
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Thursday, 17th December 2015

commencing at 10.00 am

(Day 172)

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

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1 Thursday, 17th December 2015
2 (10.00 am)

WITNESS BAR14 (cont.)

4 Questions from COUNSEL TO THE INQUIRY (cont.)

5 CHAIRMAN: Good morning, ladies and gentlemen. Before we
6 resume BAR14's evidence can I remind everyone, as
7 always, if you have a mobile phone, please ensure that
8 it's either been turned off or placed on
9 "Silent"/"Vibrate". I also remind everyone photography
10 is not permitted either in the chamber or indeed
11 anywhere on the Inquiry premises.

12 Yes, Mr Aiken?

13 MR AIKEN: Morning, Chairman, Members of the Panel.

14 BAR14, welcome back.

15 A. Thank you.

16 Q. I am sure it wasn't -- not necessarily looking forward
17 to it, but thank you for coming back to continue to look
18 at in particular this issue of the management, the
19 strategic management, at the time in Barnardo's in
20 Northern Ireland and Macedon in particular.

21 Before we look at the Martin Ruddock report and your
22 third statement, BAR14, there's just a couple of matters
23 I want to clarify from yesterday.

24 The -- you kindly -- I gave you a set of the
25 available superintendent's meetings minutes --

1 **A. Yes.**

2 Q. -- that are available from [REDACTED]

3 **A. Yes.**

4 Q. You said in your evidence yesterday your belief is that
5 it met probably each month, and there are some minutes
6 in sequence that show it meeting on a monthly basis, but
7 you looked through that material, and I am just going
8 to -- the minutes are there for the Panel to read --

9 **A. Uh-huh.**

10 Q. -- but I'm just going to headline the topics that you
11 identified --

12 **A. Uh-huh.**

13 Q. -- from that sequence of documents that show there was
14 a lot of communication going on between the senior
15 management at Director level, the Assistant Director and
16 the superintendents about the changes that were being
17 considered nationally within Barnardo's and changes in
18 developments that were taking place within the Irish
19 Division.

20 **A. Yes. Uh-huh.**

21 Q. There was a recurring theme in the minutes about staff
22 supervision and about the need for different forms of
23 supervision to be taking place and the recording of it,
24 depending on the work that was being undertaken;
25 discussions about the divisional plans and the extent of

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1 those and the work that had to go into creating them,
2 which was the strategic thinking of "What do we say we
3 should be doing in the Irish Division? What should be
4 happening that we need to seek approval for" --

5 **A. Yes.**

6 Q. -- "from headquarters?" The discussion about the
7 investment in staff development and applying to the
8 Department effectively for funding for opportunities for
9 staff for training.

10 **A. Yes.**

11 Q. The -- you identify that at the time there was
12 consideration being given to recognising and dealing
13 with trade unions; the reviewing of the policy on
14 securing staff to professional training courses and how
15 the CRCCYP, the certificate, if I call it that, in
16 Rupert Stanley was being phased out and a new
17 certificate in social work course was commencing. You
18 were -- in the minutes one can see Barnardo's were still
19 prepared to second staff to the longer, full-time --
20 I think it was a two-year CQSW training course --

21 **A. That's correct.**

22 Q. -- which would have been happening quite often in
23 England. There was a charter of children's rights being
24 considered through the minutes at the superintendent's
25 meetings; and discussing the change from superintendents

1 to project leaders --

2 **A. Uh-huh.**

3 Q. -- and the wider role that that would give those who
4 would be heading up the projects.

5 **A. Yes.**

6 Q. Those are the types of strategic issues that are
7 available to be seen through that sequence of minutes
8 such as they are that are available and I appreciate
9 they are only a snapshot --

10 **A. Uh-huh.**

11 Q. -- of the minutes based on the retention policy that
12 Barnardo's operate.

13 **A. Uh-huh.**

14 Q. Does that -- have I summarised the content without
15 necessarily getting into the detail, but it gives
16 a flavour of the type of thinking that was going on?

17 **A. I think that is a very accurate summary. It was**
18 **a period of quite considerable change. In Barnardo's**
19 **nationally, I mean, it was a forward-looking**
20 **organisation, but also in our small division, but there**
21 **were changes which were impacting on staff at all**
22 **levels. New job descriptions were being written.**
23 **Functions were changing. It was unsettling for some**
24 **people at times, but also it was a period of great**
25 **opportunity, because we were developing some completely**

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1 new services, and it is very encouraging in looking back
2 on it to see the creative thinking, informed creative
3 thinking might I say, coming from some of our senior
4 staff, but the primary focus that comes through in
5 those minutes is on investing in people, investing in
6 staff and equipping them to adapt to the changing
7 demands of the organisation. That is my view of it.

