level of responsibility in the absence of the Group Leader and Assistant Group Leader.
- (b) The issue of working with and controlling the young people.

The required standard is that of an experienced and qualified member of staff holding a senior position.

Within the next few days I shall, in consultation with your Probation Officer and Group Leader, inform you of the standard you are required to attain in the time limit within which you will be expected to attain it, and the supervision and support which will be made available to you.

If you maintain the required standard, this warning will expire after a period of one year. The length of this warning may be extended if you are absent for any reason other than for annual or statutory leave. Both an extension will not be greater than the total length of absence.

You should understand that it is normal Bureau practice not to recommend immediate increases for any member of staff who is the subject of a Civil disciplinary warning.

You have the right of appeal against this disciplinary action. If you wish to appeal, you should write within ten days of the date of this letter to:-

[redacted]
 Dr. Humphreys,
 Bureau Lines,
 Basingstoke,
 Hants, RG24 0AA.
 Yours sincerely,
 [redacted]

BAR 1

Social Worker
Irish Division

Dear BAR 1

I am writing to advise you that the Directors have agreed that your annual increment should be deferred. This is because you are currently under a warning in the Barnardo disciplinary procedure. The position will be reviewed when the warning expires.

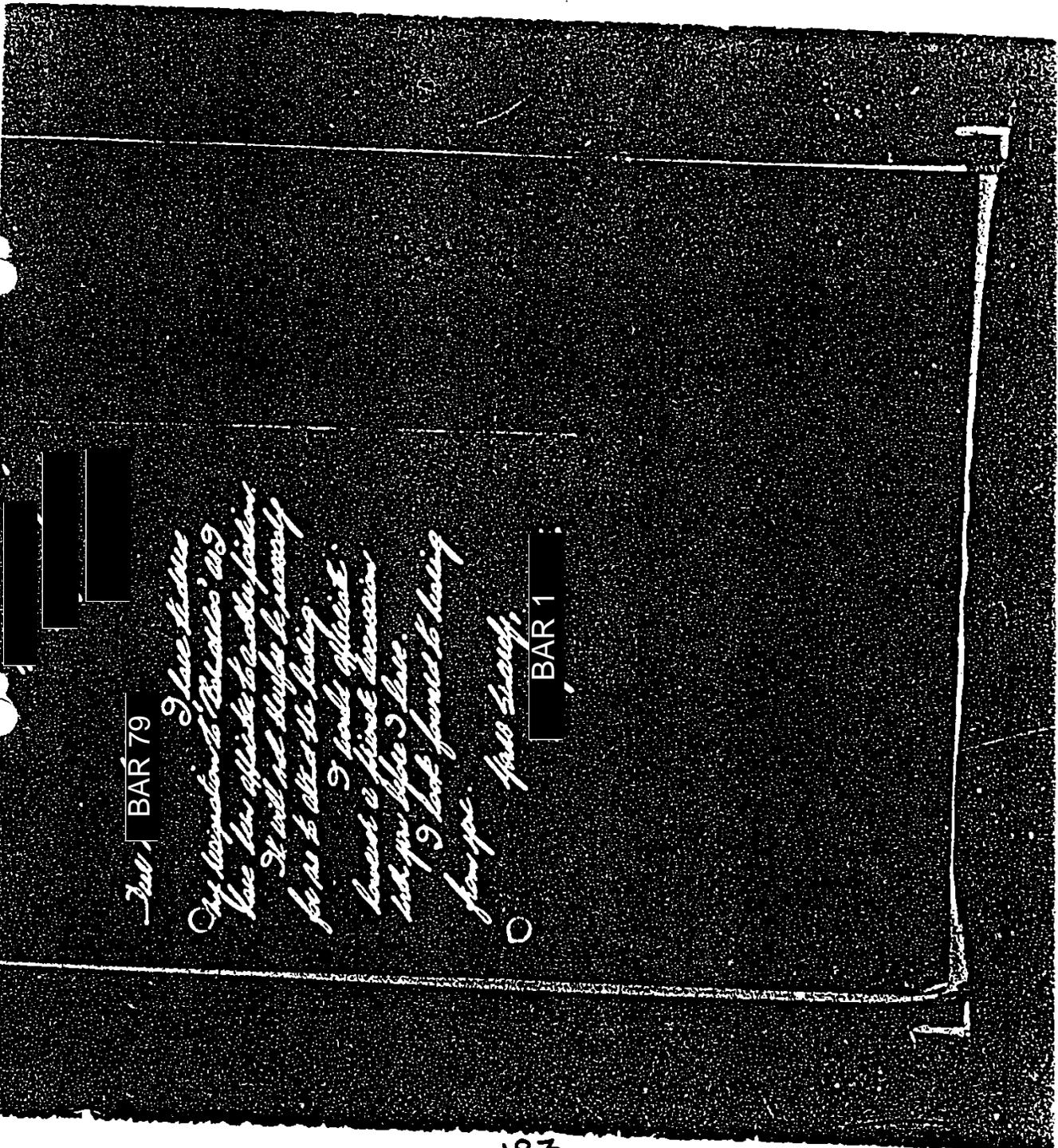
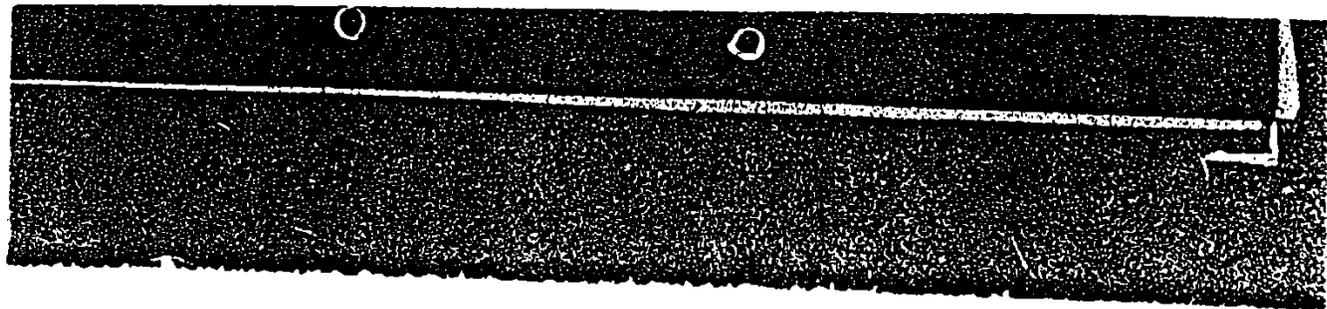
Yours sincerely

Personnel Manager

C.C. D.V. D.C.
16-54 BV

178

70



BAR 79

*I have the
my resignation to 'Chickens' 11/9
have few efforts to make by looking
It will not be the best way
for me to allow the feeling.
I would prefer
lowest & please discuss
with you before I leave.
I look forward to having
you get.*

John S. [unclear]

BAR 1

BAR 1

Dear BAR 1,

I am writing to acknowledge receipt of your letter dated 26th April, in which you tendered your resignation from your position with Barnardo's. I accept your resignation, and I am able to confirm that Barnardo's will withdraw the disciplinary action which was to have been taken. Therefore it will not be necessary for you to attend the disciplinary hearing as arranged.

I would be grateful if you could telephone my Secretary, [redacted] to arrange a suitable time and date for you to come to the DIVISIONAL Office for a private discussion.

Yours sincerely,

PERSONNEL DEPT.
RECEIVED

BAR 79

IRISH DIVISION

Dictated by Mr. BAR 79 and signed by his Secretary in his absence.

cc: Mr.
Mr.

3014

Dr Barnardo's (a Company Limited by guarantee)
Reg Office: Tanners Lane, Barking, Essex IG8 10Q
Reg No 81825 England

981

BAR 1

RECEIVED

Dear BAR 1

EXTENSION OF A FIRST WRITTEN WARNING UNDER BARNARDO
DISCIPLINARY PROCEDURE

Further to your interview on Thursday [redacted] regarding the fact that there had been no significant improvement in [redacted]

- 1. Your ability to accept an appropriate level of responsibility in the absence of the Group Leader and Assistant Group Leader, and
- 2. Your ability to work with and control the young people.

In consequence your annual staff appraisal reflected this. I must formally notify you that in view of the mitigating circumstances I have decided to extend for a period of twelve months from [redacted] a first warning.

However should you fail to make any significant improvement in your ability to undertake your responsibilities and Child Care duties this can lead to further disciplinary action.

If you maintain the required standard this warning will expire after [redacted] If your performance is satisfactory you will be notified in writing.

You should understand that it is normal Barnardo practice not to recommend incremental increases for any member of staff who is the subject of a 'live' disciplinary warning.

You have the right of appeal against this disciplinary action. If you wish to appeal you should write within ten days of the date of this letter to:

[redacted]
Barnardo's Head Office
Tanners Lane
Parkingside
Ilford
Essex

441

179

PERSONNEL DIV

Personal & Confidential

BAR 1
Snanonmore,
Newtownabbey.

JMF/JM/SB/D

Dear **BAR 1**

LETTER OF APPOINTMENT - TRANSFER TO TARA LODGE

I am sending you this letter to cover your transfer to Tara Lodge. The post that you will occupy on transfer will be a supernumerary one and the duration of this arrangement will be for six months.

At the end of the six months period and subject to your work performance having been satisfactory, you will be offered the first established MG2/3 post which falls vacant.

The extended first warning under the Barnardo Disciplinary Procedure confirmed to you in writing by Mr. Don Coleman on [redacted] will continue to operate in this supernumerary post.

This letter is the written statement of the main terms and conditions of your employment on transfer to Tara Lodge.

1. Job Title: Residential Social Worker
2. Location: Tara Lodge, Belfast
3. Date of commencement: [redacted] (your service will be regarded as continuous with effect from [redacted])
4. Probationary period: 26 weeks
Confirmation of your appointment will be subject to you establishing your suitability for the post.
5. Salary: £6618(21) per annum (paid four weekly in arrears)
Scale No: N.G.2/3 Scale Points: £5640(15);£5811(16);£5973(17);
£6135(18);£6264(19);£6444(20);£6618(21);
£6804(22);£7005(23)(bar);£7191(24);£7404(25)
6. Special conditions: these are stated in the first three paragraphs of this letter.

7. Holidays, Sick Pay, Superannuation and general conditions of employment: as set out in "Staff Notes" as amended from time to time and "Barnardo Staff Pension Scheme Explanatory Booklet".
For Statutory Sick Pay purposes your qualifying days will be Sunday to Saturday inclusive.
You will continue to be a member of the Barnardo Staff Pension Scheme.

Patron: Her Majesty Queen Elizabeth the Queen Mother
President: Mrs Royal Highness the Princess Margaret, Countess of Edinboro

Dear **BAR 1**

I am writing to inform you that you are required to attend a disciplinary hearing as part of the Standard Disciplinary Procedure at the District Office, 816 Antrim Road, Belfast, on **11.30 am**. The grounds upon which this disciplinary hearing is being held are:

1. That **BAR 1** has disciplinary interviews on **11.30 am** which were followed by a period of intensive and supportive supervision by Senior Staff at the District Office and further agreement to our request for a transfer to a different level of performance to achieve a satisfactory level of operational performance in your current function as **Senior Analyst, Micro-Data Programme** and **ITIS** code.
2. That contrary to **BAR 1**'s own and **Control Policy** you **did not** attend at your office with **all papers** **11.30 am**.

Further details of the Disciplinary Procedure are set out in your copy of Staff Notice, and I particularly draw your attention to the fact that you have the right to bring a friend to the hearing. If you wish to avail yourself of this right, please indicate your intention to do so by completing the appropriate part of the second copy of this letter which I would be grateful if you could sign and return to me.

Yours sincerely,

BAR 79

BAR 79

CHILD CARE
IRISH DIVISION

I acknowledge receipt of this letter and will attend this hearing.

I intend to exercise my right to bring a friend to the hearing. The name of the friend is _____

I do not intend to bring a friend to this hearing.

Signed _____ Date _____

• Delete as appropriate.

Dr. Bernard J. Conroy (United Kingdom)
First Officer, Technical Unit, Belfast, Belfast, Belfast, Belfast

BAR 79

F of

cc: [redacted]
cc: [redacted]

- Ret-284

Miss BAR 1

Dear BAR 1

REASONING OF PRESIDENTIAL ELECTION - PRESIDENTIAL ELECTION, 1968/2

I am writing to confirm that your period in your [redacted] post has been extended for two months to the [redacted] date.

I will write to you again on this matter towards the end of the extended period.

Yours sincerely,

[redacted signature]

BAR 1

I met with BAR 1 on [redacted], at her request, following her resignation from Barnardo's employment. She wanted an explanation as to why her work at Windsor Avenue was included in the letter relating to the Disciplinary Procedure. I went through with her, the reports of the time in [redacted] and the kinds of difficulties that she was experiencing in working with that particular age group. I indicated to her that if we were really considering dismissal, which we were, then we would have been taking all her work into account. She said that she worked hard and had a commitment to Barnardo's. I confirmed that this is still the view, that she is still a hard worker and a committed worker, but her difficulty has been clearly not being able to undertake the professional task that is now required. I talked with her about the whole change in child care and that she should not feel depressed that she is not able to cope with the task, as she is not alone. I reassured her that I was sure that a lot of her experiences with Barnardo's were positive, and it was certainly not our view that BAR 1 was 'all bad'. She seemed relieved and satisfied with this reassurance and she stated she felt that a big burden had been lifted from her shoulders, as she had been trying desperately hard to cope with some of the difficult children. I wished her well in her new post and indicated to her should she ever require a reference, although I hoped her new job would be rewarding to her, that she should not hesitate to contact me.

BAR 79

Irish Division

DC/mjy

187

Barnardo's

Dr. Barnardo's Personnel Section
Tanners Lane, Barking, Ilford, Essex. IG6 1QG
Telephone 01-580 8822

APPLICATION FORM

P192 (Rev. 5/75)

For office use only

Use

Other forms are used

Do not send

CONFIDENTIAL

NOTE: This form is to be used for all appointments. It may be accompanied, if necessary, by a letter of recommendation for the details.

APPLICATION FOR THE POST OF:

1. PERSONAL DETAILS

(a) Surname (block capitals)

BAR 2

(b) Christian Names (block capitals)

[Redacted]

(c) Date of birth (d) Age now (e) Sex

[Redacted]

[Redacted]

MALE

(f) **MARRIED** SINGLE **WIDOWED**

(delete those which do not apply)

If any children, dates of birth and sex

(h) If married woman: maiden name

(i) Address

[Redacted]

(j) Nationality **BRITISH**

(k) Next of kin (give relationship and address)

[Redacted]

(l) Religious denomination

[Redacted]

Applicants must be in sympathy with the Christian basis of our work.

(m) Have you been previously employed by Dr. Barnardo's?

No

2. HEALTH (all questions must be answered)

(a) Are you strong and healthy and without deafness and hearing?

YES

(b) Give details, with dates if possible, of any serious illness or operations. Include any admission to or attendance at any type of hospital or clinic.

NONE

(c) Do you have any deformity or disability? (Please state if you are a registered disabled person)

NO

(d) Have you ever suffered from any type of nervous breakdown or mental illness, or any type of fit or 'blackout'?

NO

(e) Do you have any chronic or recurrent condition, e.g. of skin, chest, ear, nose and/or throat, heart or other organs?

NO

(f) Have you had more than two weeks' concurrent sick leave in the last five years?

If so, give date and cause

NO

(g) Give date and result of any X-ray of chest

NEGATIVE

(h) Name and address of your usual doctor to whom you are willing for us to refer, if necessary

[Redacted]

3. EDUCATION AND TRAINING RECORD

State names of schools and other educational establishments, in order, and give particulars of all courses taken, stating whether full or part time

Dates

From

To

Name of School, College, Training School, University, etc

Qualifications obtained

[Redacted]

4. EMPLOYMENT RECORD

(a) PRESENT POST

UNEMPLOYED

Dates		Nature of Employment	Name of Employer	Status	Reason for change
From	To				

(b) PREVIOUS POSTS (in order) (IN BLOCK SPACES) (attach a separate sheet)

Dates		Nature of Employment	Name of Employer	Status	Reason for change
From	To				



5. SPARE TIME ACTIVITIES

Especially any concerned with children or young people and/or any social work at present or in the recent past
SPARRITANS, DR BARNARD'S, BEAUCONSUE (FOR PEOPLE WHO SUFFER FROM MENTAL DISORDER. ADULTS)

6. PENSION

Give name and details of any pension fund of which you are at present a member

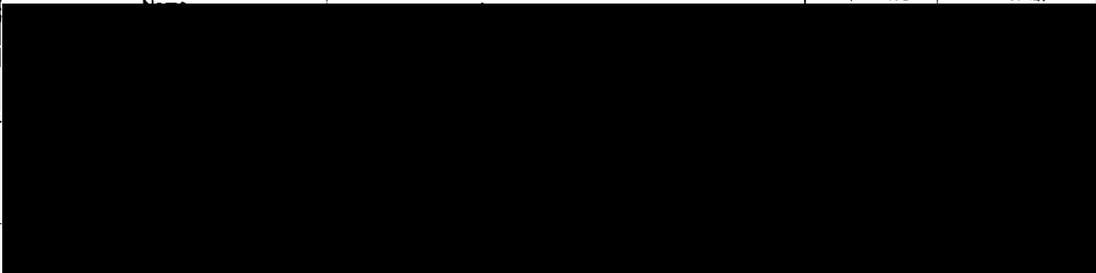
7. CAR

Can you drive?
YES
Do you hold a current full licence?
NO

8. REFERENCES

(a) Give the names of two responsible people to whom you are well known, but who are not related to you, and to whom we may write, without further permission

Name	Address	How long acquainted	In what



UNEMPLOYED

(b) (i) Do you give permission to write to your employer immediately? YES/NO

9. IF APPOINTED

(i) When could you take up duties? A.S.A.P.

(ii) If appropriate are you able to work in any part of the country. If not, please give details.

YES

10. INTRODUCTION

In what publication did you see this post advertised, or through what medium were you encouraged to write to us?

WORKED FOR DR BARNARD'S VOLUNTARILY AND DECIDED TO PURSUE A CAREER OF SUCH NATURE.

SIGNATURE [Signature]

DATE [Date]



Barnardo's

MEDICAL EXAMINATION
FOR EMPLOYMENT

P266 (Rev. 4/75)

Name: [REDACTED]
 Post: [REDACTED]
 Eyes and vision: [REDACTED]

Ears and hearing: [REDACTED]

Central nervous system: [REDACTED]

Cardiovascular system
B.P. [REDACTED]

Respiratory system
Nose and throat [REDACTED]
Lungs [REDACTED]

Digestive system
Abdomen [REDACTED]
Hernial sites [REDACTED]

Musculo-skeletal system
Limbs [REDACTED]
Spine [REDACTED]
Varicose veins [REDACTED]
Feet [REDACTED]

Genito-urinary system
Alb. [REDACTED]
Urine
Sugar [REDACTED]

Mental health and emotional stability
[REDACTED]

Other conditions noted
[REDACTED]

I have examined the above named and reviewed the medical history and in my opinion she is in good health and physically and mentally fit for work in Dr. Barnardo's.

Signed: *[Signature]* Date: [REDACTED]

Approved: *[Signature]*
202
C.M.A.

Dr. Barnardo's (a Company Limited by guarantee)
Reg. Office: Tanners Lane, Barking, Essex. IG6 1GG
Reg. No. 61625 England



REPORT OF INTERVIEW WITH APPLICANT FOR CHILD CARE POST

P141 (Rev. 10/76)

(To accompany application form after interview)

The following headings suggest areas which should be explored in any interview with an applicant of any age, but great flexibility in their use is needed if the interview is to produce a real picture of the applicant:

1. Name: BAR 2 2. Date of birth: [redacted]

3. Address: [redacted]

4. Education: Ability for future training, attitude to learning, etc. What sort of school attended. Did applicant think it the right school for him or her? Reasons for this opinion. Explore streaming and in which stream applicant was. What were best and worst subjects. What applicant enjoyed or disliked about school life. Age of leaving and any certificates gained. Any courses taken since leaving school. Willingness to accept training.

Applicant attended [redacted] Secondary School from [redacted] and he then attended - for one year - [redacted] Secondary School and [redacted] to study 'O' Levels. He felt he enjoyed English, Drama and Art. Applicant would be interested in training.

5. Leisure-time interests:

Has been involved in voluntary work with children and adults. Plays football, snooker, Pool, Tennis and Darts. Writes poetry and short stories.

6. Experience of work:

(1) General, and reasons for changes, if any. Temp. Job - Despatch Clerk & Sales Assistant. Clerical Officer - Transfer to different type of work which he did not find satisfactory.

(2) With children he said something about

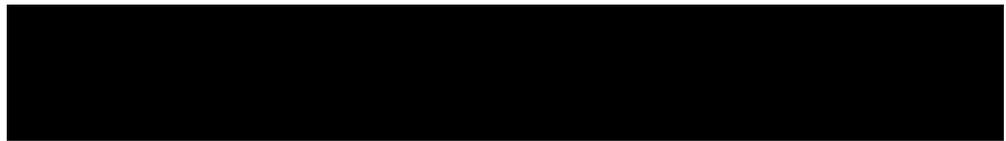


7. Reasons for wishing to take up this post:

Finds his voluntary work with children has been satisfying and would like to make a career in social work.

8. Applicant and his/her family:

Number of children; place in family; any general information about own upbringing. Present family situation and family's attitude to the applicant (especially important in regard to young single or married applicants). Any experience of separation in childhood or in adolescence.



9. Applicant and this type of work:

The work may be with children up to 18 years. Has he/she any preferences, and reasons for these? Understanding of the nature of the work and the need to forego leisure if emergencies arise, etc. As applicant talks about children, does he/she seem to have warmth and patience, and to enjoy their company? Understand the purpose of Child Care, has known any family who has suffered separation, breakdown, neglect, etc?

Applicant has a preference for the middle age range of children. He has some experience of work with children in a voluntary vapacity and from their experience he is aware of the social problems with which some families have to cope.

10. Is the applicant in sympathy with the Christian basis of our work and prepared to co-operate with us in this respect?

Applicant is in sympathy with the Christian principles of Barnardo's.

11. Health:

(1) Have there been frequent or any long periods away from school or work? If so, what was the cause?

NO

(2) Is applicant at present under any continuous treatment of any kind (taking pills, medicines, etc.) if so, what is the cause?

NO

(3) If there is any history of nervous disorders, please record date, and name and address of doctor and hospital.

NO

12. Summary of Superintendent's comments after applicant's visit to a child care establishment.

Applicant has been working at Macedon in a voluntary capacity for the past four months. In that time he has impressed staff with his reliability, enthusiasm and keen interest to know more about child care work and they see him as a promising member of staff.

13. General assessment of personality, attitude in interview, etc., and probable suitability for this work

Applicant presented as a thoughtful and articulate young man who has had the benefit of a stable family life and is highly motivated to help the less fortunate. He would probably relate well to both children and staff. Although he has had very little experience working with children and is [redacted] years of age, he would probably learn quickly.

Signature of interviewer

BAR 24

BAR 24

Divisional Office

The Irish Divisional Office,
474, Antrim Road, Belfast, BT15 5BA.

Date



Barnardo's

Dr. Barnardo's (a Company Limited by guarantee)
Reg. Office: Tanners Lane, Barkingside, Ilford, Essex. IG6 1QG
Telephone 01-550 8822
Reg. No. 61825 England

F

BAR 2
[Redacted]
Project,
Belfast.

VHG/MAE/SB/ID
[Redacted]

Dear **BAR 2**

CONFIRMATION OF APPOINTMENT

I am pleased to advise you that following the receipt of a satisfactory report on your work, your probationary period has ended and you are now confirmed as an established member of staff.

I am happy to convey this news to you and I hope that you will continue to enjoy your work.

Yours sincerely,

[Redacted signature]

cc Divisional/Regional Office
Superintendent

Patron Her Majesty Queen Elizabeth the Queen Mother
President Her Royal Highness the Princess Margaret, Countess of Snowdon

[Redacted]

[REDACTED]



From: **BAR 24** [REDACTED]

To: Mr. W. H. Dixon, Personnel Director, [REDACTED]

DATE: [REDACTED]

SUBJECT: [REDACTED]

BAR 2 first came to Macedon on a voluntary basis. Although he had no previous experience, it was during this time that he decided he would like to enter into Residential Social Work on a full-time basis.

On starting full-time duties, **BAR 2** realized that the degree of disturbance he would be dealing with was higher than he had first thought, and soon found that working with children and young people on a full time basis was a different task to working voluntarily. He did have problems with discipline at first, being a little too 'soft', but with support from his group leader he is now able to cope.

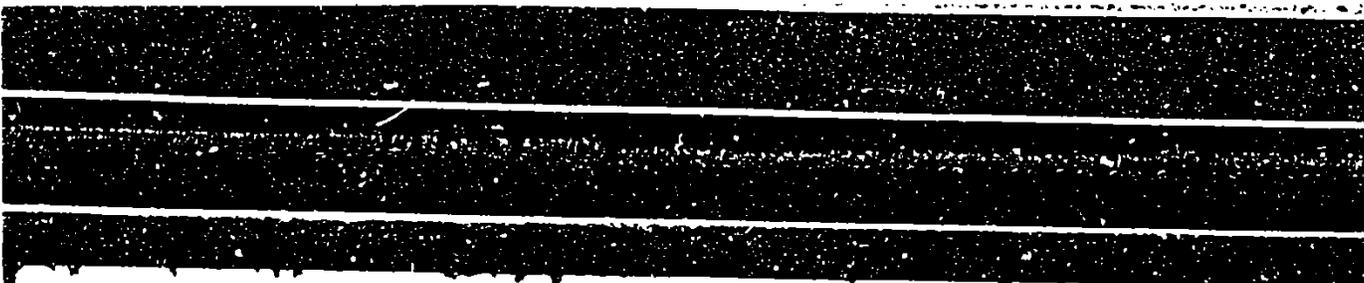
During his time at Macedon, **BAR 2** has been consistent, willing and co-operative. He makes relationships easily with both staff and children alike. Given support, Mr. Anderson will become a very worthwhile member of staff.

I recommend that he be confirmed in his post.

BAR 24

BAR 24

[REDACTED]



STAFF TERMINATION		SSR 184 (Rev. 3/77)
IMPORTANT - This form must be completed IMMEDIATELY it is known that a member of staff is leaving and dispatched as indicated.		
1. Home/Section	Sharonmore Project.	
2. Full name	BAR 2	
3. Post	Residential Social Worker.	4. Last working day
5. Days of annual leave	XXXX 6 days due back to	6. Additional payments
7. Private address	Barnardo's.	8. Name and address of future employer (if known)
9. Rented or rent free Barnardo accommodation provided	10. Reason for leaving (with code number)	
YES/NC	Code 10 BAR 2 has obtained a Senior post in another children's home.	
PLEASE NOW COMPLETE STAFF TERMINATION REPORT (P293) AND SEND TO PERSONNEL SECTION		
Superintendent/Head of Section	Date	
FOR OFFICE USE ONLY	Employee No.	DISTRIBUTION
Cost code	Date of birth	
	Date appointed	
Superan. action	Pensions Officer initials	Orange: Personnel Section
Computer action	N.I. cert. retd.	Pink: Divisional Office
P.45 G. Pay	Tax code	White: File copy

ANC

23 12 81

SR



STATEMENT OF WITNESS

STATEMENT OF: **BAR 36**

AGE OF WITNESS (if over 21 enter "over 21") **OVER 21**

OCCUPATION OF WITNESS **[REDACTED]**

ADDRESS: **208 BALLYDUFF ROAD, GLENGORMLEY.**

I declare that this statement consisting of **2** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **22nd** day of **March** 19 **[REDACTED]**

M J Reid, D/W/Con
SIGNATURE OF MEMBER by whom statement was recorded or received.

BAR 36
SIGNATURE OF WITNESS

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

I am **[REDACTED]** attached to Dr Barnardo's and based at the Sharonmore Project. I first joined this project in **[REDACTED]** and took over the role as **[REDACTED]** **BAR 2** was based at the home as a residential social worker before I arrived. I was in charge of him from the time I arrived until he terminated his employment with us in **[REDACTED]** **BAR 2** would have worked directly under **BAR 9** who is now **[REDACTED]** however I would have been **[REDACTED]** **BAR 2** would have worked with a group of children varying in number from five to seven at a time, since **[REDACTED]** These children were adolescents ranging from 10 years to 18 years and would have been of mixed sexes. In the project we work with difficult adolescents who have a variety of problems. During the period I worked with **BAR 2** I never suspected that he had **[REDACTED]** The children in our care are fairly open in their attitudes and I feel that if **BAR 2** had involved them in any **[REDACTED]** they would have mentioned it to one of the members of staff. As far as I am aware **BAR 2** did not take any children out overnight and in fact it is not our policy for a child to be allowed to stay out overnight with any member of staff. **[REDACTED]** 2 members of staff would stay in the home overnight but sometimes due to difficulties only one member would be on duty. It would have been part of **BAR 2**'s duty to remain overnight. On occasions he would have covered alone with a satellite group of four children. There would have been a variety of ages and sexes in this group. When I first arrived at the home **BAR 2** would have been involved with a larger group of children perhaps twenty in number. **[REDACTED]**

SIGNATURE OF WITNESS: (Sgd) **BAR 36**

STATEMENT OF WITNESS

STATEMENT OF: **BAR 24**

AGE OF WITNESS (if over 21 enter "over 21"): Over 21

OCCUPATION OF WITNESS: Senior Social Worker

ADDRESS: [REDACTED]

I declare that this statement consisting of 1 pages each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 18th day of April [REDACTED]

(Sgd) M J Reid W/D/Con
SIGNATURE OF MEMBER by whom statement was recorded or received.

(Sgd) **BAR 24**
SIGNATURE OF WITNESS

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

I am a Senior Social Worker employed by [REDACTED] From [REDACTED] until [REDACTED] I was a member of the staff of Dr Barnardos. The first [REDACTED] years I was [REDACTED] of Macedon Children's Home and then I became [REDACTED] with the responsibility of supervising the home. **BAR 2** came to Macedon as a voluntary member and then became a full member of staff.

BAR 2 was a residential social worker and was a member of a team in care of probably eight children of both sexes ranging from primary school children up until 16 years of age. It was part of **BAR 2**'s responsibility to remain in Macedon overnight, he did this probably a minimum of two nights a week. There was no possibility that **BAR 2** would have been able to take any of the children out overnight, if he had even suggested it his home would have had to been vetted. During the time that I was in charge of the home I had not received any complaints either from the children or from any member of staff regarding [REDACTED] by

BAR 2 I was in close contact with the children and I know that if **BAR 2** had become involved with any of them they would have let it be known. If any holidays were arranged **BAR 2** would have gone as well, as part of a team of residential social workers.

SIGNATURE OF WITNESS: (Sgd) **BAR 24**

STATEMENT OF WITNESS

STATEMENT OF: **BAR 7**

AGE OF WITNESS (if over 21 enter "over 21") Over 21

OCCUPATION OF WITNESS: Residential Social Worker

ADDRESS: **[REDACTED]**

I declare that this statement consisting of 2 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 15 day of April **[REDACTED]**

M J Reid W/D/C **BAR 7**

SIGNATURE OF MEMBER by whom statement was recorded or received.

SIGNATURE OF WITNESS

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

I am a Residential Social Worker at present working in a satellite group attached to Dr Barnardos. I have been working in this group since **[REDACTED]** previous to this I was working in Macedon Children's Home. I worked in Macedon from **[REDACTED]** until **[REDACTED]**. During the time I was working in Macedon, **BAR 2** came to work there. He started working there in around **[REDACTED]** I was **[REDACTED]** and I would have been **BAR 2's** overseer during the time he was there. **BAR 2** would have worked with a 'cottage' group of approximately seven or eight children of both sexes and ranging in age from 10 years old to eighteen years old. It was part of **BAR 2's** responsibility to stay overnight with the children, he would have had to stay maybe two or three nights a week. During the time that I have known **BAR 2** I never had any suspicion that he had any **[REDACTED]**. I never had any complaints from the children and I feel that if **BAR 2** ever had been interfering with the children myself or another member of staff would have been told. As far as I can remember **BAR 2** never took any of the children out overnight, it is not policy and if he had taken any out the superintendent would have had to be informed. He would have taken the children away on holidays but this would have been in a group, and there would always have been other members of staff there

SIGNATURE OF WITNESS: **BAR 7**

STATEMENT CONTINUATION PAGE

STATEMENT OF: **BAR 7** CONTINUATION PAGE NO: 2

as well. During the time I worked with **BAR 2** I felt he was a very valuable member of staff.

BAR 7

SIGNATURE OF STATEMENT MAKER:.....

Eastern Health and Social Services Board

North and West Belfast District



Milner Street,
Belfast BT12 6FA
Telephone 227156

District Social Services Officer:
W.R. SHARPE, M.B.E., C.S.W.

our ref: JWS/VMcC

your ref:

[Redacted]

Detective Sergeant Wright
C1A Knock R.U.C Station
Knock

Dear Detective Sergeant Wright

Re: **BAR 2** [Redacted] Family Group Home

I wish to inform you that the above name tendered his resignation on the [Redacted] with effect from [Redacted]. His resignation was accepted by the District.

Yours, sincerely

Mr John W. Smyth
ASSISTANT PRINCIPAL SOCIAL WORKER

BAR 3

15 **BAR 3** was employed at Macedon from [REDACTED] until his resignation in [REDACTED]. From my review of his staff file, there was a record that immediately prior to his resignation it had come to light that he owed money to both the petty cash account and to certain children's pocket money. The amounts were repaid and he resigned. **BAR 3** could not be found in the run up to the Macedon trial, and it later transpired that he had moved to [REDACTED] apparently to carry out missionary work, and died in the Irish Republic in 1993.

16. A file note on the file of **BAR 3** dated [REDACTED] records a conversation between **BAR 24** [REDACTED] and **BAR 8** residential social worker. The note records that **BAR 2** had stated to **BAR 8** that a former member of staff, **BAR 3** had tried on occasion to put his arm around and kiss male resident **BAR 46**. The note states that "as these reported incidents took place some months ago, the member of staff concerned has now left our employment...in my judgment any well intentioned cross-examination at this late stage might do damage to all concerned, especially in view of the climate in the Province at present".

[Redacted]

STATEMENT OF:

BAR 55

Name

Rank

AGE OF WITNESS

(if over 18 enter "over 18"):

OVER 18

To be completed when the statement has been written.

I declare that this statement consisting of 3 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 21ST

day of AUGUST 2000

G BOYCE D/C

BAR 55

SIGNATURE OF MEMBER by whom statement was recorded or received

SIGNATURE OF WITNESS

I was born on the [Redacted] and I am now [Redacted] years old. When I was 6 or 7 years old I was placed in care with Barnardo's at Macedon Children's Home in Whiteabbey. I stayed there until I was 16 years old, when I was fostered, with the exception of a couple of years returning when I was [Redacted] or [Redacted] years old. When I returned this second time to Macedon I went there with [Redacted] BAR 46, and my [Redacted]. Until I left Macedon I stayed mainly in the first and second cottage. The [Redacted] cottage was used for the younger children. I remember being annoyed because I was put there because it seemed staff wanted an older child there and I was picked. At that time I was the oldest child in the [Redacted] cottage. [Redacted] was one of the other children there with me. I also remember BAR 47, HIA 516, BAR 37, HIA 216 a couple of the [Redacted]. I believe the 3 [Redacted] children were also in the [Redacted] cottage. It was in the [Redacted] cottage that I met BAR 1. She was never called BAR 1 just [Redacted]. I believe she was called this because I remember her telling me once that if I didn't behave myself that I

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 55

Continuation Page No: 2

would get the [REDACTED] It was a look that she gave me. She stayed regularly overnight in the [REDACTED] cottage. She was a full-time member and it was part of her job. Quite regularly in the [REDACTED] cottage she played a game that was called the [REDACTED] game. The majority of the time it would start in the TV room in the [REDACTED] cottage when the curtains were closed. I remember the lights were turned off and the door was closed. She got us all together in the TV room. It was always played after dark before or after supertime, never during daylight. A few times she brought us outside in the dark to play the [REDACTED] game. Inside and outside the cottage I was really scared. Some of the kids would be crying when they were hiding from her. When the lights were turned out everybody hid from [REDACTED] BAR 1 in the TV room or some kids would get out of the room and hide somewhere else in the second cottage. When she chased us she would move about like a demon moaning. The game was to chase the kids and catch them. Very, very rarely she caught me. It seemed to be the younger children that she was trying to catch. Only once I remember being caught in all the times it was regularly played. She caught my upper arm and twisted my skin round, hurting me, then stared into my face, putting her face into mine, at the same time gripping me that I couldn't get away. She was a strong woman. She let go of me again and went on chasing the other kids. I don't remember any other staff member playing the game with her while I was there. The other staff members that I remember working in the second cottage around the same time were [REDACTED] [REDACTED] [REDACTED] Other staff would come over from the main house to work and others worked between the first and second cottage. I remember once the game being interrupted by a staff member in the [REDACTED] cottage who turned the lights on. I know they weren't pleased but I don't remember [REDACTED] which

41 ↑

STATEMENT CONTINUATION PAGE

[REDACTED]

STATEMENT OF: **BAR 55**

Continuation Page No: 3

staff member this was. I was not sexually abused by any member of staff but I remember one occasion in like an old workshop used by the [REDACTED] who was employed in Macedon. I was alone when the [REDACTED] called me into the workshop. I went into this workshop with the [REDACTED] I was standing at the work bench facing it when he came up behind me, putting his arms either side of me, with his hands on the work bench rubbing himself up and down against my back. I could feel his privates rubbing up and down the back of my legs, saying to me that I had good legs. He also rubbed my leg on top of my skirt with his hand. I was only about [REDACTED] years old then and I was wearing my school uniform. Someone called my name and he moved back. I ran out. I did tell one of the other kids. I believe that I told [REDACTED] as I was very close to her then. The [REDACTED]

[REDACTED]

[REDACTED] There was only one other man who was a gardener. He was old and I know that he has died since. I stayed well away from the [REDACTED] after that.

BAR 55

Certified a true copy of original *Jepzoo Dconstable*

HIA REF: []

WITNESS NAME: BAR 13

DATE: 01.12.15

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 – 1995

WITNESS STATEMENT OF BAR 13

I, BAR 13 of Barnardo's Northern Ireland, will say as follows:-

1. I have prepared this statement in response to the Rule 9 Witness Statement Request dated 24th November 2015 in relation to BAR 52

All personal details relating to this employee;

2. The personal details held in relation to this employee are:-

- Name: BAR 52
- National Insurance Number –
- His address in 1973 was

Specify details of how BAR 52 came to be employed in Barnardo's;

3. From the Police files and, in particular, the report of the Public Prosecution Service (BAR4293-4295) disclosed as part of the Inquiry process, it appears that BAR 52 was the of the at Macedon, BAR 24. During a Police interview, BAR 52 advised the Police that he had been offered a job by BAR 24

Please clarify the date **BAR 52** commenced employment and the date of his departure – and please also provide any documentary evidence held by Barnardo's to confirm these dates;

4. I have attached an extract from a book kept by **BAR 28** Secretary in Macedon, which records that **BAR 52** was employed as **BAR 52** between **BAR 52** until **BAR 52**. A search in response to the request from the Inquiry, of the Barnardo's database of former employees does not identify any documentary evidence held by Barnardo's in respect of **BAR 52** over and above the attached record.

Please provide full details of any and all allegations against **BAR 52** known to Barnardo's, the identity of the persons who made any complaints, when they were brought to the attention of Barnardo's, and what was done in response to these complaints being raised;

5. The extent of Barnardo's knowledge of the allegations of abuse against **BAR 52** is limited to the information contained with the police papers in the Barnardo's bundle (BAR4393-4295 and BAR4108/9). My understanding of events is that the allegations of abuse were made to the police and investigated by the police.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed _____

BAR 13

OCD-29-(575pg) R v BAR 1 & others [redacted] & others C64-19-01 Part 1 LW 2

Children Resident in Macedon/Sharonmore between 1977 and 1984

	Period in care (approx.)	Name	Sharonmore or Macedon
1.	[redacted]	[redacted]	Both
2.	[redacted]	[redacted]	Both
3.	[redacted]	[redacted]	Both
4.	[redacted]	[redacted]	Sharonmore
5.	[redacted]	[redacted]	Sharonmore
6.	[redacted]	[redacted]	Macedon
7.	[redacted]	[redacted]	Macedon
8.	[redacted]	[redacted]	Both
9.	[redacted]	[redacted]	Macedon
10.	[redacted]	[redacted]	Both
11.	[redacted]	[redacted]	Both
12.	[redacted]	[redacted]	Macedon
13.	[redacted]	[redacted]	Both
14.	[redacted]	[redacted]	Both
15.	[redacted]	[redacted]	Both)
16.	[redacted]	[redacted]	Both
17.	[redacted]	[redacted]	Both)
18.	[redacted]	[redacted]	Both)
19.	[redacted]	[redacted]	Sharonmore
20.	[redacted]	[redacted]	Sharonmore
21.	[redacted]	[redacted]	Macedon
22.	[redacted]	[redacted]	Sharonmore
23.	[redacted]	[redacted]	Both
24.	[redacted]	[redacted]	Sharonmore
25.	[redacted]	[redacted]	Macedon
26.	[redacted]	[redacted]	Macedon
27.	[redacted]	[redacted]	Macedon
28.	[redacted]	[redacted]	Macedon
29.	[redacted]	[redacted]	Both
30.	[redacted]	[redacted]	Sharonmore
31.	[redacted]	[redacted]	Macedon
32.	[redacted]	[redacted]	Both
33.	[redacted]	[redacted]	Macedon
34.	[redacted]	[redacted]	Macedon
35.	[redacted]	[redacted]	Macedon
36.	[redacted]	[redacted]	Both
37.	[redacted]	[redacted]	Macedon only
38.	[redacted]	[redacted]	Sharonmore)
39.	[redacted]	[redacted]	Sharonmore
40.	[redacted]	[redacted]	Sharonmore
41.	[redacted]	[redacted]	Sharonmore
42.	[redacted]	[redacted]	Sharonmore
43.	[redacted]	[redacted]	Sharonmore
44.	[redacted]	[redacted]	Sharonmore
45.	[redacted]	[redacted]	Macedon
46.	[redacted]	[redacted]	Macedon
47.	[redacted]	[redacted]	Sharonmore
48.	[redacted]	[redacted]	Both
49.	[redacted]	[redacted]	Macedon
50.	[redacted]	[redacted]	Macedon
51.	[redacted]	[redacted]	Sharonmore

Dear

I understand that you lived for a period of your life at Macedon Children's Home, 349 Shore Road, Newtownabbey, BT37 9SA and/or Sharonmore, 208 Ballyduff Road, Newtownabbey, BT36 6UX.

I realise that this was a long time ago, however, because of recent events we now find it necessary to contact you. A complaint has been made to the Royal Ulster Constabulary and Barnardo's, as a result of this complaint the Royal Ulster Constabulary is conducting a criminal investigation.

Barnardo's have agreed to assist police in getting in touch with young people who previously lived in Macedon Children's Home between [REDACTED] and [REDACTED] and/or at Sharonmore between [REDACTED] and [REDACTED].

If you have any information which may assist the police in their investigation, you can contact [REDACTED] **BAR 13** [REDACTED] of Children's Services, 542\544 Upper Newtownards Road (Tel: 028 90 672366 Ext. 212), or Detective Inspector [REDACTED] Newtownabbey RUC Station, 418 Shore Road, Newtownabbey (Tel: 028 90259305).

If you need help in contacting the police or giving your information, Barnardo's will be glad to assist and/or provide a support person.

It would be helpful if you could complete the enclosed form and return it in a stamped addressed envelope.

Yours sincerely

BAR 13

[REDACTED] of Childrens' Services

Enc.

OUTLINE OF CASE*

This operational team has met almost monthly since its first implementation in 1999 with its aims and objectives to:

- (a) review progress of enquiries regarding the initial investigation of alleged abuse
- (b) consider the extension of the project to include other cases as they emerge from ongoing enquiries
- (c) review all aspects of the project to ensure that investigations are working efficiently and effectively
- (d) advise on the direction of the investigations
- (e) advise on legislative and policy objectives, guidelines and procedural protocol, particularly in relation to the interface between Boards, Trusts, Barnardos and the RUC
- (f) provide a consultative and advisory facility to professionals directly engaged in the investigation and
- (g) ensure that key agencies are regularly updated on the progress made

To be signed by
investigating officer

NAME

RANK

- [REDACTED]
84. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 29 contrary to section 42 of the Offences Against the Person Act 1861.
85. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 84, in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 29 contrary to section 42 of the Offences Against the Person Act 1861.
86. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 83 and 84, in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 29, contrary to section 42 of the Offences Against the Person Act 1861.
87. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 39, contrary to section 42 of the Offences Against the Person Act 1861.
88. That you, on a date unknown between the [REDACTED] and the [REDACTED], other than as alleged in charge 87 in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 39, contrary to section 42 of the Offences Against the Person Act 1861.
89. That you, on a date unknown between the [REDACTED] and the [REDACTED], other than as alleged in charges 87 and 88, in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 39 contrary to section 42 of the Offences Against the Person Act 1861.
90. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 87, 88 and 90 in the County Court Division of Belfast, unlawfully assaulted [REDACTED] BAR 39 contrary to section 42 of the Offences Against the Person Act 1861.
91. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 39 a male person, contrary to section 62 of the Offences Against the Person Act 1861.
92. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 91, in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 39 a male person, contrary to section 62 of the Offences Against the Person Act 1861. 42.09.002
93. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 91 and 92, in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 39 a male person, contrary to section 62 of the Offences Against the Person Act 1861.
94. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 91, 92 and 93, in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 39 a male person, contrary to section 62 of the Offences Against the Person Act 1861.

COUNTS 29 & 30: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 26 & 27.

COUNTS 31, 38-43 INCLUSIVE: EIGHTEEN MONTHS IMPRISONMENT ON EACH COUNT
45 & 46 CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 29 & 30.

COUNTS 32-37 INCLUSIVE: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT AND CONCURRENT TO COUNTS 31, 38-43 INC, 45 & 46.

COUNTS 64, 65 & 68: EIGHTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 31, 38-43 INC, 45 & 46.

COUNTS 70 & 71: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 64, 65 & 68.

COUNTS 78-83 INCLUSIVE: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 70 & 71.

COUNTS 87 & 88: NINE MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT AND CONCURRENT TO COUNTS 91-94 INC.

COUNTS 91-94 INCLUSIVE: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 78-83 INC.

COUNTS 96-99 INCLUSIVE: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT AND CONCURRENT TO COUNTS 100-105 INC.

COUNTS 100-105: EIGHTEEN MONTHS IMPRISONMENT ON EACH COUNT CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON COUNTS 91-94 INC.