8 Q. One of the matters that we were discussing yesterday --
9 I just want to take it through to its logical
10 conclusion -- we were discussing the fact that
11 Barnardo's had a policy of wanting qualified staff.
12 They had better terms and conditions on offer than
13 statutory sector equivalents, if I can put it that way,
14 and yet, despite that aim and that being the policy,
15 there were two realities: one, struggling to get the
16 staff who met that criteria --

17 A. Uh-huh.

18 Q. -- and when you did get them, struggling to keep them,
19 because, and I am condensing this down, but summarising
20 it, BAR14, is the position that this was a very
21 difficult, demanding job and there were easier jobs to
22 go to in fieldwork when you had your qualification?

23 A. Yes. I think that is fair comment. Within Macedon the
24 [REDACTED] was a fairly challenging period and we had --
25 my recollection is that we did have a problem of

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1 retention, even though we were able to make some very
2 good appointments, but it was a difficult period.
3 I suspect that that maybe continued after I left, but
4 yes, as I said yesterday, there was an abundance of
5 opportunities for employment for qualified social
6 workers at that time, particularly in the statutory
7 sector, and so it wasn't difficult for staff to move on.

8 Q. There's one other governance issue I wanted to ask you
9 about that Barnardo's identified to me to whether you
10 remember the involvement -- we talked about the various
11 advisers that were available that fed into what was
12 going on --

13 A. Uh-huh.

14 Q. -- in the divisions. There was an organisation or
15 something called the Audit and Inspection, and it became
16 Corporate Audit and Inspection, within Barnardo's. Can
17 you remember that arm and having any involvement with
18 it? It might have been known as something else.

19 A. That I don't have a clear recollection of. During my
20 time there was someone based at headquarters whose
21 function I think was management auditor. He wasn't --
22 he wasn't a narrowly defined finance person. In fact,
23 he wasn't a finance person. He was a man who had had
24 experience in the diplomatic service, but he looked at
25 all of the systems across the organisation and he was

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1 an extremely valuable resource. Whether that led in
2 time -- because the man died during my time -- whether
3 that led in time to a new arm of the organisation being
4 developed, that I don't remember.

5 Q. You don't remember?

6 A. Uh-huh.

7 Q. The -- I am going to turn, BAR14, to your third
8 statement, which I believe now we can bring up on the
9 screen. It's at 1139, please. Again, BAR14, we could
10 not do this yesterday. So for completeness -- and we
11 will get all three of these pages signed so we can
12 upload them to the system -- but at 1145, please, is the
13 final page of the system. Again you want to adopt this
14 third statement as part of your evidence to the Inquiry?

15 A. I do. Uh-huh.

16 Q. BAR14, what I am going to do now -- the Martin Riddock
17 report is available to the Inquiry. The Panel have had
18 the opportunity to read it, and it runs in the bundle
19 from 051 to 059, and it's a subject that I'll be
20 returning to with other witnesses during the course of
21 today.

22 I am going to summarise what he was saying, because
23 you then respond to it, and I want to allow you to
24 explain what you mean by some of the matters that you
25 draw to the Panel's attention. If we go back to 1139,

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1 please, in his report -- and I am just going to give the
2 paragraph numbers for ease of the Panel -- at
3 paragraph 2.1 he says:

4 "The home was undergoing an ongoing review towards
5 replacement. It was known staff were hard to appoint.
6 Morale was low."

7 He says:

8 "Given this, senior managers made little effort to
9 improve staff effectiveness."

10 He goes on to comment further, just so this is put
11 in context, that:

12 "Management", he says, "failed to identify and
13 address the level of concerning behaviour by residents,
14 and evidenced in the files of children", he says that he
15 reviewed, "disturbing behaviour was seen as a problem of
16 the residents whereas now" -- and it is not clear at
17 what point the matter would have been changed --
18 "to think of differently, it would be linked to see if
19 there actually were indications of abuse as opposed to
20 just difficulties with the residents."

21 **A. Uh-huh.**

22 Q. He goes on to indicate that and recognises there were
23 children's files. There were regular reviews in them,
24 referrals, incident recording, referrals to
25 psychiatrists, and a recognition that:

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1 "Staff working hard to address and understand
2 behaviour",

3 but still goes on to say more should be done.

4 Then the conclusion that he reaches, BAR14, just
5 before we look at what you're saying, he at the top of
6 057 says:

7 "The level of incidents, low staff morale, political
8 environment, management failure and the lack of
9 strategic leadership" -- although I have to say, looking
10 at the report, there is no definition of what is meant
11 by that that I can see -- "left a staff group managing
12 a level of chaos that inhibited reflective practice to
13 identify and address what was going on."