TOTAL: ELEVEN YEARS IMPRISONMENT.

THE JUDGE ADVISED THE DEFENDANT OF HER REQUIREMENT TO REGISTER FOR LIFE IN ACCORDANCE WITH THE SEX OFFENDERS ACT 1997.

IT IS FURTHER ORDERED THAT UPON THE DEFENDANTS RELEASE ON LICENCE FROM PRISON THAT SHE BE PLACED UNDER THE SUPERVISION OF A PROBATION OFFICER UNTIL THE DATE SHE WOULD, BUT FOR REMISSION, HAVE OTHERWISE BEEN RELEASED IN ACCORDANCE WITH ARTICLE 26 OF THE CRIMINAL JUSTICE (NI) ORDER 1996.

26.09.05 APPEAL ALLOWED SENTENCE & CONVICTIONS QUASHED. NO RETRIAL ORDERED.

- [REDACTED]
47. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 45 and 46, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with another, namely [REDACTED] BAR 38 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 48. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, [REDACTED] BAR 37 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 49. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 48, in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, [REDACTED] BAR 37 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 50. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 32, 33, 34, 35, 36 and 37, in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 37 a male person, contrary to section 62 of the Offences Against the Person Act 1861.
 51. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with another, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 52. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 51, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with another, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 53. That you, on a date unknown between the [REDACTED] and the [REDACTED], other than as alleged in charges 51 and 52, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with another, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 54. That you, on a date unknown between the [REDACTED] and the [REDACTED], other than as alleged in charges 51, 52 and 53, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with another, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
 55. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 37 to commit an act of gross indecency with you, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.

- [REDACTED]
65. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 64, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 38 to commit an act of gross indecency with another, namely, [REDACTED] BAR 37 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
66. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 64 and 65, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 38 to commit an act of gross indecency with another, namely, [REDACTED] BAR 37 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
67. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 64, 65 and 66, in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 38 to commit an act of gross indecency with another, namely, [REDACTED] BAR 37 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
68. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 38 to commit an act of gross indecency with you, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
69. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, incited a child, namely, [REDACTED] BAR 38 to commit an act of gross indecency with another, namely, [REDACTED] BAR 87 contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
70. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] HIA 216 contrary to section 52 of the Offences Against the Person Act 1861.
71. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 70, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] HIA 216 contrary to section 52 of the Offences Against the Person Act 1861.
72. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 70 and 71, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] HIA 216 contrary to section 52 of the Offences Against the Person Act 1861.
73. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 70, 71 and 72, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] HIA 216 contrary to section 52 of the Offences Against the Person Act 1861.

[Redacted]

STATEMENT OF: **BAR 39**

Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of **6** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **3** day of **August** 2000

D/C

BAR 39

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

[Redacted]

[Redacted] I can say that I was sexually assaulted by **BAR 1** in Macedon. She was a staff member in Macedon and in Sharonmore, but she didn't work with me in Sharonmore. She was called [Redacted] by most of the kids. The reason for this name to me was because basically she would tell ghost stories, turn the lights out and stare at the children in a menacing way. This was called the [Redacted] game and sometimes she would have a knife. I always seem to

STATEMENT CONTINUATION PAGE

STATEMENT OF: **BAR 39**

Continuation Page No: 2

remember that she played the **BAR 39** game in the lounge of the **BAR 39** cottage when I stayed there. She played this regularly telling ghost stories, talking about the devil, using words like Lucifer and Satan. These stories terrified me. I remember having bad dreams and waking up screaming afterwards. It was mostly in the evening, mostly after dark. She would tell a group of kids and sometimes just one or two these ghost stories. She always had this aroma. I think it was Oil of Ulay. Usually she would tell the ghost story, then during her story she would let out a shriek, then turn the lights out, if they had not been turned out already, and chase us round the room in the dark, clawing and grappling at people. I remember on the occasions that she caught me which was numerous occasions that she would hold me down on the floor or the ground outside where she caught me. It was almost like hide and seek. She would dig her nails into me on several occasions causing me a lot of pain around my sides. Sometimes she caught me by the throat and pinned me down. On occasions I would wriggle out of her grip and on others I fought to get away from her. I remember on occasions her lying on top of me with her breasts on my face as she pinned me down. I remember that the **BAR 37** kids and **BAR 37** were around at that time in the **BAR 37** cottage and they were definitely involved in her games. On occasions **BAR 2** another staff member, was present when **BAR 1** played the **BAR 1** game. He was involved in it on occasions in one way or another. he would have been on shift with **BAR 1** I do remember that another staff member called **BAR 3** was involved in telling the ghost stories with **BAR 1** at the same time and seemed to complement each other. There were no other staff members who played the **BAR 1** game. It was **BAR 1**'s game without a doubt. From the age of about 13 years, even before this, I was away from

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 39

Continuation Page No: 3

Macedon most weekends and I didn't stay as often in Macedon. I do remember that [REDACTED] BAR 1 bathed me. I only remember her bathing me in the second cottage. I would have been under 11 years old because I know you had to be 11 before you could move over to the house. I was never bathed by any staff member other than a staff member called [REDACTED] BAR 6 I was only 6 or 7 then and [REDACTED] BAR 6 never bathed me in the same way [REDACTED] BAR 1 did. [REDACTED] BAR 6 would have been present in the bathroom supervising me as I bathed myself. [REDACTED] BAR 1 bathed me herself, forcing me to stand up in the bath, often in cold water. She used a face cloth to rub my face roughly. Sometimes she used a cloth to rub around my genitals and my back side and on other occasions she used her bare hands and soap. She bathed me regularly when she was on duty. When I say rubbing my back side I mean that she rubbed between the cheeks of my bum and around my scrotum sack. I can remember times when she shouted at me to keep these areas clean and I can remember one occasion she tried to put a hose into my bum. This hose normally had a shower head attached and on this occasions the shower head had been removed. Water did go inside my anus because I remember as a child later peeing from my bum which I couldn't understand then and feeling frightened and ashamed. When she did this it really hurt my back side and I was telling her to stop. I was crying and I was frightened. I can remember her putting soap around my testicles and regularly she pulled my foreskin back and washed my penis. I remember she used to talk about Jewish people that their foreskin were removed and that they were clean. She would say that she had to keep this part of me clean. I believe that she bathed me up until I was 11 or so when I moved to the big house. My older sisters were in the big house and I stayed close to them. In the [REDACTED] cottage I was separated from them. [REDACTED] BAR 1 was a

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 39

Continuation Page No: 4

strict disciplinarian. She did sleep over when she was on duty on a late. As a child I couldn't tell a staff member about what she was doing. She was in charge. There was a culture that the staff were always right and the kids were wrong. My memories of [REDACTED] BAR 1 are mostly in the [REDACTED] cottage. I can remember when I was older at the time when the Kincora scandal first broke around [REDACTED]. I knew that she was engaged to [REDACTED] BAR 85. I challenged her about her fiance and about herself and why she was working with children. She was grinning and laughing. I also confronted her about what she had done to me. Another member of staff called [REDACTED] BAR 86 intervened, threatening me with Police action if I persisted. At that time I did want to go to the Police but I felt unable to do this because of [REDACTED] BAR 86's intervention. With Kincora breaking it re-confirmed to me that [REDACTED] BAR 1 was wrong in what she had done to me and I was right. I realised then it was untoward what she had done to me. I had a deep mistrust of all staff in the home afterwards. I remember [REDACTED] BAR 2 [REDACTED] working in Macedon, firstly as a volunteer and then as a paid employee. I don't seem to remember him being a staff member in Sharonmore. He lived in [REDACTED] at [REDACTED]. He lived next door to the [REDACTED]. As I was friends with [REDACTED] [REDACTED] I knew that he lived in [REDACTED]. I think that he also lived in a flat near [REDACTED] at the back of the [REDACTED] in [REDACTED]. It was a flat [REDACTED]. When he first came to Macedon as a volunteer I was living in the [REDACTED] cottage. He worked in the [REDACTED] cottage. [REDACTED] BAR 1 worked in the [REDACTED] cottage at that time. As a child I remember him telling me these stories from a book he had. The book was about this person's sexual fantasies, about murdering women, dismembering them and building the perfect woman out the women he had murdered. He would read the book in parts when he was on duty. I

475

STATEMENT CONTINUATION PAGE

STATEMENT OF: BAR 39

Continuation Page No: 5

believe he was told off for telling us these stories because he told me this. Sometime after this he discovered that I was friendly with his next door neighbour and I knew a lot of people in [REDACTED] particularly [REDACTED] where he came from. There was a complete distance between us after this and even more so after he became a full time staff member. I remember later when I was living in the big house that BAR 2 and BAR 3 arranged weekends away with other boys. I wasn't allowed to go because I already went out most weekends with my visitors, [REDACTED]. [REDACTED] used to work in Macedon before this and I would go out most weekends with him and [REDACTED] who I got on well with. I know something happened to BAR 46 on one of these weekends. There was rumour and gossip amongst us that BAR 3 had tried to have or had sex with BAR 46. I know BAR 46's behaviour changed completely, becoming more withdrawn and isolated whereas before he was a part of everything that went on. He seemed very frightened afterwards particularly of BAR 3. BAR 3's nickname was [REDACTED]. He had [REDACTED] hair and he was [REDACTED]. He seemed to always wear a [REDACTED] shirt with the [REDACTED]. He seemed to always wear [REDACTED] clothing. I didn't really have much dealings with him other than the ghost stories he would tell and stories about witchcraft and witch doctors when he worked in Africa. He told me he was from [REDACTED]. I remember an incident when BAR 37 fell off the roof of the house. I had found him and I remember seeing him lying on the ground in the first courtyard beneath the fire escape steps. He was sprawled out on the ground. I don't think he had his shirt on. He seemed to be unconscious. I believe I alerted staff and he was taken to hospital by BAR 2. I don't remember who

476

STATEMENT CONTINUATION PAGE

BAR 1

STATEMENT OF: BAR 39

Continuation Page No: 6

else took BAR 37 to hospital. We were told by staff that BAR 37 thought he was the Incredible Hulk and had jumped off the roof. I was not sexually assaulted or sexually abused by any other staff member other than BAR 1 during the time I was in care in Macedon and Sharonmore. There was [REDACTED] called BAR 12 who visited the home often. He used to take HIA 516 out and buy him expensive gifts, like a horse. He was always giving HIA 516 sweets and large amounts of money at that time. I do know that there was some homosexual relationship between the two of them. I remember a time when I taunted HIA 516 into telling me what was going on with him and BAR 12. I asked him this because I had been in East Belfast with [REDACTED]. We spoke with one of [REDACTED]'s friends as his parents were from that area. I believe his name was [REDACTED]. I don't remember how the topic of BAR 12 came up but when he talked about BAR 12 I realised it was the same BAR 12 who was visiting Macedon and taking HIA 516 out. [REDACTED] told us that BAR 12 was a homosexual and that he had been moved out of his job in East Belfast. He seemed surprised that he was working in Whiteabbey. It was because of this that I questioned HIA 516. HIA 516 wouldn't go into detail but he did tell me BAR 12 was giving him money to do things to him. He wasn't specific. I do remember that BAR 85 did visit Macedon in his car. I never saw him come into the house or the cottages. He would park his car opposite the [REDACTED] cottage and wait for BAR 1 to come out.

BAR 39

Certified a true copy of original [REDACTED]

- [REDACTED]
133. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, unlawfully and carnally knew [REDACTED] BAR 47 a girl under the age of seventeen years, contrary to section 5(1) of the Criminal Law Amendment Act 1885.
134. That you, on a date unknown between the [REDACTED] and the [REDACTED], in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, [REDACTED] HIA 101, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
135. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 134, in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, [REDACTED] HIA 101, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
136. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 134 and 135, in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, [REDACTED] HIA 101, contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.
137. That you, on the [REDACTED] in the County Court Division of Belfast, indecently assaulted [REDACTED] BAR 37, a male person, contrary to section 62 of the Offences Against the Person Act 1861.
138. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, committed buggery with [REDACTED] BAR 37, a boy who at the time of the commission of the said offence was under the age of 16 years, contrary to section 61 of the Offences Against the Person Act 1861.
139. That you, on a date unknown between the [REDACTED] and the [REDACTED] in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] BAR 29, contrary to section 52 of the Offences Against the Person Act 1861.
140. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charge 139, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] BAR 29, contrary to section 52 of the Offences Against the Person Act 1861.
141. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 139 and 140, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] BAR 29, contrary to section 52 of the Offences Against the Person Act 1861.
142. That you, on a date unknown between the [REDACTED] and the [REDACTED] other than as alleged in charges 139, 140 and 141, in the County Court Division of Belfast, indecently assaulted a female, namely, [REDACTED] BAR 29, contrary to section 52 of the Offences Against the Person Act 1861.

BILL NO 36/02

IN THE CROWN COURT IN NORTHERN IRELAND

CERTIFICATE OF CONVICTION

I HEREBY CERTIFY that at the Crown Court sitting at Belfast on the 20th day of September 2002

----- **BAR 2** -----

Was indicted tried and on the 23rd June 2004 convicted for that he the said

Count 134 **BAR 2** on a date unknown between the [redacted] in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, **HIA 101** contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.

Count 135 **THAT HE**, on a date unknown between the [redacted] and the [redacted] other than as alleged in count 134 above, in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, **HIA 101** contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.

Count 136 **THAT HE**, on a date unknown between the [redacted] and the [redacted] other than as alleged in counts 134 and 135 above in the County Court Division of Belfast, committed an act of gross indecency with or towards a child namely, **HIA 101** contrary to section 22 of the Children and Young Persons Act (Northern Ireland) 1968.

Count 139

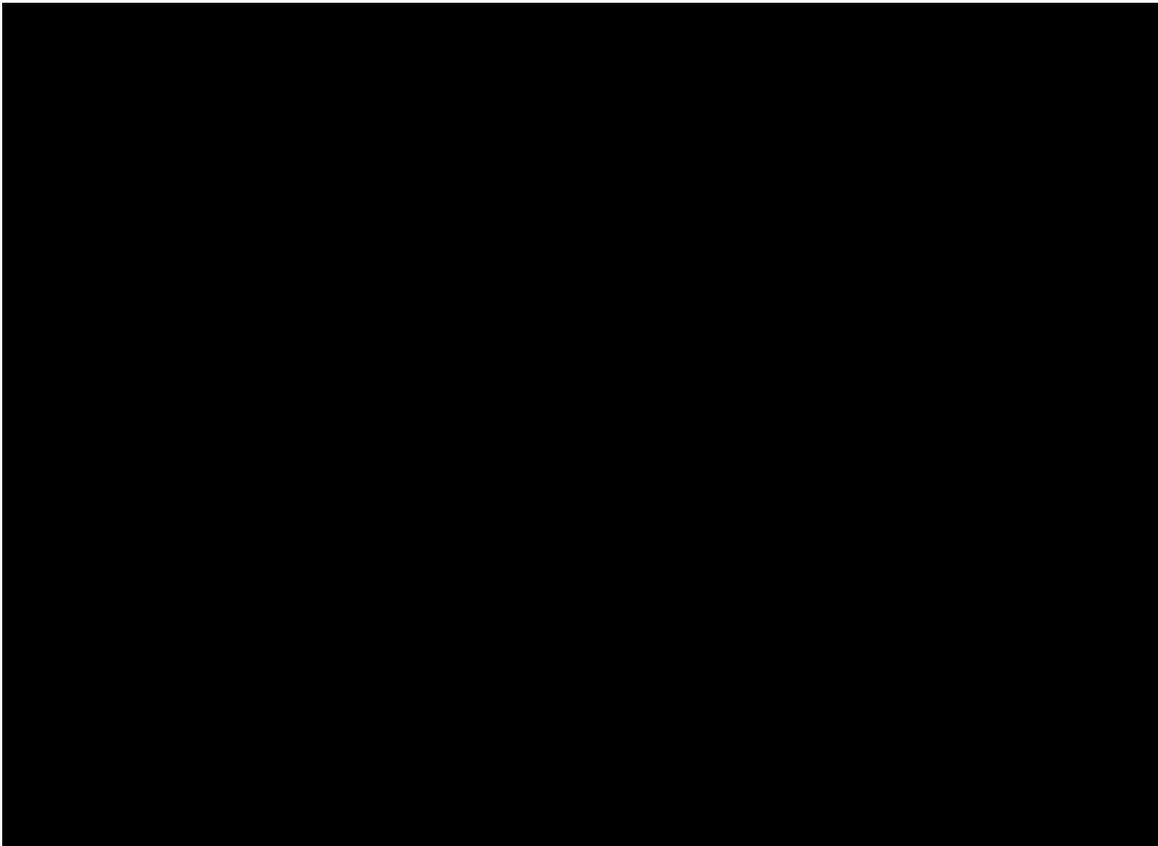
Count 140

Count 145

Count 150

Count 151

Count 152



Count 153

Count 154

Count 155

Count 156

Count 160

Count 163

Count 164

Count 166

And on the 21st September 2004 it was ordered that he be sentenced as follows:

COUNTS 145 & 160: FOURTEEN YEARS IMPRISONMENT ON EACH COUNT
 CONCURRENT.

COUNTS 139, 140: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT
 150-156 INC CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED ON
 COUNTS 145 & 160.

COUNTS 134, 135 & 136: EIGHTEEN MONTHS IMPRISONMENT ON EACH COUNT
CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED
ON COUNTS 145, 160, 139, 140, 150-156 INC.

COUNTS 163, 164 & 166: FIFTEEN MONTHS IMPRISONMENT ON EACH COUNT
CONCURRENT BUT CONSECUTIVE TO THE SENTENCE IMPOSED
ON ALL OTHER COUNTS.

TOTAL: EIGHTEEN YEARS IMPRISONMENT.

THE JUDGE ADVISED THE DEFENDANT OF HIS REQUIREMENT TO
REGISTER FOR LIFE IN ACCORDANCE WITH THE SEX OFFENDERS
ACT 1997.

IT IS FURTHER ORDERED THAT UPON THE DEFENDANTS RELEASE
ON LICENCE FROM PRISON THAT HE BE PLACED UNDER THE
SUPERVISION OF A PROBATION OFFICER UNTIL THE DATE HE
WOULD, BUT FOR REMISSION, HAVE OTHERWISE BEEN RELEASED
IN ACCORDANCE WITH ARTICLE 26 OF THE CRIMINAL JUSTICE (NI)
ORDER 1996.

26.09.05 Appeal allowed, Convictions and sentences quashed, No retrial directed.

Chief Clerk:

Date: 01 December 2015

[REDACTED]

SUBJECT: MACEDON ENQUIRY - INVESTIGATION INTO ALLEGATIONS OF HISTORICAL SEXUAL ABUSE OF CHILDREN CENTRING UPON MACEDON CHILDREN'S HOME, WHITEABBEY

R -v- [REDACTED] BAR 1 [REDACTED] BAR 2
AND [REDACTED] BAR 3

R -v- [REDACTED] BAR 52

PART II

INDEX TO STATEMENTS

Contents

Page No.

Statements of complaint and other children in care

[REDACTED]

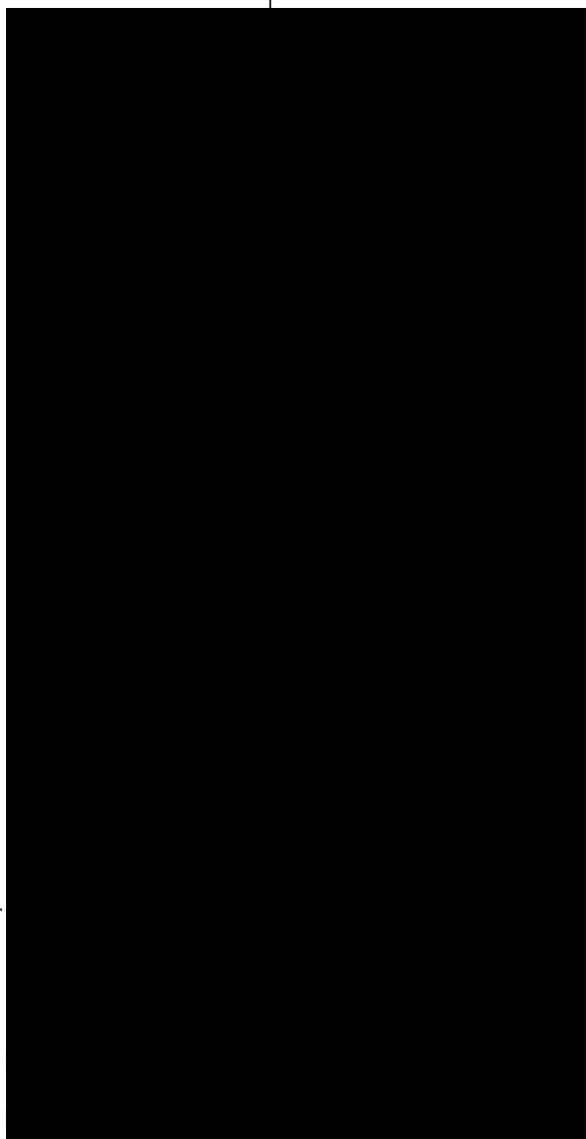
1 - 5
6 - 8
9 - 25
26 - 29
30 - 36
37 - 38
39
40 - 42
43 - 46
47 - 48
49 - 51
52 - 59
60 - 69
70
71
72 - 78
357



Contents

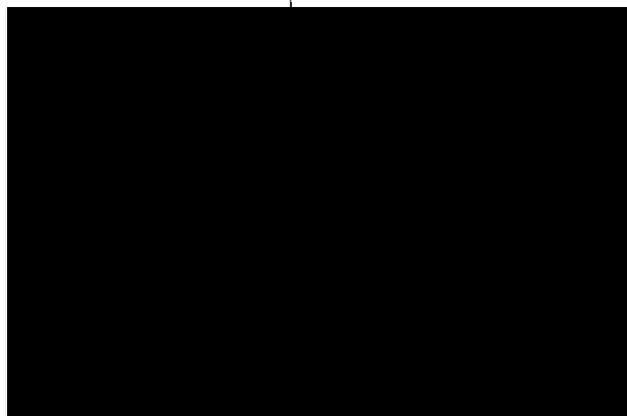
Page No.

Handwritten marks on the left side of the first redacted block.



79 - 87
 88
 89 - 90
 91 -100
 101
 102 -106
 107 -108
 109 -114
 115 -116
 117 -121
 122 -127
 128 -129
 130 -131
 132 -133
 134 -141
 142
 143 -145
 146
 147 -148
 149 -151

Statements of child care staff



152 -155
 156 -157
 158
 159 -160
 161 -164
 165 -168

358



Contents

Page No.



170 -171

172 -175

176 -179

180 -185

186 -193

194 -195

196 -199

200 -201

202

203 -212

213 -214

215 -218

219 -222

223

224 -226

227 -228

229 -230

231 -235

~~359~~
359

[Redacted]

Contents

Page No.

[Redacted]

237 -238

239 -241

242 -247

248

249 -251

252 -254

255 -256

257 -260

261 -262

263 -268

269 -270

271 -272

273

274 -275

276 -277

278 -279

Statements of police officers and others

[Redacted]

280 -286

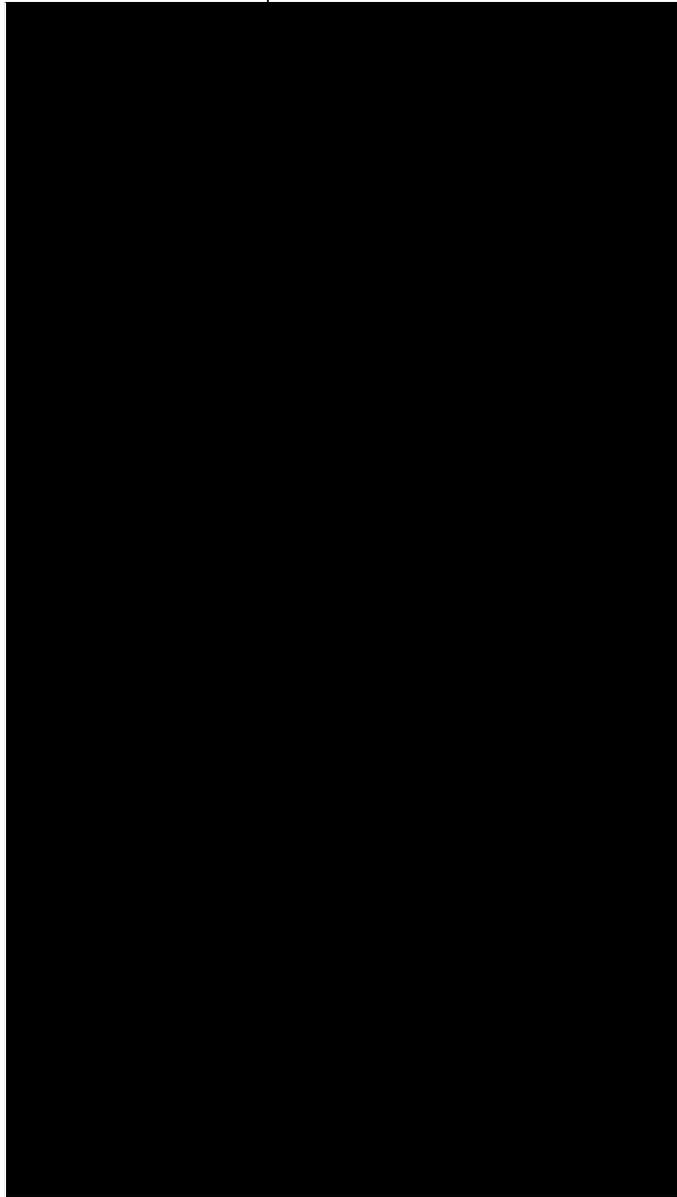
287 -290

360



Contents

Page No.



291 -293

294

295

296 -300

301 -304

305

306

307

308

309

310 -311

312

313

[Redacted]

STATEMENT OF: [Redacted] BAR 35

Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): OVER 18

To be completed when the statement has been written.

I declare that this statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 11TH day of OCTOBER 2000

[Redacted] D/CONST [Redacted] BAR 35

SIGNATURE OF MEMBER by whom statement was recorded or received

SIGNATURE OF WITNESS

I came to work in Macedon Children's Home in Whiteabbey on [Redacted] where I was firstly employed as an assistant houseparent and then as [Redacted] during the time [Redacted] BAR 7 stepped up to be the [Redacted] of Macedon. I continued working in Macedon until it closed. I transferred to Sharonmore where I worked as a residential social worker in the Ravelston Unit. I was still working in that unit when I left in [Redacted] My memories of Macedon are of working in the [Redacted] cottage as it's so long ago. I worked there with [Redacted] BAR 76, [Redacted] BAR 1 and [Redacted] BAR 2, [Redacted] BAR 6 also worked there at one stage as she was [Redacted] the unit. [Redacted] BAR 90 also worked part time in the second cottage. The younger children were in this [Redacted] cottage which included the [Redacted] family, [Redacted] BAR 32 and [Redacted] BAR 31 and [Redacted] BAR 39. I can't remember the others. I felt [Redacted] BAR 2 was quite naive and immature for his job in the home. The kids did like him. [Redacted] BAR 47 seemed to almost idolise him. She would follow him about a lot and would be with him quite a lot. It was noticeable that she had a crush on him. Most people I'm sure would have been aware of it.

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 35 Continuation Page No: 2

She was always about, wherever [REDACTED] BAR 2 was to be honest. In the second cottage only one member of staff slept over in the cottage. There was only one bedroom there. The other staff would finish at 10 pm. I did sleep over duty on my own in the [REDACTED] cottage as did [REDACTED] BAR 1 and [REDACTED] BAR 2. I do remember a hatch in the staff bedroom in the [REDACTED] cottage which led into one of the children's bedrooms. It was opened from the staff bedroom side. I don't remember which child slept in that next room. I was mainly based at the cottage I probably did work in the main house. I remember that [REDACTED] BAR 1 to me seemed eccentric. She struck me as an unhappy person. I worked with her but I didn't socialise with her. [REDACTED] BAR 76 was friendly with her. The kids did bath in the [REDACTED] cottage I would have went in and give them a towel and soap but I didn't physically touch them. Staff did encourage the children to bath. I would have run their bath for them. I can remember occasions when boys jumped into the bath together. The children nicknamed her the [REDACTED]. I don't know where it stemmed from. She used to tell them stories. I thought they were ghost stories. I thought the lights went out as part of the story telling. I remember her telling the children stories downstairs in the living room. They were played in the evening time. It seemed to get the children excited which was the last thing needed around bed time. It must have been done regularly because I can remember them. I believe the children were frightened by the [REDACTED] and the ghost stories. There was a mixture between kids being frightened and enjoying it. I only remember [REDACTED] BAR 1 being involved with these games. I can remember the kids running around in the dark. It was a night thing. I never got involved. They were of no interest to me. [REDACTED] BAR 1 was more senior to me and more experienced than me. She would have settled the kids for bed. I believe that [REDACTED] BAR 1

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 35 Continuation Page No: 3

and [REDACTED] BAR 2 worked in the main house at a later stage. I don't remember working with either of them in the main unit in Macedon. I know that [REDACTED] BAR 1 had a room up in the attic at the top of the main house. I remember that she had a house in the [REDACTED] area and that she also [REDACTED] a house in the [REDACTED] area. I do remember [REDACTED] BAR 3 coming to work in Macdeon in the main house. I thought he was strange. Gay in his mannerism and he gave me the creeps. I didn't like him and I stayed away from him. I didn't really bother with him. I don't recall working with him in the main house. I was not aware of a friendship between [REDACTED] BAR 1 and [REDACTED] BAR 3 but I do remember [REDACTED] BAR 1 telling me that he had been to her house and money had went missing from the mantelpiece. I can remember that [REDACTED] BAR 3 seemed to have potions. He would have led you to believe that he had some medical knowledge. [REDACTED]

[REDACTED] I do remember an incident where [REDACTED] BAR 1 alleged that money had went missing from I believe her handbag. For some reason she thought [REDACTED] HIA 101 had taken it. I can remember that [REDACTED] BAR 76, [REDACTED] BAR 1 and I were on duty that day. I remember that [REDACTED] BAR 1 was very angry about it. I don't remember punishing [REDACTED] HIA 101 I would accept that I did hit [REDACTED] BAR 1 with a spoon on the hand as punishment and being spoken to by [REDACTED] BAR 24 about the incident afterwards. I never witnessed [REDACTED] HIA 101 being punished by [REDACTED] BAR 1 or [REDACTED] BAR 76. We were I remember spoken to by [REDACTED] BAR 24 about the punishment. [REDACTED]

[REDACTED]

STATEMENT OF: **BAR 76**
Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of **4** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **22** day of **November** **2000**

G Boyce D/C **Mrs Sandra R Smyth**

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

I was employed as an assistant House Parent by Barnardos at Macedon Children's Home in Whiteabbey. I started there in [REDACTED] I only worked in the [REDACTED] cottage for [REDACTED] years before leaving in [REDACTED] **BAR 35** was [REDACTED] of the cottage. I worked in this [REDACTED] cottage with **BAR 35** and **BAR 1** **BAR 2** also came to work in the [REDACTED] cottage. **BAR 81** and **BAR 81** both worked part time in the cottage. **BAR 81** worked part time in the cottage before I left. I don't know how long she had been there or how often she worked there. I believe that I started working in Macedon at around the same time as **BAR 1** but that I started first. I have known her from being on a child care course in Rupert Stanley in [REDACTED] I went to work in [REDACTED] [REDACTED] around [REDACTED] **BAR 1** was one of the staff members in [REDACTED] I have always remained friends with her and we would still keep in touch regularly. I remember that **BAR 1** went to work in the main house to work with the senior girls. She had left the [REDACTED] cottage to go to work in the main house before I left Macedon.

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 76

Continuation Page No: 2

[REDACTED] BAR 2 was still working in the [REDACTED] cottage up until I left. The children that I can remember in the [REDACTED] cottage until I left were HIA 101 HIA 516 BAR 47 BAR 31 BAR 32 and [REDACTED] I think BAR 55 was there too. A few months after I left I found out that the children were moved over to the main house from the [REDACTED] cottage. In the [REDACTED] cottage I worked shifts. If I did a 2pm to 10pm I would stay overnight in the staff sleep over room in the cottage until the next morning and work to dinner time. As far as I can remember only one staff member would sleep over in the cottage with the children. I don't remember what time the other staff member would go home at in the evening. There was only one staff sleep over room in the [REDACTED] cottage which staff shared. Whoever was sleeping in had to stay there. I had got a flat in [REDACTED] which I was going to share with BAR 1 and [REDACTED] I was in the flat and all when BAR 1 bought her own house at [REDACTED] in [REDACTED] This was during the time I worked in Macedon. She had that house for a good number of years before buying a house in [REDACTED] When I worked in [REDACTED] she had bought a house at [REDACTED] [REDACTED] BAR 1 owned quite a lot of property left to her by her father in his will which are rented out. In the [REDACTED] cottage our duties were like a substitute mother which included preparing food, doing our own cooking, washing and ironing the children's clothes and bathing the children. The older children I would tell them to go up and bath themselves. With the younger children I would run the bath for them and leave their clothes for them. I can't remember actually washing their hair or bathing them myself. In the evenings I believe there was two members of staff on in the cottage. If there was a party timer

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 76

Continuation Page No: 3

coming on then there would be three of us. There was supposed to be three of us on at all times. I worked regularly with [REDACTED] BAR 1 and [REDACTED] BAR 2 in the cottage. I remember that the children did call [REDACTED] BAR 1. It was a joke actually. If the children were up to something [REDACTED] BAR 1 would look at them a certain way but it didn't scare them. The children would say that she had given them the [REDACTED]. They would laugh and didn't seem scared. [REDACTED] BAR 1 was a great story teller. She used to tell them stories but I don't remember what they were about. They listened and they loved her to tell them stories. The children would be all in a group in the cottage. They loved the ghost stories that she told them. [REDACTED] BAR 1 was such a good story teller. Sometimes they just loved to be frightened. During the story telling I can only remember that the lights were on. I have never seen her chasing the children. It was only in the evening that I remember the story telling. Not in the bedroom. Anytime she told the stories when I was there it was always in the TV room in the cottage. She didn't want to frighten them. As far as I can remember [REDACTED] BAR 1 always wore Oil of Ulay. She always put it on her skin. It wasn't that often that [REDACTED] BAR 1 told ghost stories that I remember. [REDACTED]

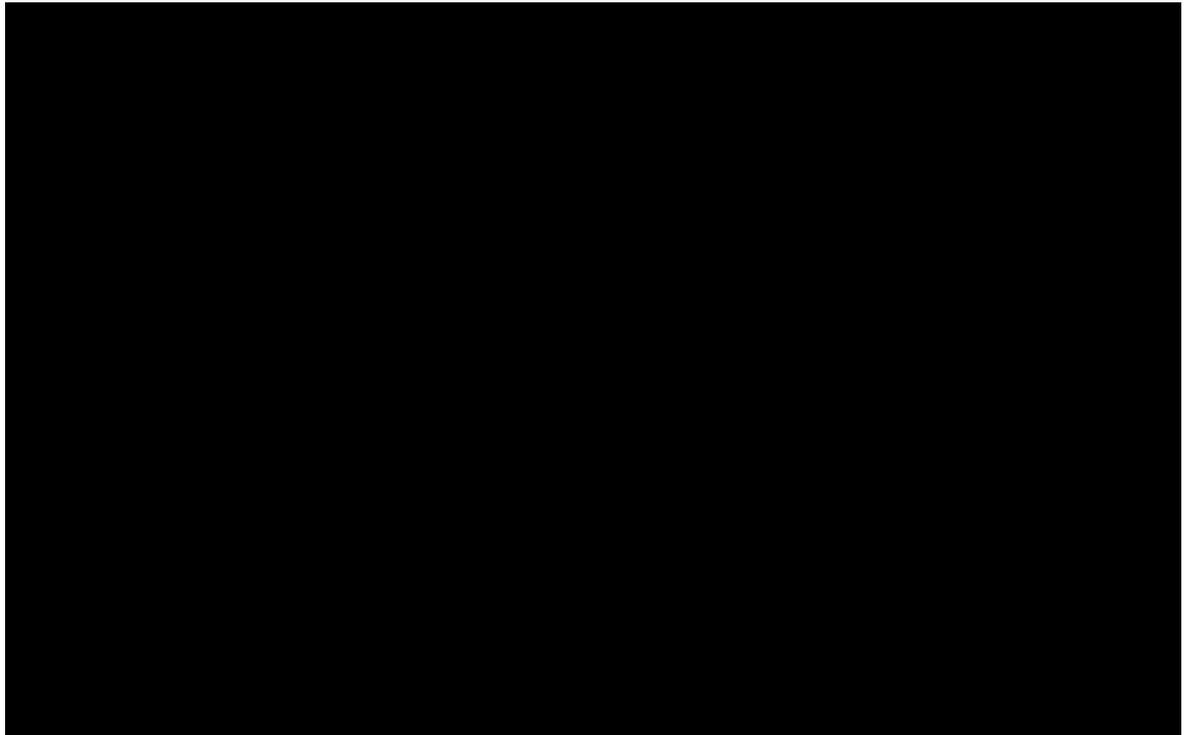
[REDACTED]

[REDACTED]

STATEMENT CONTINUATION PAGE

STATEMENT OF: **BAR 76**

Continuation Page No: 4



BAR 76

Certified a true copy of original *Jessie D. Constance*

[Redacted]

STATEMENT OF: **BAR 91**

Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of **3** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **15TH** day of **NOVEMBER** **2000**

[Redacted]

BAR 91

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

I worked for Barnardos as an Assistant House-parent in Macedon Childrens Home in Whiteabbey. I can confirm that I worked there between [Redacted] until around [Redacted] I worked only in one of the small houses known as a cottage. I believe I worked in number [Redacted] cottage. I worked with **BAR 1**, **BAR 76**, **BAR 90** (part-time), **BAR 35** and [Redacted] (part-time). They were all staff members in this same cottage where I worked. **BAR 35** was in charge of our cottage and she arranged our working rotas. The children staying in our cottage that I can remember are **HIA 101**, **HIA 516**, **BAR 83**, **BAR 39**, **BAR 31**, **BAR 32** and I believe **BAR 47**. I do not know **BAR 2** or **BAR 3**. They didn't work in Macedon when I worked there. In Macedon I worked a rota system. There were different rotas for different weeks. On a split shift I can remember starting at seven in the morning, working to 10am, then coming on again at 2 o'clock and working until around 8pm. On an overnight shift which I had to do one or two times a week I started at 2pm or 5pm and working overnight until 7am the next

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 91

Continuation Page No: 2

morning. Normally two of us worked together, sometimes three in the morning times but overnight from around 9 or 9 30pm only one staff member stayed overnight in the cottage with the children until 7am in the morning. When the younger ones got sorted for bed around 9 or 9 30pm the other staff member would go home leaving me alone overnight with the kids. I slept in the staff sleep-over room in the cottage upstairs on overnight shifts. We all used this same room for sleep-overs. You daren't have left the children overnight to leave the cottage. If there was a problem you would ring over to the main house to [REDACTED] BAR 23. He was the [REDACTED] in Macedon. He [REDACTED] the main house. It was rare for [REDACTED] BAR 23 not to visit the cottage before bed time, what I would call supper time. He couldn't get in overnight because the door to the cottage was locked overnight. I can remember the kids calling [REDACTED] BAR 1 [REDACTED]. They would ask her to do the [REDACTED] and she would look at them screwing her face up, turning her eye around. The next thing she would take a buck leap at them and chase them. Most of them seemed to beg her to chase them, especially the younger ones. She was strict with the children. It was [REDACTED] BAR 1's nature. It was only a game as far as I was concerned. Some of the kids would beg her to tell them ghost stories. There wouldn't have been a noise from the kids when she told them ghost stories. You could hear a pin drop it was that quiet. I can remember [REDACTED] BAR 1 telling the children ghost stories downstairs in the sitting room before bed time when they were watching TV. They would have turned the lights out and she would take a buck leap after them. The kids would have been running away from her squealing and laughing. The kids seemed to enjoy it and would ask for more. [REDACTED] BAR 1 did sleep-over duty and slept in the sleep-over room in the cottage. She also had a bedroom in the main

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 91

Continuation Page No: 3

house. So did I. It was part of my job to bath the younger kids. I would have washed their hair while they were in the bath. It was normal for one staff member to bath the kids. There was many a time the kids would jump into the bath together. [REDACTED] BAR 1 would have had to bath the kids as it was part of our job. The kids would sleep together in twos and threes in the same room in the cottage. I can remember [REDACTED] BAR 81 [REDACTED] playing in the grounds with the kids in Macedon. [REDACTED] BAR 81 worked in the other cottage and [REDACTED] seemed to play with the kids in that cottage. I had no qualifications to work with children when I started working in Macedon. I had worked in a factory before working there.

[REDACTED] BAR 91

Certified a true copy of original [REDACTED] *Drasbelle*

STATEMENT OF: **BAR 92**

Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of **6** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **27TH** day of **OCTOBER** **2000**

BAR 92

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

I am employed as a Social Worker with [REDACTED] I came to work in Macedon Children's Home

where I was employed as a [REDACTED] I was [REDACTED] years old when I came to work in Macedon. My duties included shift work, sometimes double shifts, starting one day at 2pm then finishing the next day at 3pm, allowing an hour for hand-over. I worked mainly in the main house but occasionally I filled in in the top cottage where the [REDACTED] children and [REDACTED] were. When on duty overnight in the main house I slept in one of the two sleep-over rooms. I remember mostly sleeping over in the sleep-over room to the left of the front door. It overlooked the cottages. I think there was a fire escape out the back of it. The other sleep-over room I believe was at the other side of the house. On overnight duty only two staff members slept over in the main house. My memories are that one staff slept over in each of the cottages. If I wasn't sleeping over I went home at 10pm. **BAR 1** was the only staff member that had a

If she stayed over on sleep-over I believe she slept over in [REDACTED] I worked mainly in the main house

STATEMENT CONTINUATION PAGE

STATEMENT OF: **BAR 92**

Continuation Page No: 2

until it closed. I was appointed to the Ravelston unit and transferred there. I believe I worked there for at least six or seven months. I left to work in a children's home in I got married on At that time I worked in I returned to work in the Ravelston unit around February when **BAR 36** offered me a third in charge post. I left Sharonmore for good in to do a diploma in

at During the time I worked in Macedon I do not remember meeting **BAR 3** I know the name but I don't remember him at all. I seemed to be working a lot with **BAR 1** **BAR 2** **BAR 93** **BAR 35** **BAR 113** and **BAR 9** I think they were the main ones. I was on duty in Macedon. I worked overnight with **BAR 1** often. I knew her well. The kids did call her She used to give them the

I can remember an incident in the kitchen in the main house. **BAR 1** said to **HIA 101** in the kitchen that she was going to give him the She glared at him. She pulled some kind of face. It all seemed like good fun. It seemed to be a control thing. Her way of controlling the kids. I remember that around bedtime when the kids were getting ready for bed, around that time. She was unsettling the kids around that time. I remember games going on, chasing after the kids, the younger children because the older kids would stay up after the younger children's bedtimes. My memories are that she played these games on the landings and around the children's bedrooms. It seemed like high spirits. She seemed closer to the younger children. The older children didn't really have much to do with her. I didn't join in any of these games and I don't remember any other member of staff joining in with **BAR 1** and the kids. I would have heard the games going on from downstairs. I was trying to settle the

STATEMENT CONTINUATION PAGE

STATEMENT OF:

BAR 92

Continuation Page No: 3

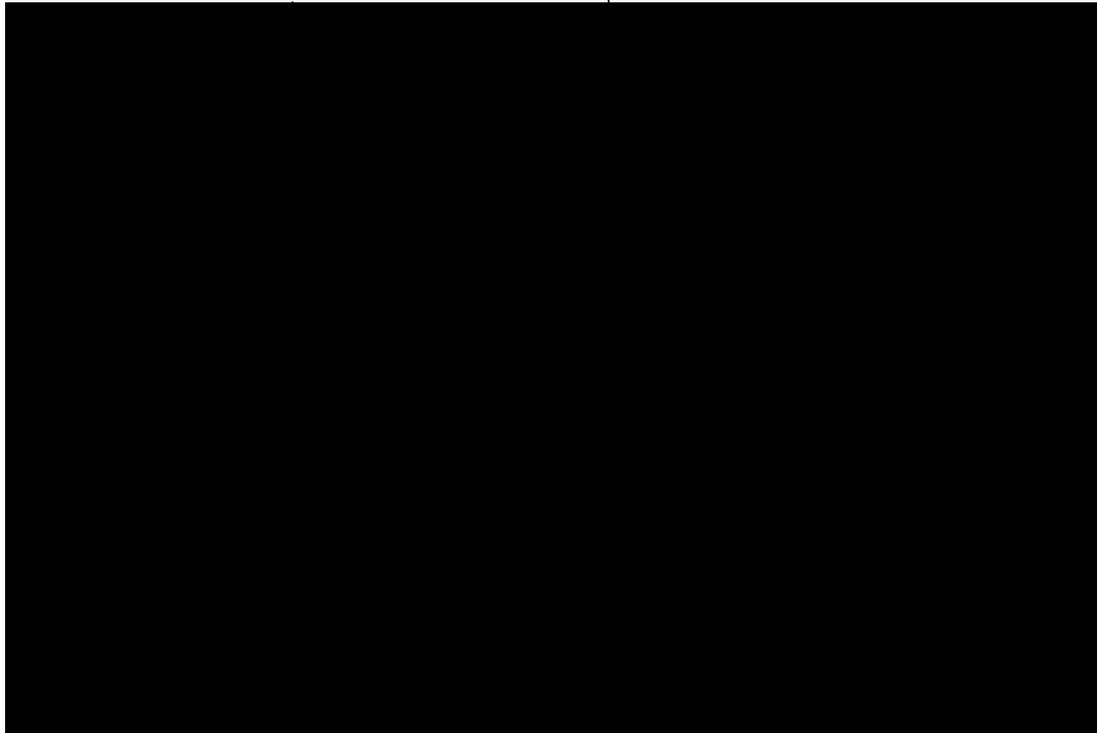
kids at this time and was trying to get them into their beds. It just seemed like high spirits. The kids were running about. She was my boss. I felt that I couldn't say anything to BAR 1 about this. I had the image that she was a disciplinarian and very religious. She was a fundamentalist in her views. I never bathed any of the children in Macedon and I don't remember any time that I was in the bathroom with them. I think BAR 1 went into the bathroom in the main house. I assumed she was checking on the boys. If it was anyone it was HIA 101 and BAR 37 she was checking on. There was always an issue about BAR 37 that he didn't wash and that he had poor hygiene. BAR 1 always seemed to have BAR 37 near her and take a particular interest in BAR 37. I always associated BAR 1 with BAR 37 HIA 101 as well. She presented as motherly of them. I didn't work with BAR 1 in Sharonmore. She was in the Ballyduff unit. BAR 1 and BAR 2 worked on occasions together overnight. I don't remember them predominantly working together. I believe BAR 9 and BAR 24 made out the rotas because I can remember negotiating with BAR 9 if I wanted the day off. It was usually ^{BAR 9} I went to if for some special reason I wanted to change my rota. I did sleep-over duties with BAR 2 BAR 93 BAR 2 and I were friendly. I would have met up with BAR 2 outside Macedon and I had been to his home I socialised with him and we remained friends after we both stopped working for Barnardos. When we worked together in Macedon BAR 2 lived in in I was never in in but I did meet his mum at his mum's house I had been working with BAR 2 for a while when he told me he I had no until he told me. He was quite a flirt and messed about with the female domestics. I believe it was during the time we worked together in