14 Now obviously he's writing just after there have
15 been convictions --

16 **A. Uh-huh.**

17 Q. -- and comments from the trial judge on foot of those
18 convictions of serious sexual abuse in Macedon.

19 **A. Uh-huh.**

20 Q. They are subsequently overturned on appeal, but you then
21 make the point, BAR14, in your statement, and I want to
22 just work through -- I'll leave the first five or six
23 paragraphs, because you are explaining about BAR13's
24 role, and I will deal with that with her later on today
25 -- but you explain that, if we just move slightly

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1 further down, please, into -- your issue, BAR14, if
2 I can summarise it in this way, is that Martin Ruddock
3 said those things. You don't regard the report he
4 produced as having been properly evidenced to justify
5 the conclusions that were being reached, and they have
6 been adopted by BAR13 in her statement, and you regard
7 that as unfair to the senior management of Barnardo's in
8 the Irish Division at the time, in particular [REDACTED]

9 [REDACTED]

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

11 Q. You go on then to explain that in making the -- making
12 the conclusions that he draws, he doesn't it seems talk
13 to former members of staff. For instance, you weren't
14 spoken to about --

15 **A. No.**

16 Q. -- what you could say about how things were being run at
17 the time and you don't believe anyone else was spoken to
18 about that or that residents were spoken to about it,
19 but he simply listened to the trial evidence. You draw
20 attention to the fact that there were external
21 individuals, like the social workers who were connected
22 to the children on behalf of the Board, who were
23 interacting with staff in Barnardo's, who could have
24 contributed to whether or not there was a basis for that
25 type of criticism, and the Barnardo's headquarters team

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1 and their role in the life of the Irish Division, and
2 the divisional planning that was going on doesn't seem
3 to feature in the assessment.

4 A. Uh-huh.

5 Q. Is that ...?

6 A. Yes. I can understand the context in which he was
7 carrying out his review. I mean, obviously the
8 background to that was essentially the views of the
9 judge, which were quite devastating. Nevertheless he
10 was carrying out a review. As I've said in
11 paragraph 10, he talks about hypothesis, but it wasn't
12 a hypothesis at all. To me it was a crudely constructed
13 set of conclusions without evidence.

14 Now I think that his assertions were so scathing and
15 so generalised that, in the absence of evidence -- and
16 you have listed some of the sources that he might have
17 gone to, not least myself. I was available. He could
18 have kind of run some of it across me. Certainly there
19 were many other sources that he could have gone to to
20 check out what his hypothesis was about. In that he
21 failed to do that I really do think it's a rather
22 shallow piece of work. If we look at it objectively
23 now, it's a rather shallow piece of work, somewhat
24 partial in its scope and certainly weak in its evidence.

25 Q. If we scroll further down, BAR14, you begin then to look

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1 at the -- you make the point:

2 "I am not dismissing all of what he concludes",

3 but your concern is about the basis upon which

4 those conclusions were reached.

5 **A. Yes.**

6 Q. And, in fact, you go on to acknowledge, as we will see,
7 there are matters where you say, "Yes, there's a problem
8 there that should have been better dealt with".

9 **A. Uh-huh.**

10 Q. But the level of incidents that are described -- he is
11 talking about having looked at the case files and saw
12 the level of difficulty, and the point that you are
13 making through paragraphs 12, 13 and 14 is that the
14 children that and young people that Barnardo's were
15 taking on were the most difficult children. If
16 I condense it right down, they would have gone to
17 training school if Barnardo's hadn't been taking them.

18 **A. That certainly would be the case with some of the young**
19 **people. I'm not saying that every one was in that**
20 **category, because they had some children in Macedon who**
21 **had been there a number of years, and some of them, as**
22 **you know, were successfully fostered through the foster**
23 **care scheme, but nevertheless that is the work which**
24 **Barnardo's was engaging in, probably more than any other**
25 **voluntary organisation at the time. The Sharonmore**

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1 project indeed increasingly focused on young people with
2 very challenging behaviours, and therefore by the very
3 nature of the work there was going to be a level of
4 disturbance and disruption at times, which was very
5 unpleasant and extremely difficult to deal with, but, as
6 I also say, that was not peculiar to Macedon, and over
7 the years when I was inspecting children's homes, [REDACTED]
8 [REDACTED].

9 There were times when I walked away from children's
10 homes because I didn't think it was fair to the staff
11 [REDACTED]

12 after they were picking up the pieces. So it was
13 difficult work. It was difficult at Macedon at that
14 time, but in my view not necessarily unique.