STATEMENT CONTINUATION PAGE

STATEMENT OF: BAR 92

Continuation Page No: 4

Sharonmore that BAR 2 told me BAR 47 seemed infatuated by BAR 2 She seemed to have a crush on him. BAR 47 was attentive to BAR 2 I can remember that she made him cups of milky coffee. BAR 2 would use BAR 47 to control the other children. BAR 47 was older than that younger group. She certainly controlled her brothers and HIA 101 [REDACTED]



[REDACTED] In [REDACTED] was one of a number of staff who went to Ballylough with the kids. It was an old school house and was pretty isolated, near Dervock. I think there was a portacabin in the grounds of it. I remember that [REDACTED] BAR 2 and [REDACTED] BAR 93 were both there. I have been shown a report by Detective Constable Boyce dated [REDACTED] I wrote the report. I do remember [REDACTED] BAR 29 throwing tablets at me and bringing [REDACTED] BAR 29 back to Macedon the next day in my car. [REDACTED] BAR 29 was going nuts and I had to sleep overnight with her before bringing her back to

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 92

Continuation Page No: 5

Macedon. [REDACTED] BAR 29 insisted that I stay overnight with her. I wasn't supposed to be on duty that night. She was quite scary that night. To be absolutely honest I was frightened of [REDACTED] BAR 29 that night. I was terrified of her at the time. She was off her head. The girls slept in the main building together. I think the boys slept in the portacabin. I can't remember what other children were there, just [REDACTED] BAR 29 who sticks out in my mind. I was allowed a night off and I had come back to Ballylough with my [REDACTED]. When I returned there was a whole who-ha going on. I have images in the evening of [REDACTED] BAR 2 and another female staff member trying to restrain [REDACTED] BAR 29 in the main car park area outside. I saw it as I drove in through the gates. I went to see if I could help. [REDACTED] BAR 2 explained to me that she had thrown a wobbler and had lay down in the middle of the road. I remember the conclusion to this was that [REDACTED] BAR 29 would stay but only if I slept overnight with her. It must have been a different room than she had been sleeping in because it was just her and me. [REDACTED] BAR 29 was quite subdued on the way home. [REDACTED] BAR 29 did throw temper tantrums. [REDACTED]

[REDACTED]

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 28

Continuation Page No: 5

[REDACTED] I remember [REDACTED] BAR 32 telling me in the office that he was frightened of her and called her a witch. He said "We all hate her." I mentioned this to [REDACTED] BAR 1 light-heartedly, and she told me that "it was just a game we play when I can't get them to settle into bed at night I would give them the [REDACTED]." She demonstrated that to me. She did it smiling, squeezing one eye down and widening the other one. I told her that she was frightening the life out of them. At that time [REDACTED] BAR 32 was [REDACTED] years old. He was at primary school and would do his reading with me in the office. I know [REDACTED] BAR 1 did bath the boys but I don't find this unusual as it would be part of her job description to ensure the younger children were bathed. [REDACTED] BAR 1 dressed dowdily in long wide skirts, long cardigans, wearing a scarf round her neck or round her middle and flat shoes. I do remember typing minutes of a staff meeting where [REDACTED] BAR 1 had expressed her view that the spiritual needs of the young people were not being met or developed and that they should be encouraged to be regular Church attenders. She purported to be a Christian. She seemed a soft eccentric woman to me until only once I saw her change. This was before [REDACTED] BAR 32 had said those things to me. I saw her and [REDACTED] BAR 76 manhandle [REDACTED] BAR 94 in the front hall at the front door outside my office. He was shouting, cursing and crying. [REDACTED] BAR 1 told me he didn't want to go to school but he would be going and that he wouldn't win. They dragged him roughly back down the main hallway. I hadn't seen her act in this way before or after this incident. [REDACTED] BAR 23 also witnessed this. [REDACTED] BAR 94 was 12 years old then. It appeared to me that she must have had some strength to handle [REDACTED] BAR 94 as he was a [REDACTED]. She had long nails and she was I remember quite proud of them. I remember when she was on duty she would carry the keys. I

553

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 28

Continuation Page No: 6

remember her showing me in my office where she kept the keys inside her bra. This was done in amusement saying that it was the safest place for them. [REDACTED]

[REDACTED]

[Redacted]

STATEMENT OF: **BAR 36**

Name

Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 18 day of October 2000

[Redacted] D/C

BAR 36

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

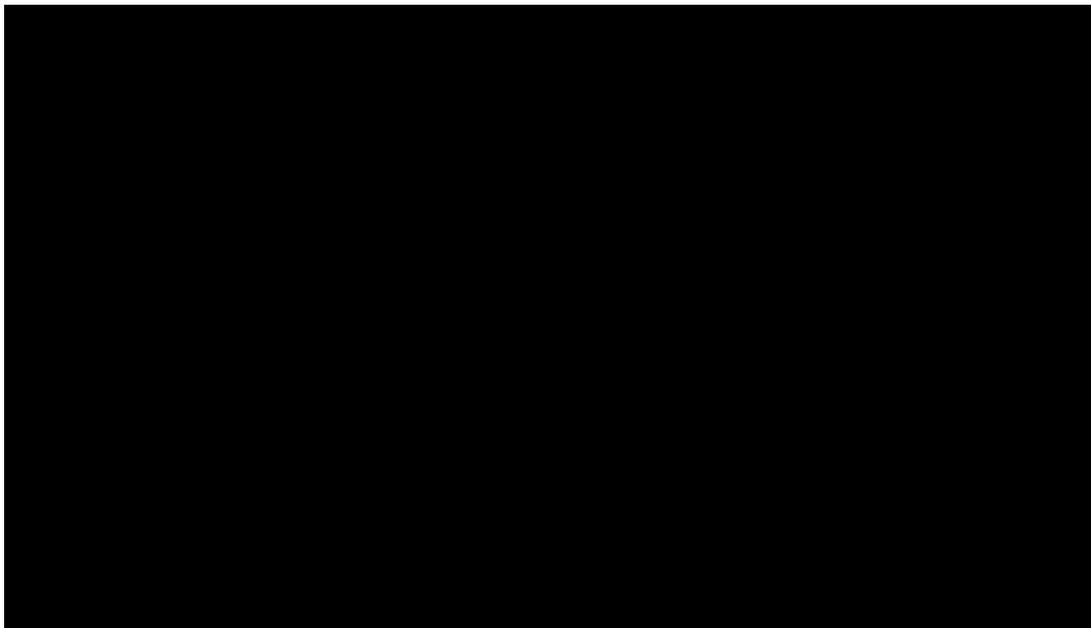
I am a professionally qualified Social Worker. I taught Social Work for 5 years at [Redacted] before I came to work in Macedon Children's Home in Whiteabbey in [Redacted]. I was employed by Barnardos as [Redacted] of the Sharonmore project. When Macedon closed during [Redacted] the children and staff moved to Sharonmore. I remained as [Redacted] in Sharonmore until I took early retirement during 1996. When I came to Macedon in [Redacted] I took over from [Redacted]. Staff had already been appointed to the Sharonmore project before I arrived, I believe in [Redacted]. When I arrived the [Redacted] were together in the [Redacted] cottage with [Redacted] who ran the Unit. [Redacted] was there as well. A part time worker called [Redacted] also worked there. To the best of my knowledge the other kids were in the main house. I was [Redacted] the transition from Macedon to Sharonmore. The children and staff as part of this transition were divided into two main units, called Ravelston and Ballyduff and two other satellite units called Ballysillan and Rathcoole. The two main units, Ravelston and Ballyduff, were to be sited on the Sharonmore site in Carnmoney. One

STATEMENT CONTINUATION PAGE

STATEMENT OF: BAR 36

Continuation Page No: 2

of these units moved from Macedon in [REDACTED] to the Sharonmore site while the other moved up a short time later. The



Ballysillan Unit. When I first came to work in Macedon, BAR 1 [REDACTED] and BAR 2 [REDACTED] were working in the main house. [REDACTED] went to the [REDACTED] Unit. She had been appointed as [REDACTED] of that unit before I arrived. BAR 2 [REDACTED] went to work in the [REDACTED] Unit as a residential Social Worker. My working hours in Macedon were supposed to be day time hours Monday to Friday, plus on call. I didn't do shifts. For a period I slept on site in Macedon overnight in the first cottage, perhaps once or twice a week, probably for a couple of months. BAR 1 [REDACTED] was the only staff member who had a room in the big house. She also had a house of her own. BAR 75 [REDACTED] and his family stayed in the [REDACTED] cottage for a while when he came to work in Macedon shortly after me. From early on I became aware that BAR 1 [REDACTED]'s work was not up to standard. She was promoted to [REDACTED] before I arrived. She seemed to me not to be capable of reaching the required standard for that position. She was capable of performing the basics of the old style caring work.

STATEMENT CONTINUATION PAGE

STATEMENT OF: **BAR 36**

Continuation Page No: 3

The Sharonmore project was aimed at changing the old styles. To the care and control issues we were adding task focused work. Staff needed to develop a range of skills and knowledge to cope with the task focused work. It was setting professional standards. I didn't feel that **BAR 1** was up to the required new standards. **BAR 75** was her [REDACTED] as he was the [REDACTED] of the [REDACTED] Unit. **BAR 75** was in charge of supervising **BAR 1** and of monitoring her work. She seemed to me to have difficulty in working with and controlling the children. As a result of these issues **BAR 75** and I recommended disciplinary proceedings. I am aware that she received a written warning and that her pay increment was stopped. Eventually she was transferred as supernumerary staff to [REDACTED] during [REDACTED] I had no more dealings with her after she moved to [REDACTED] **BAR 2** I felt related well to the children and to other staff. He appeared genuinely interested and concerned in the [REDACTED] children. He acted the lig but could be sensible too. It appeared to me that **BAR 47** seemed to have a crush on **BAR 2**. She was quite distraught when **BAR 2** left. She was certainly upset around that time. All staff including group leaders did shifts which included sleepovers. I remember a time in Macedon when **BAR 47** disclosed that she had been or was being sexually abused by her father, **BAR 30**. I believe **BAR 8** told me. I have no memories of **BAR 2** coming to tell me. I can remember incidents where **BAR 29** barricaded herself in her room. My memories of her are much clearer in Sharonmore. She was in the [REDACTED] Unit. She had difficulties in Macedon. Her fostering had broken down. She had awful rages. When I arrived she was a distressed and disturbed child. Her outside interests were limited and she stopped going to the Girls Brigade. My memories of **BAR 29** are

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 36

Continuation Page No: 4

that she liked her privacy. I remember that there were issues about her poor attendance at school but that was an issue for a lot of the children. At one stage she went to [REDACTED] Secondary School. Shortly after I arrived [REDACTED] HIA 216 moved to the flat in the main house. She would be [REDACTED] then. She stayed in the flat on her own. It was to prepare her to move out and live on her own. HIA 216 had been in care all her life and it was to prepare her for the isolation or loneliness of living alone outside of Macedon. [REDACTED]



Certified a true copy of original [REDACTED] *dlanstable*

[REDACTED]

STATEMENT OF: **BAR 75**

Name Rank

AGE OF WITNESS (If over 18 enter "over 18"): **OVER 18**

To be completed when the statement has been written.

I declare that this statement consisting of **6** pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this **13TH** day of **OCTOBER** **2000**

[REDACTED] D/C

BAR 75

SIGNATURE OF MEMBER by whom statement was recorded ~~or received~~

SIGNATURE OF WITNESS

I am self employed as an independent trainer/consultant. I specialise in the management of crisis in the residential care of children. In [REDACTED] I came to work in Macedon Children's Home in Whiteabbey where I worked as a child care assistant until I left in [REDACTED] for education and further employment. I returned to Macedon in [REDACTED] employed as [REDACTED] on the understanding that Macedon was in the transition to become Sharonmore. I know that I was [REDACTED] in the [REDACTED] unit and that it was up and running before the beginning of [REDACTED] I worked in the main house in Macedon between [REDACTED] until Macedon closed. **BAR 36** was the [REDACTED] Macedon during the transition from Macedon to Sharonmore. At the start of Macedon in [REDACTED] I lived [REDACTED]. It was [REDACTED]. We were there for a short time only for a couple of months until I bought a house [REDACTED]. [REDACTED] it was used by the children and staff who were to become the Ravelston unit at Sharonmore. [REDACTED] the other

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 75

Continuation Page No: 2

[REDACTED]

Ballyduff unit. [REDACTED] BAR 2 worked in the other unit, [REDACTED] [REDACTED] BAR 1 must have already been employed as [REDACTED] before [REDACTED] BAR 36 or I were employed. I worked with [REDACTED] BAR 2 only for a few months in the main house while I lived [REDACTED] [REDACTED] I had no direct line management with him when the future Ravelston unit was formed in the second cottage. My memories are that [REDACTED] BAR 2 didn't stay long in Sharonmore. He left to work in [REDACTED] [REDACTED] I do remember clearly that [REDACTED] BAR 2 had a close relationship to [REDACTED] BAR 47. Whenever she would go into a withdrawn state in which she wouldn't talk to staff it was [REDACTED] BAR 2 who could always coax her out of it. I have memories of her asking for [REDACTED] BAR 2 when I would try and talk to her. That closeness with [REDACTED] BAR 47 towards [REDACTED] BAR 2 was not repeated by [REDACTED] BAR 47 towards any other member of staff. I can remember that [REDACTED] BAR 47 would have written letters to [REDACTED] BAR 2. I can remember that they went together in the Mini Clubman and minibus from Macedon on messages. It wasn't unusual to bring a child with a staff member for messages. Most members of staff drove both the minibus and Mini Clubman.

[REDACTED]

STATEMENT CONTINUATION PAGE

[REDACTED]

STATEMENT OF: [REDACTED] BAR 75

Continuation Page No: 4

[REDACTED]

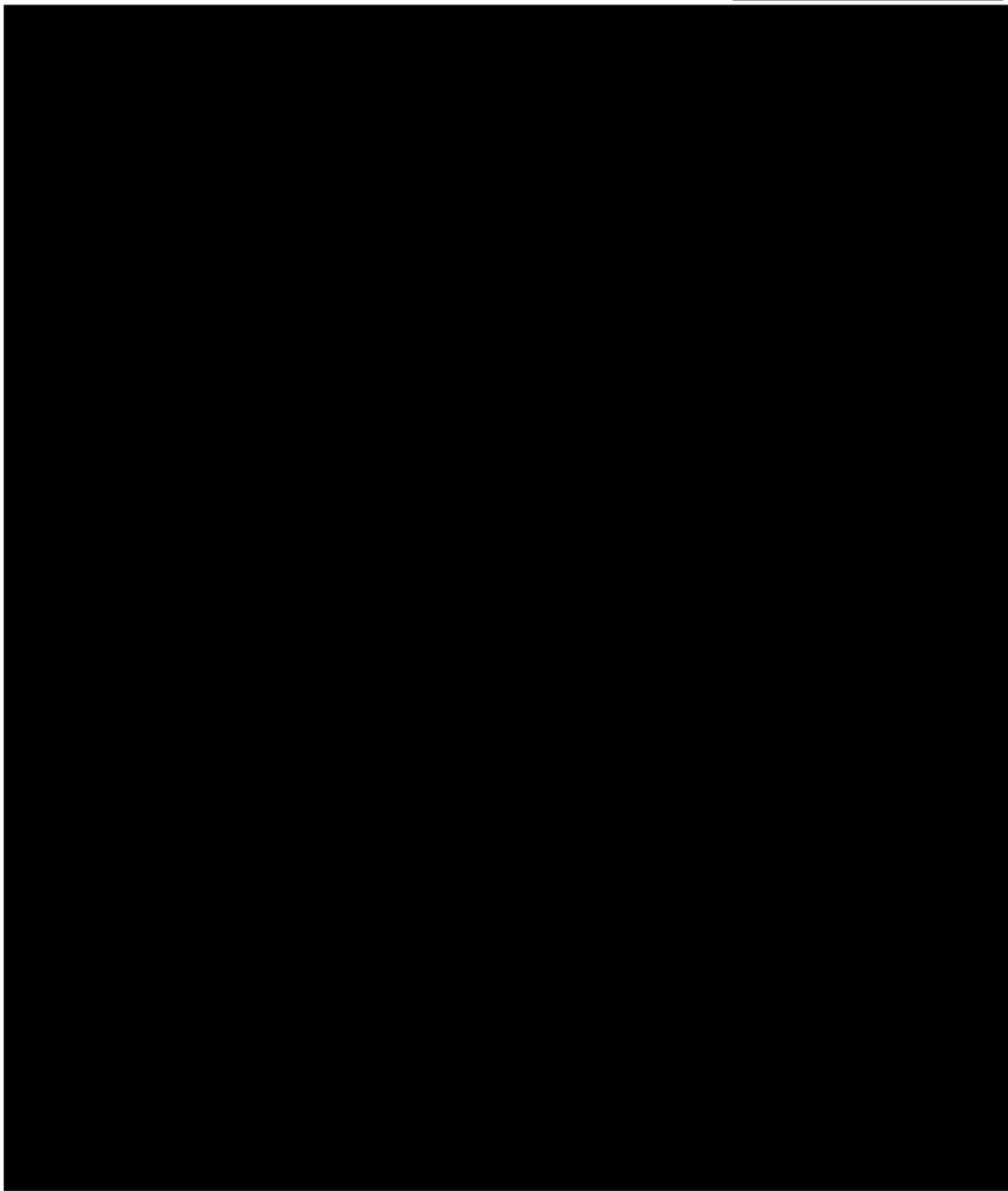
[REDACTED] I can remember that the kids in Macedon referred to [REDACTED] BAR 1 as [REDACTED] I believed it was because of the ghost stories. When I went to Macedon in [REDACTED] BAR 1 had already an established reputation as being the teller of ghost stories. I never witnessed her telling ghost stories. I can remember

STATEMENT CONTINUATION PAGE

STATEMENT OF: [REDACTED] BAR 75

Continuation Page No: 5

tackling her about this issue I believe in Macedon. It was made clear to her not to tell the children ghost stories. I can remember kids in the [REDACTED] unit who had been in Macedon asking for her to tell stories. It was put a stop to in the [REDACTED] unit. In [REDACTED] in Macdeon bathing was not an issue. Staff didn't bath the kids, they were of an age that they could bath themselves. [REDACTED]



BAR 1



L.W. 4

RESIDENTIAL CARE STAFF @ MACEDON
BETWEEN 01.12.77 & closure in 1981

NAME	JOB DESCRIPTION	STARTING DATE	FINISHING DATE	OTHER REMARKS	
[REDACTED]	Superintendent	01.12.73			
	Deputy Superintendent	01.08.74			
	Ass. House Parent	19.05.75	28.12.78		
	Ass. House Parent	08.09.75			
	Ass. House Parent	22.09.75	30.01.82		
			06.11.75		
	Secretary		02.02.76		
			16.02.76	05.01.79	Now deceased
	Superintendent		01.04.76		Now deceased
	Child Care Assist.		31.05.76		
	Ass. House Parent		28.06.76	22.06.79	
	Ass. House Parent		18.10.76	10.02.78	
	Ass. House Parent		01.11.76	18.05.79	
	Ass. House Parent		17.01.77	23.04.79	Now deceased
	Ass. House Parent		14.06.77	16.12.81	
	Ass. House Parent		01.08.77	07.07.78	
	Ass. House Parent		24.10.77	08.12.79	
	Ass. House Parent		21.11.77	22.03.79	
			also 14.05.79	29.12.79	
	Ass. House Parent		17.11.77	03.09.88	Now deceased
	Asst Houseparent		1.12.77	1.11.83	
	Ass. House Parent		15.11.77	29.04.79	
	Ass. House Parent		09.01.78	07.01.79	
	Ass. House Parent		20.02.78	25.04.79	
	Ass. House Parent		08.05.78	22.06.79	
	Ass. House Parent		17.07.78	14.10.79	
	Asst Houseparent		1.1.79	16.12.81	Previously a volunteer within Macedon
			05.02.79		
	Asst Houseparent		23.4.79	9.1.80	
	Ass. House Parent		04.06.79	25.09.79	
	Group Leader		02.07.79	10.12.79	
Ass. House Parent			To present		
Ass. House Parent		31.12.79	30.06.81		
Ass. House Parent		08.02.82	12.09.82 also		
		24.03.80	23.10.81		
Key Worker		31.03.80	31.08.81		
Ass. Group Leader		02.04.80	30.06.81		
Key Worker		14.07.80	To present		
Ass. House Parent		15.09.80	24.04.85		
Ass House Parent		Sept 80	30.11.82		



	Ass. House Parent	15.09.80	28.10.80	
	Project Leader	01.09.80		
	Group Leader	28.08.72 01.01.81	28.09.73 also 27.07.86	

- Partnership working at both case and strategic levels is essential for the protection of all children.

These principles underpin all present work and are part of developing a culture in which "safeguarding children" is a priority of our practice.

4. Framework of a safe organisation

This framework describes how we manage risk so as to minimise circumstances where harm may befall children using Barnardo's services through acts of omission (e.g. failure to make referral of a child protection concern) or commission (e.g. direct abuse of a child) by Barnardo's staff volunteers, carers and service users. This is addressed through a management framework comprising 9 components based on external national standards and our own core child protection standards (the framework below identified which core standard applies).

The nine components are as follows:- (Comments re practice at Macedon are in italics).

I Planning

- Clear national strategies for safeguarding, co-ordinated by a strategy group which anticipates and responds to external and internal developments
- A clear organisational focus on risk management

See attached "Swing and roundabouts in Child Care Policy and Practice. Fifty years 1948 to 1998" Barbara Kahan speech 2000." This places practice in its historical context in which sexual abuse was not understood as a serious issue in residential care.

It does not, however, link to Kincora and management in Barnardo's would have known about this establishment and almost certainly [REDACTED] BAR 1's personal link with [REDACTED] BAR 85

We have to date been unable to identify evidence of how Barnardo's addressed the issues arising from the investigation into Kincora or whether there were any risks to children in the care of Barnardo's. It is my view that this issue is of greater importance because of [REDACTED] BAR 24's letter which talks about the climate in Northern Ireland and leads to his decision not to address the allegation about CM.

2 Acting on concerns of abuse (Child Protection Core Standards 3&4)

- Consistent referral procedures for reporting concerns to investigating agencies
- Working jointly with other agencies to provide services
- Management of Historic abuse cases.

Management failed to identify and address the level of concerning behaviour by residents and evidenced in files of the victims and other children resident in the home.

In reviewing the files, I have observed a vast amount of information about absconding, criminal activity, behaviour, and violence to staff and peers. Practice at the time has assessed the behaviours as a sign of the disturbance of the resident whilst present practice would require this information to be aggregated, linked and addressed as a possible sign of a culture of abuse.

It is probable that present policies for managing difficult behaviour would also review trigger point for incidents and had this been present during this period, it would have assisted staff to identify causation.

3. Recording (Child Protection Core Standard 5 & Recording Standards)

- Standardised recording procedures
- Recording and reviewing file information is essential in identifying patterns of risk.

Standardised recording procedures were not developed, though the records of ex residents evidence that something was seriously wrong. It is difficult to identify how staff and managers failed to review evidence from personal files and ask questions about the level of concerning behaviour and what they should be doing to address it.

4. Recruitment (Child Protection Core Standard 7)

- Standard structure for interview to ensure consistency
- Requirement for references
- Requirement for CRB checks (England and Wales), PECS (NI) and SCRO (Scotland)
- Scrutiny of employment history for suspicious gaps
- Professional advice and support from Human Resources available to Managers throughout the process.

Response – Recruitment and retention issues were addressed in relation to [REDACTED] BAR 1 [REDACTED] who was moved after concerns about performance from Windsor Avenue to Macedon, given promotion and disciplined during her employment. It is difficult to understand how management failed to assess her performance more rigorously having been clearly aware of concerns.

Judge Weir also raises questions about why no one asked questions about her activities. Have we adequately learnt about the management of difficult members of staff who, in their own way, set themselves up above management of other staff and incapacitate managers and management systems?

It is my view that evidence demonstrates that management failed to effectively review evidence from children's records and no doubt elsewhere to show something at Macedon was wrong. This comment is however made with hindsight and knowledge about abusive practice gained through numerous reviews over the last 20 years.

Concerns are also highlighted in relation to the short period of employment of [REDACTED] BAR 3 [REDACTED] At termination of employment, observations are made about his

demeanour. Soon after his departure, we have a complaint about which is inadequately addressed and does not lead to any investigation. If there is a crucial moment when Barnardo's failed to address potential child abuse, this is it.

I attach to this report a circular from the Barnardo's book of policies of 22-6-1953 which deals with how allegations of "interference" should be dealt with. This reinforces the conclusion that Barnardo's management failed in its duty. This states "The superintendents first task is to find out the facts."

We also have potential failures in the recruitment of other staff, befrienders and volunteers

Recruitment is now completely overhauled. Both volunteers and staff members are subject to scrutiny in appointment and induction training and supervision. These include

- Standard structure for interview to ensure consistency
- Requirements for references
- PEC's checks.
- Scrutiny of employment history for suspicious gaps.
- HR support throughout process

The effectiveness of the PECS system should be reviewed.

5 Supervision (Child Protection Core Standard 6 and Supervision Core Standards)

- Regular formal supervision at all levels
- Regular staff appraisal/annual performance review
- Formal procedures for safe staffing practice.

Response – Without records of supervision or staff meeting it is difficult to understand how staff were viewing their duties and how they were trying to coherently address the needs of the children in Macedon.

This is especially difficult because Case files identify:

- Regular reviews of children involving social work support staff and at times staff external to Barnardo's.
- Appropriate referral to psychiatric services.
- Incidents are also recorded in detail.
- There are examples of good work and staff working hard to understand and address identified and difficult behaviour.

Having read the child care file and listened to the evidence in court, it is hard to see how the level of difficult behaviour, abusive practice or concerns about members of staff did not get linked together and addressed more appropriately.

My hypothesis is that the level of incidents, low staff moral, political environment [REDACTED] BAR 24 letter 21-4-80) management failure and lack of strategic leadership left a staff group managing a level of chaos that inhibited reflective practice to identify and address what was going on.

I do not consider our present practice requires further enquiry.

I can understand public calls for an enquiry into how the degree of management failure, as described by Judge Weir, occurred and how this would be in the public's interest. If it was to take place, I think the focus would need to look at what occurred within the historical child care and political context of the period. I have no doubt that a central theme of any enquiry would be the context of [REDACTED] BAR 24 's letter and this would inevitably link to what happened at Kincora.

6 Inspection (all inspection is underpinned by core and/or national standards)

- Internal and external inspection of services against core and national standards
- Self audits and sampling against core standards by line and senior managers
- Action plans based on feedback and monitoring of recommendations stemming from inspections and standards audits.

Response – All care facilities are now inspected by external bodies against defined criteria of safe and good practice.

Our services also self audit through core standards and CAIU further review a small number of services.

7 Empowering children (Responsiveness to Users Core Standards and Equality Core Standards)

- Ensure services remain child-centred and staff are child-focused
- Commitment to equality issues – e.g. talking to child in first language; age appropriate interaction; awareness of issues around gender, sexual orientation, religion, disability and race;
- Development of participation
- Commitment that disclosure of abuse is always taken seriously
- Formal complaints process including independent elements
- Independent advocates/inspectors to support children.

Response – Attitudes to children have, since the 1980's, changed radically as have greater awareness of equality issues and understanding of sexual abuse. This seed change in understanding has led to the above developments. These have also been addressed because of numerous reports of failure to protect children, including those in residential care.

8 Raising concerns about poor and dangerous practice ('whistle-blowing') (Child Protection Core Standard 6)

- An organisational culture which allows challenge to poor practice
- Staff made aware of Barnardo's policy including CP Core Standards through the induction process
- Barnardo's 'Sounding the alarm' video used as learning and development tool
- Clear procedure backed up by disciplinary/criminal code
- Independent investigation of concerns
- No victimisation of whistle blowers
- Emphasis on learning from mistakes.

Response – It must be noted that this policy is rarely used and requires ongoing promotion to ensure systems remain safe and staff are given every encouragement and support to raise concerns.

9 Learning and development (Child Protection Core Standards 1&2)

- In service learning and development matched to the roles and the responsibilities for child protection, which staff, volunteers and carers require
- Development of standard induction materials
- Induction and introductory programmes to provide understanding of individual staff responsibilities regarding safeguarding and protecting children
- Development of an integrated UK strategy re competency/qualification requirements for posts and encouragement for staff to obtain relevant qualifications
- Team and service development via required annual service event focused on keeping children safe
- Learning and development opportunities to support the implementation of safe positive behaviour management
- Learning and development is accessed through Regional/National Learning and Development Managers
- Facility to publicise, share and learn from good practice.

Response – The above demonstrate enormous change and a clarity of purpose to ensure children remain safe.

Conclusions.

Please see key learning points from "Lessons about Macedon" which are copied below.

1. We cannot defend the practice in this case.
2. We have attempted, to the best of our ability, to respond to the needs of ex residents of Macedon and ensure that justice was done.
3. We believe our current practice and procedures to be very different to the circumstances described in Macedon.
4. We are conscious that the policies and procedures are only as good as the people who operate them. For this reason, our "Safe Organisation Framework" sets out to ensure that the protection of children and young people is central to our culture as an organisation and the robust procedures are underpinned by strong management oversight.
5. We believe that all aspects of our safe Organisation Framework need to be relied on in order to make the organisation as safe as we can.
6. We take all complaints seriously and work on an on going basis to ensure that service users and staff are enabled to speak out in circumstances where the normal management systems are not working.
7. We are prepared to "believe the unbelievable", that the risk of abuse of service users by people who work for us necessitates ongoing vigilance to ensure that our systems are as good as they can be.

For the above reasons, I doubt whether any new and positive outcomes and learning for today's practice would materialise from an Inquiry.

Martin Ruddock

Principal Officer

14 October 2004

In replying to this letter, please address the envelope as follows:

Number

Name

BAR 37

Maghaberry

Foyle 1

Prison

H.M. Prison Maghaberry
Old Road
Upper Ballinderry
LISBURN
BT28 2PT
Tel: (0846) 611888

BAR 89

Hi
I heard on the news that the Jury have gone out in the trial. I am now very Nervous waiting as I am sure everyone is. The Prisoners here found out what I am Accused of and I was beaten up. I could have fought back but whats the point. They have said they will stab me. I have had cups hit on my head also snooker Balls have hit me on the head. I have now been Separated from them for my own Safety. you know [REDACTED] from Probation was also Resposalde for my being here. I thought the Probation service was suppose to help people. She betrayed me as I oppened my heart to her and told her I really wanted help. She used that Agensf me. Come and see me

BAR 89

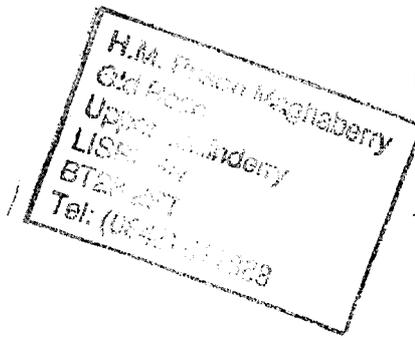
I miss seeing friendly faces.

please the prison and quote this number

[REDACTED] I hope to see you soon.

I know were they keep their dope. It chokes me at night
I don't know weather to tell or not

BAR 37



In replying to this letter, please address the envelope as follows:

Number

Name

BAR 37

Foyle 12

Prison

Hi **BAR 89**

Well Guilty most people I am sure are happy. I have to tell you I am happy about **BAR 1** but not **BAR 2**. A very serious charge was dropped for him and I was the victim. I want **BAR 2** to come here and face me and tell me why that charge was dropped. He has not come near me to explain this. This was a very serious sexual assault on me and should have never been dropped and I feel very let down by **BAR 2** because he promised me that **BAR 2** would pay for this sexual assault on me.

Buggery is a very painful thing more so when you are a little boy. That Bastard Buggerd me and I was a little boy. I know what the pain felt like. Blood coming out of me for days after it. I feel sick that he was let of for doing this to me. Not only that how can such a serious crime just be pushed aside. you tell **BAR 2** I want to see him. I would like to see you too as I have not heard from you. This is my visiting numbers for this week and next week **BAR 2** - **BAR 2** you just phone the prison with these numbers and they will arrange a visit. soon please

BAR 37

In replying to this letter, please address the envelope as follows:

Number

[REDACTED]

Name

BAR 37

Foyle

Prison

BAR 89

Please pass this letter on to [REDACTED] [REDACTED] for me. I don't know why you have not come near me. I have left you messages I have written to you. Don't you care anymore. I really miss seeing friendly faces I don't get out much here and I am innocent no matter if you believe me or not. I am hoping to get back soon. I don't know what I would have done without [REDACTED]. She has been the only one to come and see me she has been marvalous. She has been great. I can truthfully say now I love her and could not be without her. Come see me maybe someday

BAR 37

In replying to this letter, please address the envelope as follows:

Number

[REDACTED]

Name

BAR 37

Prison

Boyle

Geof

I will not be co-operating in this case anymore. My heart is broken since you sent me the form of charges I have been in a terrible state. That Bastard BAR 2 will never pay for what he did to me. After the hell I have put myself through I feel very upset and let down. How could they do this to me I thought I gave my evidence well how could they not believe me. I put myself through hell on that stand for what for them to let that Bastard off for everything he did to me. you dont know what a terrible state I have been in since I heard and no one has come fucking near me shows how much you really care. All the Best Goodbye

BAR 37

In replying to this letter, please address the envelope as follows:

Number [REDACTED] Name **BAR 37**
 _____ Foyle S _____ Prison

BAR 89

Oh **BAR 89** after all the years we go back I don't understand how you can just turn your back on me. You have known me since I was 15 in Lisnevin. I know I have had trouble in the past but I never thought you would abandon me because that's what it feels like. I really did think you cared what I went through when I was a child but the fact that you have not come near me really tells me you never cared at all. If I knew **BAR 2** was going to get away with what he did to me I would never have taken the stand and put myself through that degrading hell. I trusted the system and I trusted the people around me but as always and it has happened all my life I was let down. I should not have thought ~~any~~ any differently people have let me down all my life turned their back on me. I know I have trouble maybe I deserve it. But I really did have hope in this trial that was silly. I truly trusted you after you being there when I made my statement and hearing everything. You are not the person I thought you were **BAR 89** and that makes me really sad because we go back so many years. I never thought you would turn your back on me but I have pleaded with you to come see me I have got my answer. I guess you really have turned

In replying to this letter, please address the envelope as follows:

Number

Name

BAR 37

Foyles

Prison

Well BAR 89

You have turned your back on me. I think it is a terrible cruel thing to promise on a xmas card to say you are going to come see them and not come near them.

also sent me a xmas card saying she would come and see me and I have not seen her. Are you both trying to hurt me or just playing games with me. The only thing I can imagine is you believe these lying allegations and have

sided with BAR 38 to say I am guilty before it has been proved. Let me tell you I loved and would

never have done anything to hurt them. I think it very strange

that they went to the police after everyone knew I was in

prison. And they did because I went into the court that

day to be questioned by BAR 1 Defence from prison.

Also am suspicious how BAR 38 spent so much time with

HIA 101 and his girlfriend during the trial. Did she

get her ideas from him maybe hearing or being told about

HIA 516. Did BAR 38 not get enough compensation from Bernados

and thought of a way to get more. I did not do this and

there is going to have to be more than their say so to prove

it. BAR 38 ~~one of the best people~~ as I am concerned she

is nothing to me. But BAR 89 I have rights + feelings how

can you just condemn me I thought all these years you

were a really nice person. I had a lot of respect for

you how can you be so unfair. Remember everyone not

just me is innocent until proven guilty.

would never say these things to my face because they are

pure lies. I was good to [REDACTED] and how they have come up with these things is shocking. I cannot understand why they would do this I was not bad to them. I was good to them. we always got on really well. or maybe hearing I was in prison did they get the idea I just don't know. If I was such a monster to them all those years ago when the Allegation was made by **BAR 38** friends vee girl they were asked then by social services did I do anything to them they said no because I was told about this. well I will fight this all the way you can condemn me all you want God knows the truth. well **BAR 89** I don't know if I will see you again but take care and thanks for everything you have done for me over the years

BAR 39

NOTED. 03 (RED) 14:04

JOHN KEAVEY SOLICITORS

DAY 02000 75124

P. 002

Form 21 AD

In replying to this letter, please address

Number

Name

BAR 37

Prison

CENSORED

Hi: **BAR 2**

I want to assure you that **BAR 1** is innocent and it would not surprise me if you were innocent as well. A great injustice has taken place and I am the one that will come forward to tell the truth. Why? Because the Lord has saved me and changed me and put the truth inside me. I am sorry **BAR 2** for the things I said about you. All I have about you are good memories. Who am I you may be thinking well lets just say you were a great help to me that day you took me to hospital after I fell off the roof. You never let go of my arm and I want to thank you. I really think **HIA 216** and **BAR 29** are lying about you because they are lying about **BAR 1**. I don't know for sure but you were not the type to do those things. I am going to have to get in touch with **BAR 1** solicitor. The others may stick to their story but I will not. Because as I say the Lord has changed me and I will not live with this lie anymore. I am sorry for where you are I don't think you should be here. Lets hope people believe me and the Lord loves you **BAR 2** and can make the difference in your life and change you remember that.

BAR 37

H.M. Prison (Mag. (Men))
 Old Road
 Upper Mallow
 LISBURN
 BT28 2PT
 Tel: (0846) 611888

In replying to this letter, please address the envelope as follows:

Number

Name

BAR 37

Prison

Hoyle 5

11: **BAR 89**

Sorry to hear you are not feeling great. I am really sorry for the last letter I am really lonely here and felt really abandoned. The reason I did not phone is I thought you did not want me to phone. I think we have been thinking the same on both sides. You thought I did not want to hear from you and I thought you did not want to hear from me. Oh **BAR 89** why did I get myself into this why do I have to be me. I really feel like I am falling apart. I hope everything goes OK in hospital and I will be thinking about you and praying for you. I have seen **BAR 2** about the place but made sure he could not see me. Things like visits were I just put my head down. I wonder why **BAR 13** said in her Xmas card she was going to visit in January. I feel like no one wants to know me **BAR 89** and just like when I was dumped by Bernardas into Rathgair and forgotten I feel I have been forgotten again. That is like an abuse itself Rejection is a very hurtful thing so I suppose I feel Rejected. My parents Rejected me and it has hurt me all my life. I know people like me are not liked much were there are Allegations Against them. But it hurts when its people who have known me for a long time. You see **BAR 89** people care when you are a child but when you become an adult people don't give a Damn. I thought you just did not want to see me and I am really sorry. I will phone you if that's OK.

My mind is still on the trial. on that stand I was forced to return to my childhood and that's a place I never wanted to return to again. I have no one here I can talk to so it's all building up within me. How is Betty tell her I was asking about her I suppose she knows I am here. I miss my freedom as I am sure you can imagine. 9 months I have been here now, my mind is all over the place and I am frightened, maybe I deserve this I don't know but I am not coping well. This is a time I really had family people who care about you. But even if I had have had parents they maybe would have abandoned me. Knowing my luck. But I have a father that will never turn his back on me and I am proud to say God Loves me, well mresse Take care and I will be thinking about you I hope you don't mind me phoning.

BAR 37

In replying to this letter, please address the envelope as follows:

Number

[REDACTED]

Name

BAR 37

Prison

①

Kofe

Hi BAR 89

You are going to be very disturbed by reading this letter but you must. Something wonderful happened to me since I have been here. I really did have a supernatural experience as the Lord touched me and saved me. I know I said before that I was saved but I was not. I have been truly touched and changed. You know BAR 89 I was a terrible liar I told so many lies all the time I could lie my way in or out of anything. I have to tell you that I am not proud but ashamed of this. Which brings me to the whole point of this letter. Oh BAR 89 I have told a very big lie that I must now put right I am not the only one to tell this lie I don't know why the others lied but you can be sure they are. I have to tell you BAR 89 the thought of no one else believing me because I have told so many lies in my life is a worry but I must do this. You see BAR 1 is innocent of any sex charges that she was convicted of. Rubbish you may say but I am telling you she never did anything like that to the kids. She frightened the kids she done the [REDACTED] in dark rooms ripped me and really frightened some of the kids but never touched anyone sexually. Now why the others are lying I don't know but I will explain to you why I did. BAR 1 was the nightmare of my childhood she really scared me very badly and when I got the letter from [REDACTED] I thought this was a way to get my own back on her.

PAC

You see **BAR 89** the [redacted] was real. But the likes of **BAR 46** **HIA 216** **BAR 39** were never frightened of **BAR 1**. They were the ones that got her to give the [redacted] ran around the dark rooms laughing their heads off. But I was put into the rooms and I was not laughing I was sitting in a corner shaking with fright. When she got me she ripped me but never did the things that were said about her, when she bathed me she ripped me ok but never made **BAR 38** and me do things, she knew I was very frightened of her and I think she enjoyed frightening me but she scared me very badly, I am frightened of the dark today because of her antics. When **BAR 38** was making out her statement she was in touch with me and I told her about the bath and what to say, other staff threatened me with **BAR 1** and told me if I did not do such in such they would go and get her. Also the Bathgail Incident lived with me for years. It was because of her lies about the cup of Tea that I was taken away. She did throw a full hot cup of Tea in my face but she lied, when I was taken to Bathgail I was bullied very badly and I blamed her I was only a wee boy 13 and no-one from the home came to see me at all except one. I was so frightened there and had no-one to turn to, I was taken away from the only home I knew and put in with a lot of strangers. For a little boy this was one of the worst times of my life, I remember that day I came home from the youth club and I had went to the toilet within myself and the staff sent for **BAR 1** and I was standing there screaming. You see that's how much I was frightened by **BAR 1** all my childhood. I know the others may act like they were frightened by her but they were not

In replying to this letter, please address the envelope as follows:

Number [REDACTED] Name **BAR 37**
[REDACTED] Prison

(3)

Oh **BAR 89** I remember **BAR 46** and **BAR 39** going up to **BAR 1** room at night and barged on her bedroom door to get her to come down and give the [REDACTED] [REDACTED] understood they saw it as a big laugh. **BAR 89** I am now going to have to come forward and explain why I made the things up that I did and why. The others may stick to their lies and you can be sure they are lies but I must now tell the truth. Because one day I will have to stand before the Lord like everyone will and this is one thing of my terrible past I can put right and I must. The Lord has helped me to forgive **BAR 1** for the things she did to me and the fear she put in me. You see I was intent on revenge I hated her and wanted her locked up the way I was locked up. As I say the Lord has helped me to forgive her for all the things she did to me. She was very kind to me and I hated her. I am so glad the Lord saved me or I fear I would have let her rot in Jail. I just hope she can forgive me. But **BAR 89** she is innocent and all the things that she was convicted of believe me a great injustice has been done. I will not stop until I get her out of prison because she should not be there. I have been here in prison I know what it is like. I am worried that if the others stick to their story no one will believe me but I will just have to trust the Lord. I have to tell you it would not surprise me one bit if **BAR 2** was innocent as well.

P.T.O

BAR 89

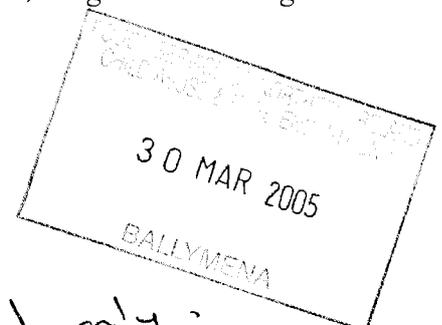
I wanted to let you know this first and explain why I lied not that is any excuse. I am ashamed of what I have done. I cannot will not live with this lie. As I say I will have to answer to the Lord one day and I know he wants me to put this right, many things I have done in my life none of which I can change But this I can and will for I know the truth and the truth will set me free. I feel so sorry for **BAR 1** and her family. As I say the Lord has set me free from the hate I felt for her and I ~~know~~ feel no ill feeling for her at all infact I could hug her. Now that is the power of God that can change a man. The Lord has forgiven me for all my sins and I am thankfull because they were many. But All have sinned and fallen short of the glory of God. I Just hope out of all this **BAR 38** at least will tell the truth and come clean. I have to say I felt Bernandos owed me something aswell. They Abandoned me and never looked after me the way they should have. Oh **BAR 89** if only I had seen my need for the Lord a long time ago but I think I had to go as low in life as I could to see my need for him. Here was as low as I could go I wanted to die here I did not see any future for myself now thanks to the Grace of God I do. I know I will be in trouble for lying in court but I Just hope and trust the Lord that the Judge will go easy on me given the reasons. At least I am coming forward now to tell the truth. Believe me **BAR 89** in the presence of the Lord I am telling the truth. I would swear on my life. Don't let the others feel anyone anymore. This terrible Injustice must now be put right saith the Lord

BAR 37



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

Gail White
 Department of the Director of Public Prosecutions
 Appeals Section
 Royal Courts of Justice
 BELFAST
 BT1 3NX



23 March 2005

APPEAL OF THE QUEEN 'V'

Dear Gail

Please find attached 7 letters that I received from **BAR 89** on 23 March 2005. **BAR 89** has been appointed by Barnardos as **BAR 37** aftercare support worker. She has provided support to **BAR 37** since his initial disclosures of sexual abuse to police. **BAR 89** has received these letters from **BAR 37** since his imprisonment on remand at HMP Maghaberry on 3 June 2004.

The letter causing me most concern is the 4 page letter in which **BAR 37** expresses that **BAR 1** had not sexually abused him and that he had been in touch with **BAR 38** when she was making her statement of complaint to police. He further alleges that he had told **BAR 38** what to say.

When all the letters are read in their totality it is clear that conflicting statements are being expressed by **BAR 37**.

To gain an understanding of why he would compile such a letter it should be viewed in context with recent events in **BAR 37** life.

- On 19 May 2004 he was sentenced at Craigavon Crown Court with 9 offences of possessing indecent photographs of children. He received 3 years probation and was placed on the Sex Offenders Register.