15 Q. If I understand the point you're making, he's drawing
16 that in the context of the outcome of the trial that
17 a level of incident can demonstrate or suggest abuse by
18 staff and what you are saying is, "Well, actually the
19 level of incident is an indicator not necessarily of
20 abuse but of the reality of the particular type of work
21 that was being done, which was not necessarily unique to
22 Macedon, but which demonstrated the level of difficulty
23 that those children and young people had" --

24 A. I think that's fund...

25 Q. -- "to be managed".

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1 A. Sorry. I think that's fundamentally what it indicates.
2 As I say, he was conflating what was known at the time,
3 that is recorded and reported incidents, with what came
4 out a number of years later about abuse with the benefit
5 of his hindsight. I accept fully the potential for
6 staff who are intent on abusing young people or abusing
7 the system to exploit opportunities during periods of
8 chaos. Absolutely no doubt about that, but I don't go
9 along with the links that he appears to draw with the
10 benefit of hindsight. I don't think it necessarily
11 pointed to weak management at the time or to
12 carelessness.

13 Q. If we scroll down a little further, please, you talk
14 then about he refers to low staff morale. You again
15 make the same point about the basis upon which he is in
16 a position to make that statement, but you --

17 "He draws attention to regular reviews of children
18 involving social work support staff and at times staff
19 external to Barnardo's. It was the case that Barnardo's
20 [REDACTED] convened" -- and you are saying this --
21 "six-monthly reviews of each child in the home, chaired
22 each review meeting and documented the findings and
23 recommendations. They encouraged social workers from
24 the responsible authority to attend, though this did not
25 always happen. This task should have been undertaken by

1 the responsible authorities."

2 So again you are saying that Barnardo's were
3 forward-thinking in the implementation of six-monthly
4 reviews.

5 **A. At the risk of hyperbole, I am prepared to say that in**
6 **my view at that time Barnardo's in this respect, that is**
7 **the review of children, was a model of good practice in**
8 **Northern Ireland. Barnardo's convened the reviews,**
9 **chaired the reviews, documented the reviews. That**
10 **should have been led by the Welfare Authority or the**
11 **statutory authorities at that time. I am not saying**
12 **they were negligent. Barnardo's was doing it and doing**
13 **it at a very high standard.**

14 Q. That level of interaction, if I understand the point
15 you're making, displays the type of strategic thinking,
16 forward thinking in the best interests of the child that
17 was at the heart of the Barnardo's approach.

18 **A. That certainly would be my view.**

19 Q. You -- he acknowledges then the files he was looking at
20 disclose appropriate referral to psychiatric services.
21 You make the point where that was appropriate that was
22 the policy, that --

23 **A. Oh, yes.**

24 Q. -- you interacted with the psychiatric services if that
25 is what the child needed.

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1 A. Yes. That is the case. I mean, where possible,
2 specialist services were made available, and
3 psychologists -- I think of one in particular --
4 attended the home in a supportive capacity to staff.

5 Q. Then he makes the point, which you then pick up on:

6 "There are examples of good working staff, working
7 hard to understand and address, identify difficult
8 behaviour."

9 You point out he appears to be saying himself that
10 there is constructive analytical thinking and reflection
11 being done by the staff evidenced in the documents that
12 are in the individual child's file.

13 A. I think I did in an initial draft add in that it was one
14 of the few instances of something positive being said in
15 his report. Yes, that's true.

16 Q. And that for you indicates that, well, it wasn't the
17 case that staff were just going through the motions;
18 that efforts were being made to try and address very
19 difficult behaviour that was presenting itself as part
20 of their work.

21 A. I think that is the case, and the minutes that I read
22 last night [REDACTED], thereabouts, it is quite
23 clear in those minutes the investment that was going
24 into supervising -- these developing supervision models,
25 supporting staff, training staff, encouraging them. The

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1 **evidence is all there.**

2 Q. And you then pick up on a point that BAR13 makes in her
3 statement to the Inquiry, that it appears once the
4 decision was taken to close Macedon, there was growing
5 uncertainty amongst staff. That you agree with, as we
6 will come to see.

7 "At the same time management focus shifted to the
8 development of a new service and consequently
9 a diminishing robustness in the oversight of the old
10 service, as in Macedon."

11 You say:

12 "It was true that staff experienced uncertainty once
13 the closure of Macedon was known. It is conceivable
14 there was some impact on staff morale, but it is
15 entirely untrue to say that there was a diminishing
16 robustness in the oversight of the service."