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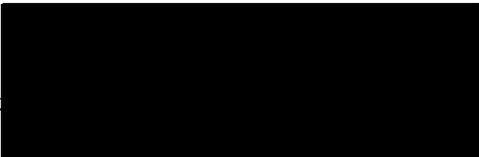
- In June 2004 he was charged with falsely imprisoning an 8 year old boy in a toilet cubicle at the Harbour Bar, Portrush on 15 April 2004. He was remanded in custody where he stayed throughout the remainder of the trial.
- On learning of his offending, **BAR 37** was isolated by his peers during the trial.
- In March 2005 he pleaded guilty at Coleraine Crown Court with falsely imprisoning the 8 year old boy at the Harbour Bar and is due to be sentenced there on 16 April 2005.
- In January 2005 he was charged with buggery and indecent assault. These offences related to allegations made by 2 of his sisters' boys occurring between 1993 and 1996 when they were aged between 3 and 6 years.

I would be grateful if you could pass the attached letters to Mr G Simpson QC due to their obvious impact upon the appeal process.

There is also the likelihood of criminal offences namely perjury etc having been disclosed by **BAR 37** in his 4 page letter.

I personally perceive **BAR 37** motivation for compiling such a letter is his anger at being rejected by his peers and at **BAR 38** for allowing her 2 children to provide evidence to police. I feel that he has not fully thought through the consequences before compiling the letter.

Yours sincerely


Detective Sergeant

STATEMENT OF WITNESS

STATEMENT OF: **BAR 37**

AGE OF WITNESS (if over 18 enter "over 18"): Over 18

TO BE COMPLETED
WHEN THE
STATEMENT HAS
BEEN WRITTEN

I declare that this statement consisting of 7 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 3rd day of June 2005

BAR 37
SIGNATURE OF MEMBER BY WHOM
statement was recorded or received

BAR 37
SIGNATURE OF WITNESS

BAR 37
PRINT NAME IN CAPS

I am known as **BAR 37** but my previous name was **BAR 37**. I changed my name by deed-poll about 10 years ago. On Friday 3rd June 2005 I spoke to Detective Sergeant **BAR 37** from the Police Service of Northern Ireland at Maghera Prison. My prison number is **BAR 37** and this has been my number from 3rd June 2004 when I was remanded in custody. Detective Sergeant **BAR 37** explained to me that he was present to speak to me in relation to letters that I had written to a **BAR 89** from Barnardos. **BAR 89** is an after-care social worker for Barnardos and she was appointed as a support worker for all persons involved in the trial of **BAR 2** and **BAR 1**. **BAR 1**, **BAR 89** was extremely helpful to myself through the whole process and sat with me when I gave my statement to

BAR 37
SIGNATURE OF WITNESS...

before I was saved but I was not, I have been truly touched and changed". Is there a word of that true?

Witness: Yes.

Counsel: There is?

Witness: Yes.

Counsel: Did you have a religious experience?

Witness: Yes.

Counsel: And when did you have a religious experience in relation to the day you wrote the letter?

Witness: I am not sure of the exact time.

Counsel: Was it a week before, a fortnight before?

Witness: A few weeks maybe.

Counsel: A few weeks, now you are telling this court that you had a religious experience some weeks before and are you saying that was a genuine religious experience?

Witness: Yes.

Counsel: And as a consequence of that general religious experience you wanted to tell the truth, is that right?

Witness: Yes.

Counsel: That is the basis that you continue?

Witness: Yes.

Counsel: "You know **BAR 89** I was a terrible liar, I told so many lies all the time, I could lie may way in or out of anything, I have to tell you that I am not proud but ashamed of this which brings me to the whole point of this letter". Now in

those two or three sentences you are saying that you were a terrible liar and you are not proud of it, but ashamed of it?

Witness: Yes.

Counsel: Was that truthful at that time as you wrote it?

Witness: Yes.

Counsel: “O **BAR 89** I have told a very big lie that I must now put right. I am not the only one to tell this lie, I don’t know why the others lied, but you can be sure they are. I have to tell you **BAR 89** the thought of no one else believing me because I have told so many lies in my life is a worry but I must do this”. Now I am stopping there and I am asking this, were you at that time in a frame of mind that you were telling the truth?

Witness: Yes.

Counsel: And were you in a frame of mind that extended to say that the others were lying in court?

Witness: Yes.

Counsel: Now as a matter of fact in this court as you sit here today, are you saying that the others had lied in court?

Witness: Yes.

Counsel: Did they include **HIA 216** ?

Witness: Yes.

Counsel: **BAR 29** ?

Witness: Yes.

Counsel: **HIA 101** ?

Witness: Yes.

Counsel: **BAR 39**?

Witness: Yes.

Counsel: **BAR 46**?

Witness: Yes.

Counsel: **HIA 516** ?

Witness: Yes.

Counsel: So you are saying this and you are confirming in this court this is true and you are saying as I wrote this I was doing so because of my religious experience.

Witness: Yes.

Counsel: You see **BAR 1** is innocent of any sex charges that she is convicted of. Rubbish you may say, but I am telling you she never did anything like that to the kids. She frightened the kids, she done the **████████** in dark rooms, nipped me and really frightened some of the kids but never touched anyone sexually. Now I am stopping there. Were you still in those sentences under the, as it were, religious feeling that you have described?

Witness: Yes.

Counsel: And was that then you trying to tell the truth?

Witness: Yes.

Counsel: Now why the others are lying I don't know, but I will explain to you why I did. **BAR 1** was the nightmare of my childhood, she really scarred me very badly and when I got the letter from **BAR 13** I thought this was a way of getting my own back on her. Now I will stop there, was that a truthful statement that when you got the letter from **BAR 13** you were trying to get your own back on **BAR 1** ?

Witness: Yes.

Counsel: And before this court as we sit here you are saying that was true?

Witness: Yes.

Counsel: I continue, “you see **BAR 89** the [REDACTED] was real, but the likes of **BAR 46**, **HIA 216**, **BAR 39** very never frightened of **BAR 1**. They were the ones that got her to give the [REDACTED], ran around the dark rooms laughing their heads off, but I was put into the rooms and I was not laughing, I was sitting in a corner shaking with fright. When she got me she nipped me, but never did the things that were said about her”. Now I am stopping there. As you said that, you were still under your religious experience and telling the truth, you thought?

Witness: Yes.

Counsel: In this court do you confirm that?

Witness: Yes.

Nicholson LJ: When you say never did the things that was said about her, are you saying she never did the things that was said by me about her?

Witness: No I say that were never said about her, not just by me.

Nicholson LJ: Now would you have known that?

Witness: Because I was there, I know.

Counsel: When she bathed me or bathed me she nipped me ok but never made **BAR 38** and me do things. Are you still under your religious experience?

Witness: Yes.

Counsel: And still saying the truth?

Witness: Yes.

Counsel: “She knew I was frightened of her and I think she enjoyed frightening me, but she scared me very badly. I am frightened of the dark today because of her

antics”. I am going to stop there. Is that what you were saying as your frame of mind and having had this religious experience?

Witness: Yes.

Counsel: When **BAR 38** was making her statement, she was in touch with me and I told her about the bath and what to say. Do you see that sentence?

Witness: Yes.

Counsel: Were you when you wrote that still under your religious experience and telling the truth?

Witness: Yes.

Counsel: Now I will come to this now – and I will put this to you now, is it that before **BAR 38** made her statement she got in touch with you as you say there, and you told her about the bath and what to say?

Witness: Yes.

Counsel: “Other staff threatened me with **BAR 1** and told me if I did not do such they would go and get her. Also the Rathgael incident lived with me for years. It was because of her lies about the cup of tea that I was taken away. She did throw a hot cup of tea in my face but she lied, when I was taken to Rathgael I was bullied very badly and I blamed her. I was only a wee boy of thirteen and no one from the home came to see me at all except one. I was so frightened there and had no one to turn to. I was taken away from the only home I knew and put in with a lot of strangers. For a little boy this was one of the worst times of my life. I remember that day I came home from the youth club and I had went to the toilet within myself and the staff sent for **BAR 1** and I was standing there screaming, you see that how much I was frightened by **BAR 1** all my childhood. I know the others may act like they were

frightened by her but I say they were not”. Now I want to stop there. Was that again you and I use this word “genuinely and truthfully expressing what you recollection was at that time?”.

Witness: Yes.

Counsel: And that was the 31st of March of this year?

Witness: Yes.

Counsel: Now then I will come to this piece. “O **BAR 89** I remember **BAR 46** **BAR 46** and **BAR 39** going up to **BAR 1** room at night, banged on her bedroom door to get her to come down and give the **BAR 46**. Understand they saw it as a big laugh. **BAR 89** I am now going to have to come forward and explain why I made the things up that I did and why. The others may stick to their lies and you can be sure they are lies, but I must now tell the truth”. As you wrote that were you genuine?

Witness: Yes.

Counsel: And then you write “because one day I would have to stand before the Lord like everyone, well and this is one thing of my terrible past I can put right and I must, the Lord has helped me forgive **BAR 1** for the things she did for me and the fear she put in me. You see I was intent on revenge, I hated her and wanted her locked up the way I was locked up. As I say the Lord has helped to forgive her for all the things she did to me. She was very bad to me and I hated her. I am so glad the Lord saved me for I fear I would have left her to rot in jail. I just hope she can forgive me, but **BAR 89** she is innocent and all the things that she was convicted of, believe me a great injustice has been done. I will not stop until I get her out of prison because she should not be there, I have been in here in prison and I know what it is like. What I want to

ask you about what I have read you is this “are you still genuine, this is important do you understand, you are still genuine is that right?”

Witness: Yes.

Counsel: And what you are saying there is or repeating again that you told lies about her because you were intent on revenge for what she had done to you?

Witness: Yes.

Counsel: And the lies that you were talking about were the lies that you had told in court?

Witness: Yes.

Counsel: And what had happened to you was you had this religious experience, is that right?

Witness: Yes.

Counsel: And that is why you wanted and I use the term “to put the record straight”, isn’t that right?

Witness: Yes.

Counsel: And then do you continue “I will not stop until I get her out of prison because she should not be there, I have been in prison and I know what it is like. I am worried if the others stick to their story no one will believe me, but I will just have to trust the Lord”. You wrote that?

Witness: Yes.

Counsel: “I have to tell you it would not surprise me one bit if **BAR 2** was innocent as well. **BAR 89** I wanted to tell you or let you know this first and I will explain why I lied, not that that is any excuse, I am ashamed of what I have done, I cannot and will not live with this lie, as I say I have to answer to the Lord one day and I know he wants me to put this right, many things I have done in my

Counsel: So was the religious experience that you mentioned in the letter of the 31st of March just as it were a lie in that respect?

Witness: In this letter here?

Counsel: Yes, all that stuff about the Lord coming to you and you were feeling guilt and that he had brought you to your senses and you are now going to tell the truth, was that just a complete lie?

Witness: No it wasn't a lie but it was like a dream or something.

Counsel: A dream?

Witness: Yes.

Counsel: Remembered I asked you about the word fantasy this morning?

Witness: Yes.

Counsel: Well was it a fantasy?

Witness: Yes it is.

Counsel: No Lord, no God, no conversation, all a fantasy, is that what you are saying now?

Witness: Possibly yes.

Nicholson LJ: I am sorry, are you now telling the court that what you have told us since about 2.00 pm, that is where Mr Creaney took you through the various bits of the letter the 31st of March to **BAR 89** that about others lying in court, about how you are trying to get your own back, by making these allegations that your sister had been told what to say and so on, are you now saying that wasn't true?

Witness: No.

Sheil LJ: Sorry you say no it is a bit ambiguous, you mean you are saying it wasn't true or it was true?

Nicholson LJ: Why didn't you tell us it was true?

Witness: Because I was agreeing with the letter.

Nicholson LJ: Pardon.

Witness: I was going through the letter.

Nicholson LJ: Yes.

Witness: I mean when this letter was wrote I was in a very confused state.

Counsel: May I take this up my Lord.

Nicholson LJ: Yes of course.

Counsel: You see you were assuring this court at 2.10 pm that that was a genuine experience that you had had and what you were saying was the truth. That is what you told this court this afternoon.

Witness: I thought it was.

Counsel: Pardon.

Witness: I thought it was.

Nicholson LJ: You thought it was?

Witness: When I wrote the letter it was a genuine experience.

Nicholson LJ: You were telling the court at 2.00 pm and afterwards that it was the truth.

Witness: What was true?

Nicholson LJ: What was in the letter was true.

Witness: It was true when I was writing it out as far as I am concerned.

Sheil LJ: Yes but **BAR 37** you were expressly asked whether you had told lies about **BAR 1** for revenge upon her and you said yes you did, you told lies in court Mr Creaney asked you about her and you said yes you did.

Witness: Yes.

Sheil LJ: Now is that right or wrong?

Witness: I don't know.

Nicholson LJ: You don't know?

Witness: No.

Nicholson LJ: You said in the letter that **BAR 1** is innocent of the charges she was convicted of you told us that was true, is that true or not true? I mean when you were sitting there in court at 2.00 pm did you think **BAR 1** was innocent, or is it only now when you see the letter you had written to the police or the statement you made to the police that you think it is not true?

Witness: I don't know.

Nicholson LJ: Let us put it like this, up and until you saw the statement that you made to **██████████** who is a policeman, up and until that moment which is just a very few minutes ago, did you think that you were telling us the truth when you said that **BAR 1** was innocent?

Witness: This letter here was written for attention for to get someone up to see me.

Nicholson LJ: Now which was written to get attention?

Witness: The letter to **BAR 89**.

Nicholson LJ: You see you have told us very recently that in relation to the statement that you made to the police officer of the 3rd of June that you attempting to tell the truth, the letter which I thought at that stage was referring to the statement to **██████████** was to do with attention seeking, were you drawing a distinction between the statement that you made to the police not calling it a letter but regarding it as a statement and drawing a distinction between it and the letter to **BAR 89**?

Witness: Sorry I don't understand what you are saying?

Sheil LJ: Well when you used this phrase “attention seeking” were you referring to the letter to **BAR 89** or were you referring to the statement to the police officer?

Witness: The letter to **BAR 89**.

Sheil LJ: Well assuming that is correct was it the truth what you said?

Witness: In this letter here?

Sheil LJ: In the letter to **BAR 89** was that the truth?

Witness: No, I thought it was at the time.

Sheil LJ: I thought you told us when you were asked by Mr Creaney in this court now was it in your belief was it true. I thought you gave a clear answer. I mean is the position you don't know what is the truth?

Witness: As I say of recent times I have been going through a lot of confusion and stuff.

Sheil LJ: Well does that mean that you do not know what was the truth?

Witness: No I know what the truth is now. Maybe during that time I didn't.

Nicholson LJ: Well what is the truth now?

Witness: The truth is what I said during the trial was true.

Sheil LJ: Are you on any medication **BAR 37**?

Witness: Yes.

Sheil LJ: More than one drug or several drugs?

Witness: Two or three.

Sheil LJ: Were you on medication when you gave evidence at the trial?

Witness: Yes.

Sheil LJ: Are they the same drugs or different drugs?

Witness: No different ones.

Sheil LJ: Well does the medication ever make you confused?

Witness: Yes.

- Sheil LJ: Well are you confused now or were you confused at the trial?
- Witness: No I wasn't confused at the trial. No I am not confused now.
- Counsel: "I first wrote a letter to **BAR 89** stating that I had lied in court and that **BAR 2** and **BAR 1** were innocent. I also stated that other people such as **BAR 38** had lied in court as well, this was also made up and not true". That is what you are telling Sergeant **██████████**, isn't it?
- Witness: Yes.
- Counsel: So are you confirming – before I ask you this question, had you this religious experience at all or was that just a nonsense?
- Witness: It was sort of true.
- Counsel: Sort of true. Could this court take that you might not have had any religious experience at all, and that whole thing was a spoof?
- Witness: No it wasn't a spoof.
- Counsel: You see it says "I also stated that other people such as **BAR 38** had lied in court as well, this was also made up and not true". And what I understand that means is that you made up in your letter to **BAR 89** something that was not true.
- Witness: Yes.
- Counsel: And you didn't believe it was true when you wrote it as a result of any religious experience.
- Witness: Yes.
- Nicholson LJ: Well you remember me asking you before Mr Creaney came to show you the letter or the statement that you made to Sergeant **██████████**, remember me asking you about **BAR 38** and how it was that she had come to say what she did say and you told the court that that was a long time before the trial, that it was when

BAR 38 was making out her statements, you weren't with her when she was making her statement, but she had been told what to say.

Witness: Well she asked me certain things about what happened, she asked me things that really she should have known about what happened in the bath and so on and so forth and I told her.

Nicholson LJ: Well if you hadn't told her she wouldn't have known?

Witness: Well I found it quite strange that she asked me, but she did. I mean it did happen but I was surprised she didn't know that.

Counsel: Those last statements that you made to this court, at this stage I have got to ask you this, are you telling the truth now that you spoke to her about these matters and told her things which surprised you that she did not know?

Witness: Yes.

Counsel: And you have no doubt about that, are you telling this court?

Witness: No doubt whatsoever.

Counsel: Now I am going to continue with this if I might my Lord.

Nicholson LJ: Yes.

Counsel: "I also wrote a letter to BAR 2 in which I stated that I knew he was innocent and how I had lied, I said in the letter how BAR 1 was innocent", now I will stop there. That is a letter which I will go to very shortly after I finish this particular situation, but you remembered when you were being asked by Sergeant [REDACTED] that you had also written to BAR 2 sometime in January I suggest 2005 to him in prison to tell him – confirming that he was innocent, isn't that right?

Witness: Yes.

Counsel: And I will come back to that, was that just a lie?

Witness: Yes.

Counsel: Why did you make up a lie to **BAR 2**?

Witness: Well how would I know whether he is guilty or innocent, it was other people who made the allegations against him, I wouldn't know.

Counsel: You made an allegation?

Witness: Yes but he was found not guilty of them.

Counsel: Therefore you say you don't have to bother about that.

Witness: Sorry.

Counsel: You don't have to bother about that because the jury didn't believe you in that respect.

Witness: Yes.

Nicholson LJ: Well I am sorry but the jury found him not guilty so does that mean he wasn't guilty, you made that up?

Witness: No I didn't make it up, but no one believe me. What I am saying is I don't know whether he is innocent or not, he was convicted on other peoples allegations, it had nothing to do with me.

Counsel: When that letter was written you weren't having any religious experience were you?

Witness: Which letter?

Counsel: The letter to **BAR 2** ?

Witness: No.

Counsel: I want you to follow the next line please "I wrote further letters to **BAR 89** stating the same sort of allegations that I had lied".

Witness: Sorry I don't know what page you are at.

Counsel: Yes.

Witness: No.

Counsel: When you wrote those letters to **BAR 89** were you attempting to be honest?

Witness: It all depends what letters you are talking about.

Counsel: When you say that to me, are you saying that some of your letters would have been honest and some of them would have been dishonest?

Witness: Yes.

Counsel: Have you any difficulty in moving from honesty to dishonesty?

Witness: No, none what so ever.

Counsel: None what so ever, you can actually move from saying something to someone which is honest and then without any difficulty at all you can switch and be completely dishonest?

Witness: Yes.

Counsel: Fiction?

Witness: Yes.

Counsel: What about fantasy, we call it fantasy, some people might call it (interrupted)?

Witness: Not fantasy, no.

Counsel: Fantasy would be where you are imagining something and writing it.

Witness: Yes.

Counsel: You wouldn't accept that?

Witness: No.

Counsel: What you are saying is you are either honest or you are dishonest?

Witness: When I am telling the truth I know I am telling the truth, when I am telling lies I know I am telling lies.

Neutral Citation No. [REDACTED]

[REDACTED]	[REDACTED]
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*Judgment: approved by the Court for handing down
(subject to editorial corrections)*

Delivered: [REDACTED]

IN HER MAJESTY'S COURT OF APPEAL IN NORTHERN IRELAND

THE QUEEN

-v-

BAR 1

AND

BAR 2

Before: Nicholson LJ, Sheil LJ and Deeny J

NICHOLSON LJ

[1] The applicants applied for leave to appeal against a series of convictions for grave offences alleged to have been committed by them as members of staff of a Dr Barnardo's home, known as "Macedon", against children residing in that home. At the close of the hearing of their applications we granted leave to appeal and quashed their convictions. We gave an ex tempore judgment, outlining the causes for concern which led us to quash these convictions. At that time we undertook to give a written judgment setting out our reasons for doing so. We have concluded that it is unnecessary to expand unduly on the reasons which we gave at the time. But it is important that all concerned fully understand why the convictions were quashed.

Should there be a re-trial?

[2] It remains our responsibility to determine whether there should be a re-trial of both appellants or one of them and on which charges, if any, they should face a re-trial. In case there should be a re-trial we consider that at this stage it would be prudent to say as little as possible, so as not to prejudice any re-trial. We have not heard the arguments to be advanced for and against a re-trial.

Causes for concern

[3] A. [REDACTED] ^{HIA 516}

In the course of opening the case for the Crown it was stated that the principal witnesses were people who had been “in care” at Macedon, a large private house in an area of Newtownabbey, Co. Antrim, owned by a charitable organisation founded by Dr Barnardo, a nineteenth century philanthropist who set up homes for destitute and disadvantaged children. Barnardos’ homes have cared for disadvantaged children since that time.

It was the prosecution case that these witnesses who were children in Macedon in the period between [REDACTED] and [REDACTED] were subjected to physical cruelty and sexual perversion by the two appellants. They were referred to as complainants and the first of them was ^{HIA 516} [REDACTED] whose allegations related to the first twelve counts (or charges) on the indictment against the appellant, **BAR 1**.

He was born on [REDACTED]. He and **BAR 47** and **HIA 101** [REDACTED] were taken into care in 1973. [REDACTED]. There were grave allegations of sexual abuse [REDACTED]. In 1976 he went to Macedon with **BAR 47** and **HIA 101** and an account of the evidence that he would give to the jury (which, if true, was very damaging to **BAR 1**) was stated in some detail in the opening speech for the Crown. The twelve counts were “sample” counts designed to cover what were alleged to be numerous sexual offences. He was an important witness because he set the scene, so to speak, for those who made similar complaints against this appellant. Others alleged that both appellants conspired to sexually abuse them and other children.

The Crown relied on all as mutually supportive. The opening speech for the Crown commenced on 27 April 2004 and was completed on 28 April. A transcript of the speech can be found starting at p. 83 of the Transcript of Evidence and sending at p. 235 (Binder 1).

The Lord Chief Justice was originally to be the trial judge and heard applications to stay the proceedings for abuse of process brought by both appellants on 10 November 2003. He was told that the appellant, **BAR 1**, had been interviewed about allegations of ill-treatment made by ^{HIA 516} [REDACTED] on 4 June 1997 and that no charges resulted from that questioning. He was not given any other information and for reasons which he gave ex tempore and subsequently set out in writing he dismissed both applications. We respectfully agree with his ruling, based on the information with which he was supplied.

At the close of the Crown case significant facts had become established. Mr Gallagher QC for **BAR 1** then made a submission to the trial judge that the further hearing of counts 1 to 12 of the indictment based on the allegations of ^{HIA 516} [REDACTED] should be stayed as an abuse of process. In his ruling at pp. 2627 – 2630 the learned judge stated:

^{7/HIA 516} first made the allegations that give rise to these counts in 1997. A statement was taken from him by police on 6 May 1997 and it is that statement which continues to ground the impugned counts. **BAR 1** was interviewed by police about the allegations contained in that statement on 4 June 1997 when she roundly denied the allegations, describing them in summary as 'nonsense' and 'complete lies'. She stated:

'I'm completely innocent of all that. It is dreadful anybody would dare make those allegations.'

And later:

'He has a great imagination.'

And:

'I'm not guilty'.

The papers were referred to the Department of the Director of Public Prosecutions which directed that there should be no prosecution and that decision was communicated to **BAR 1** in October 1997. It was not until June 2000 when **BAR 1** was re-arrested and re-interviewed in relation to exactly the same allegations in [respect of] which a direction not to prosecute had earlier been made and communicated to her. When interviewed again in relation to these same allegations, **BAR 1** repeated her denials with words such as:

'It's absolute scum', 'good gracious' and 'dreadful, there's not a shred of truth in that.'

Against that factual background Mr Gallagher submits that nothing altered between 1997 when it was decided not to prosecute, and **BAR 1** was so informed, and 2000 when it was decided to proceed. Mr Simpson QC [for the Crown] has not pointed to any changes of evidence or circumstances in the intervening period that explain or justify the reversal of the decision not to prosecute.

The Code for Crown Prosecutors in England and Wales at para. 10.1 provides:

'People should be able to rely on decisions taken by the Crown Prosecution Service. Normally if the CPS tells a suspect or defendant that there will not be a prosecution, or that the prosecution has been stopped, that is the end of the matter. And the case will not start again.'

While Mr Simpson QC informed me that there is at present no equivalent code for Northern Ireland, he understands that such a code is currently being prepared and it is anticipated that a similar provision will be incorporated. In any event, he fairly conceded that there exists in Northern Ireland what he described as an "unwritten guideline" to the same effect...

I have come to the conclusion that the decision to review this matter after a lapse of years following the decision that the prosecution would not proceed was unfair and that to permit the prosecution to proceed on counts 1 to 12 would be an abuse of process."

He rejected other submissions of counsel for the appellants. This ruling was given in the absence of the jury. We are of the opinion that this ruling was entirely justified.

In the course of further argument he said:

"There's no question of sweeping away the evidence of [redacted]. He has given his evidence and whether the jury conclude that it is helpful to the defence or helpful to the prosecution or a mixture of both, will be for them in due course. All I am doing is staying the further conduct of the matters so far as counts one to twelve are concerned."

The jury was re-called and told the counts 1 to 12 were to be stayed. The issue sheet shows that these counts were "stayed by direction of the Judge."

The learned judge dealt with the evidence of [redacted] in his summing-up at pp. 3090 - 3093. We do not consider it necessary to refer to it in view of what follows.

He was inadvertently misled as was the Lord Chief Justice about the application before the Lord Chief Justice for a stay on the grounds of abuse of process. We make no criticism of counsel whatsoever but the Department of the Director for Public Prosecutions should have informed Crown counsel of the decision not to prosecute [redacted] in 1997. He would have drawn that to the attention of the Lord Chief Justice. We have no reason to suppose that the Lord

Chief Justice would have differed in his ruling from the learned trial judge. The first twelve counts on the indictment would have been stayed by him. [HIA 516] would not have given evidence as a complainant. It seems to us idle to speculate whether he might have given evidence on the ground that it was "similar fact" evidence. The trial would not have taken the course that it did.

Although on the face of the transcript he appears to have been severely damaged in cross-examination, it is impossible for us to say that his evidence was not taken into account by the jury in their overall assessment of the guilt of [BAR 1] and, although he did not give direct evidence against the other appellant, [BAR 2], other witnesses linked [BAR 1] with [BAR 2] so that the decision to find her guilty of serious sexual offences may well have had an adverse effect on [BAR 2]. It is relevant to bear in mind that he was the first person to make allegations against either of the appellants and was at the time facing a charge of raping his sister's daughter. In the course of cross-examination it was suggested to him that his motive for making the allegations was to evoke sympathy for himself on the grounds that he had a very troubled upbringing.

[HIA 10] the young brother of [HIA 516], who also went to Macedon in [redacted] followed his older brother into the witness-box. He was born on [redacted]. He made allegations against [BAR 1] which were similar to those of his older brother.

[HIA 10] gave evidence against both appellants, indicating that [BAR 2] and [BAR 1] conspired to commit indecent acts. In cross-examination he made allegations against [HIA 516] but he also gave evidence arguably supportive of [HIA 516] allegations in evidence against a police officer. [redacted]. He and [HIA 516] both got compensation from Barnardo's before the trial of the appellants. He made his first allegations in June 1998. [HIA 516] made allegations in May 1997. We find it impossible to say that the jury did not seek support for his allegations from other sources in respect of counts 19 - 27 against [BAR 1] and we certainly cannot rule out the evidence of [HIA 516] as providing support for him, although we have taken into account the direction given to the jury about the evidence of [HIA 516] by the learned trial judge. We made the same comment about the convictions of [BAR 1] based on the evidence of [BAR 46]. If the proceedings based on the allegations of [HIA 516] had been stayed before the trial began, we cannot tell what effect this would have had on the outcome of the trial.

But a much more serious blemish on the fairness of the trial arose as a result of events which occurred after the trial and we deal with this in the immediately following passage of this judgment.

B. [BAR]

[BAR] gave evidence immediately after [HIA 516] and [HIA 10] and [BAR 46] between 4 May and 6 May. He was born on [redacted] and went to Macedon with [BAR 38] in

█. He left Macedon to be fostered at the age of █ but returned from his foster placement to Sharonmore, a Barnardo's home to which children were sent from Macedon when it ceased to be available as a children's' home. He made allegations against both appellants. He was subject to severe cross-examination but the jury convicted █ **BAR 1** on counts 31 to 43, based on his evidence. They acquitted █ **BAR 2** on two charges based on █ ^{BAR 37} evidence, for which there was no supporting evidence from others.

At the time of the trial █ ^{BAR 37} was awaiting sentence of a number of serious offences and was subsequently sent to prison. Whilst in prison investigations were carried out by the police about offences alleged to have been committed by him against the children of █ **BAR 38** another complainant. From there he wrote a series of letters to a social worker. In one of them he made a lengthy retraction of his evidence at the trial. He gave evidence before this court. In the course of cross-examination he was asked about these letters. He agreed that some of the letters would have been honest and some of them would have been dishonest. He was asked whether he had any difficulty in moving from honesty to dishonesty and replied "No, none whatsoever." He could switch to complete dishonesty without any difficulty, he agreed. He said: "When I am telling the truth I know I am telling the truth. When I am telling lies I know I am telling lies."

He was asked questions about the letter retracting his evidence. He said that it was true and that he and others who had given evidence at the trial had lied. █. He and the other six were seven out of the nine complainants who gave evidence at the trial. He was not asked about an eight who was not a resident at Barnardo's █ **BAR 38** was the ninth. He agreed with counsel that when he gave evidence against █ **BAR 1** he was trying to get his own back because she had scared him very badly when he was a child. A number of the others whom he named were not frightened of her at all. He agreed with counsel that it would not surprise him if █ **BAR 2** was innocent as well. He had written to him apologising for the allegations he had made against him. In answer to counsel he agreed that he had told his sister what to say in court against █ **BAR 1** and █ **BAR 2**. He later amended this concession.

He was then referred to a statement which he had made to a police officer called Detective Sergeant █. In that statement he said that the evidence he had given in court was true. In answer to the court he said that he did not know whether he had told lies about █ **BAR 1** for revenge upon her. He also said that he did not know whether █ **BAR 1** was innocent. Then he said that the letter of retraction written to the social worker was written for attention in order to get someone to come to the prison and see him and that the truth was what he had said during the trial. There is a transcript available of the entirety of his evidence.

After consultation with the Director of Public Prosecutions Mr Simpson QC indicated that the Crown did not seek to stand over any conviction based on the

evidence of [BAR 36] at the trial. This was a proper and responsible attitude for the Crown to adopt. It led on to concessions about the reliability of convictions based partly on [BAR 38] evidence and partly on his own.

So far as counts against [BAR 1] are concerned where they involve other complainants than [BAR 37] we cannot be sure that the jury did not rely on [BAR 37] evidence as supporting their evidence. We are satisfied that the jury looked for mutual support from witnesses such as [BAR 39] when they were considering the other charges. They were invited to do so by the Crown at the trial, quite properly. Now [BAR 37] evidence is accepted as not credible.

There were seventeen counts on which [BAR 2] was convicted by the jury. [HIA 516], as we have said, did not give evidence directly implicating him in sexual impropriety. But the case made by the Crown involved the contention that [BAR 1] and [BAR 2] worked together and anything supporting her guilt may have helped to contaminate him by association. Moreover [BAR 3] made positive allegations against him which the jury may have thought were probably true but lacked support and thus found him Not Guilty. None of the counts against him can safely stand in the circumstances.

C. Verdicts of Not Guilty

A number of verdicts of Not Guilty were found by the jury in respect of counts of rape and other sexual offences alleged by [] and []. Yet they convicted him of the rape of both girls at a place called Ballylaigh which was a holiday place for children from Barnardos. We have found it difficult to understand why the jury did so. But we wish to hear further submissions as to whether convictions on these charges would be safe, if there was a re-trial on both or either of them and [BAR 2] was convicted.

D. Compensation and the conduct of the investigation

Although we did not mention these as factors in our ex tempore judgment which we have reduced to writing and annexed to this judgment, we are obliged to say that we have been concerned about them. This is not intended to reflect in any way on the probity and dedicated work shown by Detective Sergeant Boyce and by the social workers and staff of Barnardos' homes who gave evidence at the trial or before this court.

But we consider that the submissions made by Mr Creaney QC, supported by Mr Gallagher QC and set out in the written argument put in on behalf of [BAR 2] under the heading: "The Conduct of the Investigation" have considerable weight and will be borne in mind when we consider the issue of a re-trial.

[4] As we indicated at the end of the appeal the test which we had to apply was: did we have a significant sense of unease about the safety of the convictions? We did and as a result we quashed the convictions for the reasons which we have given above.

[5] It remains for us to pay tribute to the exemplary manner in which this appeal was argued before us. An enormous amount of work was put into it by all counsel. It would be inappropriate to single out anyone. It was a very difficult case. It was very complex. There was an enormous amount of detail. There was not a moment wasted. Justice was achieved.

[REDACTED]

1/19/01

Ref: NICF5367

*Judgment: approved by the Court for handing down
(subject to editorial corrections)*

Delivered: 16/9/01

IN HER MAJESTY'S COURT OF APPEAL IN NORTHERN IRELAND

THE QUEEN

-v-

BAR 1
AND
BAR 2

Before: Nicholson LJ, Sheil LJ and Deeny J

NICHOLSON LJ

Re-Trial

[1] The outstanding issue which we have to determine is whether both or either of the appellants should be re-tried. We have had the benefit of having arguments from counsel on both sides.

[2] Mr Simpson QC, counsel for the Crown, has adopted a neutral stance, neither advocating that there should be a re-trial nor urging that a re-trial should not be ordered. But he has rightly drawn to our attention some of the difficulties which the Crown would face if a re-trial was ordered. Firstly, a decision would have to be made as to which of the remaining complainants could properly be presented by the Crown as credible witnesses. He gave as an example BAR 56 who in the course of her evidence stated that the compensation which she had received as a result of civil proceedings brought against Barnardos had been given away to charity. When she gave that evidence it was not possible to say whether it was right or wrong. But if it was true, it was a strong indicator that she was telling the truth. Subsequent investigation showed that it was untrue and her evidence was inevitably tainted. Secondly, it would be difficult, if not impossible to keep out extraneous evidence. Complainants were liable to give evidence which was inadmissible but which might prejudice the appellants.

[REDACTED]

Thirdly there were difficulties that the Defence would face in presenting their case. They would have problems in conducting cross-examination of complainants and could be placed in an unfair position in that they might be forced to introduce evidence which had been ruled out in order to discredit the allegations of complainants. He gave as an example evidence relating to [REDACTED] HIA 516 [REDACTED] which the defence might wish to use in order to discredit other complainants.

Finally he adverted to the publicity given to the trial and verdicts of the jury and to the appeal and the difficulties which a new trial judge would face in deciding whether the appellants could have a fair trial. These arguments might have little weight in other circumstances. But in the circumstances of this particular appeal they presented to the court what must fairly be described as unique problems, scarcely likely to occur again. In the normal course of events the Crown would be seeking a re-trial. In this case, for the reasons which he gave, it was not. It was a matter for the court.

[3] Mr Creaney QC and Mr Gallagher QC made submissions on behalf of the appellants, [REDACTED] BAR 2 [REDACTED] and [REDACTED] BAR 1 [REDACTED]. The outstanding charges against [REDACTED] BAR 2 [REDACTED] involve [REDACTED] HIA 101 [REDACTED] [REDACTED] BAR 29 [REDACTED] [REDACTED] HIA 216 [REDACTED] and [REDACTED] BAR 38 [REDACTED]. The most serious are the allegations of rape made by Ms [REDACTED] HIA 216 [REDACTED] and [REDACTED] BAR 29 [REDACTED].

[4] Mr Creaney QC submitted that the allegations made by [REDACTED] HIA 101 [REDACTED] were very vague (as was pointed out by a member of the court). He had a substantial criminal record. He alleged that he had been seriously ill-treated by his brother, [REDACTED] HIA 516 [REDACTED] at Macedon. These allegations were much more serious than those made against [REDACTED] BAR 2 [REDACTED]. His credibility was considerably weakened in the course of cross-examination, not least when he was re-called to give evidence late in the trial and it was shown that he had lied to the court:

His evidence against [REDACTED] BAR 1 [REDACTED] was similar to the evidence of others. The case for the Crown had been that the witnesses had no opportunity to collude with one another. Having received fresh evidence in the Court of Appeal it had been shown that there was an opportunity for complainants to discuss the allegations which they would make. [REDACTED] HIA 101 [REDACTED] was amongst those who had an opportunity to concoct a story, he contended.

He submitted that in so far as the evidence of [REDACTED] HIA 216 [REDACTED] was concerned as against [REDACTED] BAR 2 [REDACTED] the jury acquitted him of a number of allegations of rape made by her. In respect of one of her allegations of rape, she admitted in cross-examination that she had not been raped but said that she had been sexually abused. "Sexual abuse to me is rape" she said. Her evidence in cross-examination about these allegations was, to say the least,

[REDACTED]

unsatisfactory and it was not surprising that **BAR 2** was acquitted of these charges. He contended that the difficulty which this court had involved the verdict of the jury of rape at the holiday home at Ballylough, for which there was no supporting evidence. It was, therefore, on a par with the charges of rape in respect of which the jury found **BAR 2** 'Not Guilty'. Moreover she claimed to be present at Ballylough when **BAR 29** was allegedly raped by **BAR 2**. But contemporary records produced by independent members of the staff indicate that she was not at Ballylough at that time. The allegations made by her related to incidents which had occurred more than 20 years previously. It happened by chance that at the trial contemporary records of these events made by the staff became available. These contradicted her version of events. She had made a series of allegations against another member of staff called **BAR 4** which were not proceeded with, as a result of a direction by the DPP not to prosecute. But this was only discovered after the trial. The allegations against **BAR 4** were on a par with her allegations against **BAR 2**.

Mr Creaney further pointed out that the jury acquitted **BAR 2** of allegations of rape made by **BAR 29** in respect of incidents at the children's home at Macedon. She made an allegation that she was raped by him at Ballylough, the holiday home for children from Barnardos to which reference has already been made. She described in some detail how she was raped by **BAR 2** on a night which could be identified. When he had stopped raping her, she said, she put on a duffle coat and went outside onto the public road screaming and shouting. He was trying to shut her up by hitting her. She went, she said, to a public phone box. Again she was recounting an incident which had occurred more than twenty years previously. The jury convicted him of this rape although they acquitted him in respect of her other allegations of rape.

Mr Creaney reminded the court of the evidence of independent members of staff. One of them, [REDACTED] was tendered by the Crown for cross-examination. In fact her evidence was inconsistent with the evidence of **BR 29**. But for the fact that she was dealing with events which occurred more than 20 years earlier and could not remember the incident without referring to her own contemporary records she would have been giving evidence for the Crown, answering questions from Crown counsel. Her evidence was established by way of cross-examination and to that extent its force must have been diminished. She had made a report about the incident on the night that **BAR 29** described as a "rape". In the course of the report she described how **BAR 29** ate very little tea that evening; she went to take her to the pictures **BAR 29** got into a minibus to go to the pictures, shouted: "I hate him" referring to **BAR 2** subsequently got out of the minibus, then went to the pictures, walking on her own and sitting by herself. When the group arrived back from the pictures [REDACTED] prepared supper, went to **BAR 29** room to get

her to come down for supper, stayed talking to her. **BAR 29** said "You all talk rubbish, no-one ever sees my point of view". After sitting for about an hour with her **BAR 29** ran out. **BAR 29** went after her walking down the road shouting for her, but she did not appear. Subsequently she was found in a public phone box, refused to come out of it and later returned to her bedroom at 12.30 am. She started shouting that she was going to Belfast. She had a real outburst, yelling at the top of her voice. **BAR 2** then arrived. **BAR 29** shut the door in his face. He shouted at her to be quiet as she had wakened the younger children who were sleeping nearby. She yelled and yelled at him, then pushed past him. Another member of staff, **BAR 92** gave evidence, based on a report made by her at the time that she was terrified of **BAR 29** that night, that she was "off her head", that she was volatile and that there had been other occasions when she was as bad as that. **BAR 8** another independent member of staff, recorded in a contemporaneous report that **BAR 29** had claimed that **BAR 2** had previously called her "a big cow" and that being jealous of him and another girl and desirous for revenge she had exploded on the night in question.

He submitted that it was apparent from this brief summary that Mrs **BAR 29**'s evidence contradicts **BAR 29**. The latter alleged that she was raped by Anderson, then ran out onto the public road. The former stated in a contemporary report that she was sitting talking to **BAR 29** in her bedroom when she ran out of the bedroom and out of the front door of the building onto the public road. The discrepancies were plain. The motive for making the allegation, if the staff were right, was that **BAR 29** believed **BAR 2** had made a disparaging remark about her and was jealous. In these circumstances a conviction for rape on re-trial would be highly unlikely and would not be safe.

BAR 38 also had made complaints about **BAR 2** of indecent assault. **BAR 37** had given evidence before the Court of Appeal and volunteered that he reminded **BAR 38** about some incidents. It must, therefore, be a matter for concern, he continued, as to the extent to which any of her evidence was unprompted. **BAR 2** had spent nine and half months in custody between the end of the trial and the completion of this appeal, the equivalent of a sentence of nineteen months.

[3] Mr Gallagher QC on behalf of **BAR 1** referred to the highly adverse publicity following the conviction of **BAR 1**. He outlined a number of the difficulties confronting defence counsel if there was a re-trial on the outstanding incidents involving **BAR 1**. For example, **BAR 38** denied any contact with **BAR 37** but in this court he had volunteered that he had had to remind her about incidents in a bath allegedly involving **BAR 1**. The Crown now conceded that they would not be calling him as a witness because on other matters he was not credible. The defence would obviously be at a significant disadvantage in establishing that

[REDACTED]

BAR 38 had asked him to remind her of incidents involving BAR 1. BAR 1 had been acquitted of many counts relating to specific incidents. In conducting her defence on a re-trial it would be difficult to avoid leading evidence about these incidents of which she was acquitted. Although on one view this might be advantageous, it could also be prejudicial. A truncated trial omitting a number of complainants who had been shown not to be credible could cause prejudice. A trial within a reasonable period was essential in order to ensure fairness. Allegations had been made against BAR 1 as far back as 1997 and additional allegations had been made up to 2000. A re-trial would not be likely before 2006. Miss BAR 1 was now [REDACTED] years of age. Many of the allegations against her carried a maximum sentence of 2 years' imprisonment and now that so many of the charges were no longer being pursued, sentences might be concurrent. She had spent nine and half months in custody from the date on which she was sentenced until the close of the appeal, the equivalent of a sentence of nineteen months. Many of the complainants had been exposed as lying in the witness box. She had had the charges hanging over her for many years. She had suffered greatly, he submitted.

The principles to be applied

[6] The decision whether to order a re-trial requires an exercise of judgment involving the public interest and the legitimate interests of the appellants. One could set out a list of the various factors which have to be taken into account. But each decision turns on the facts of the individual case and there is little to be gained by comparing one case with another or in using a decision made in one case when deciding another case. The general principles can be gleaned from Archbold on Criminal Pleading Evidence and Practice 2005 at para. 7-112, Blackstone's Criminal Practice 2005 at D23.35 and Valentine's Criminal Law of Northern Ireland - (note to section 6(1) of the Criminal Appeals (Northern Ireland Act) 1968.)

Conclusions

[7] We have taken all the relevant factors into account. We have had regard not merely to the stress and strain on the appellants and the publicity which will, inevitably, affect them for the remainder of their lives but also the stress and strain on those of the complainants who might be advanced as credible witnesses by the Crown. It is apparent that they went through a harrowing time in the witness box. Their early lives were robbed of the happiness which most young people enjoy and they have had to re-live those vicissitudes and the misfortunes and mishaps which have occurred to them since then. They would have to go through such an ordeal again when the case against the appellants was significantly weakened. We consider that the conduct of a re-trial would render it difficult, if not impossible to ensure a fair

[REDACTED]



trial. Accordingly we consider that the interests of justice will not be served by ordering a re-trial.

[8] We wish to record that this trial was extremely difficult for the trial judge to conduct. His conduct of it was outstandingly fair.

Rec.No. 17.....

Reg.No.

Entered on database Date..... Initials

Full report received from SW File made up Date Initials ...P.A.S.....

REPORT OF ALLEGATION OF HISTORICAL ABUSE

Full Name of Person making allegations (informant) HIA 417

Date of Birth: Any Former Names of Informant.....

Name of Alleged Perpetrator: BAR 5

Role of Alleged Perpetrator: "

Staff *	Foster Carer	Peer	Older Resident
Social Aunt/Uncle	Visitor	Other (specify):	

Is alleged perpetrator deceased? Yes No Not known *

Is informant also victim? Yes No *

If not, details of victim

Nature of Abuse:

Sexual	Physical *	Neglect	Emotional (including Racism) *
--------	------------	---------	--------------------------------------

Poor Care Physical	Poor Care Emotional	
Single Incident	Few incidents	Repeated/Chronic *

Location where abuse took place;

Macedon Belfast

Year(s) when abuse took place: to

Has informant disclosed previously? Yes No *

If YES, give details:

What was outcome of earlier disclosure? N/A

HAS INFORMANT BEEN TOLD THAT ALLEGATIONS WILL BE PASSED ON TO OTHER AGENCIES IN LINE WITH CHILD PROTECTION PROCEDURES?

Yes

.....
.....

Names of other children who may also have been victims:

.....

Names of adults/children who may have been witnesses:

.....

Has informant reported to Police, or do they intend to?

.....

No

.....

What are the views/feelings of the informant about possible future consequences of their disclosure?

.....

HIA 417 is fully aware of the After Care's procedures, and is very willing to cooperate with any police enquiries, which might ensue after her disclosure.

.....

.....

Further details of case:

HIA 417 might claim damages. This is because she was advised to do so from a social worker friend, who is employed by [redacted] local authority

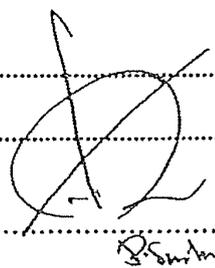
.....

Specific issues of concern/for consideration in this referral (relevant present circumstances and needs, communication difficulties, ethnic background, disability etc.

.....

.....

Signed Social Worker



Date 6.7.06

Seen by Deputy Head of After Care

Date
JAFORMSSECTIONACHA(2)