17 Do you want to just explain in your own words why
18 you say that, that that statement is not justified?

19 A. **I think the main difficulty I have with it is that she**
20 **presents no evidence. I think there is evidence such as**
21 **we have discussed this morning that there was**
22 **an investment going on. You may wish to ask her what**
23 **she meant.**

24 Q. You then make the point:

25 "I recall clearly [REDACTED] concern amongst

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1 some staff about where they would be placed in the
2 Sharonmore project."

3 So perhaps understandably anything new, change,
4 people are wondering where they're going to fit into
5 that new mechanism, and you explain the issues over the
6 trade union, but you explain in paragraph 19 that you
7 recognise staff confidence and therefore morale may have
8 been adversely affected during that transitional period.
9 You make the point in paragraph 20:

10 "I recognise Barnardo's at the time may not have
11 been sufficiently cognisant of the possibility that
12 potential abusers may exploit any lack of vigilance
13 during a period of disruption, however it is caused."

14 Is that you signalling, BAR14, that the knowledge
15 about child abuse and child abusers, sexual abusers in
16 children's homes is not what it is now, so that the
17 spotting of opportunities are more easily identified
18 today or risks are more easily identified today because
19 of what is known than would have been the case [REDACTED]

20 [REDACTED]

21 A. Well, the world changed with Kincora. I mean,
22 everything changed in terms of awareness raising at that
23 time as far as residential work in Northern Ireland was
24 concerned. There is no doubt, as I said in another
25 statement, that at that time Barnardo's in Northern

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1 Ireland was untainted by allegations of sexual abuse by
2 staff. That is where we were at. We certainly were
3 aware of the difficulties -- difficulties that staff
4 were in during that transitional period, the effect on
5 their morale, concern about their positions, etc. We
6 were well aware of that, but we were not thinking at
7 that time that, "In this difficult situation let's be
8 careful, because there is a possibility that some
9 members of staff may exploit weaknesses in the system".
10 Those thoughts would not have been in our minds.

11 Q. You then talk about recruitment. We have covered that,
12 about the particular approach of Barnardo's, and you
13 explain the training officer being appointed to run
14 courses and indeed external individuals coming in to do
15 courses.

16 You then address the reference by Martin Riddock to
17 the political environment, where he comments on that as
18 part of his conclusion, where he says --

19 CHAIRMAN: Did we not deal with this yesterday?

20 MR AIKEN: The -- you comment then further on the BAR24
21 point in 25 and 26 and we touched on that yesterday. So
22 if we scroll further down, please --

23 A. May I make a brief comment on that further? It seems to
24 me that around 2004 there were conspiracy -- there were
25 theorists around who seemed to think that there was

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1 a sinister link between Macedon and Kincora because of
2 BAR1 [REDACTED], and
3 attempts were made at that time to identify somebody in
4 the system who might have known about that, and that
5 focus fell on BAR24, and that was reflected in
6 an attempt by the Spotlight programme in 2004 in my view
7 to frame BAR24. I agreed to take part in that programme
8 and I have given you some comments that I made to the
9 BBC filming it, but I think that that was entirely
10 unfair, unfounded and disreputable.

11 Q. The point you are making -- and in fairness in the
12 Martin Riddock report he talks about the lack of any
13 evidence that he could find of an assessment being made
14 as to whether there was any risk to any child in
15 Barnardo's Macedon because of the fact that [REDACTED]
16 and BAR1 were in a relationship and she worked in
17 Macedon. What you are then talking about, as
18 I understand it, is that there had been subsequent
19 effort to link Macedon to Kincora through that
20 connection and your point is there wasn't any evidence
21 for that.

22 A. Well, I asked the journalist if they had a shred of
23 evidence and -- well, they didn't quite answer that, but
24 if you have an opportunity -- the Panel has
25 an opportunity to look at the programme, it seems to me

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1 quite evident they didn't. They didn't have a story and
2 they certainly didn't have a basis for framing BAR24.
3 BAR24 was a very astute man. I am quite sure that he
4 was watching for any evidence to do with that
5 relationship which had an impact on Macedon, and I have
6 no doubt he would not have tolerated it.

7 Q. The reference then to management failure. You set out
8 then the employment of BAR1 and the fact that she was
9 promoted. Then you make the point that her position
10 involved a significant level of trust and discretion,
11 which she abused. That's based on the assessment that
12 was made in the trial --

13 **A. Yes.**

14 Q. -- that Martin Ruddock was commenting on.

15 **A. Yes.**

16 Q. You make the point that:

17 "Effective residential care practice is predicated
18 on consistent team work and sound leadership."

19 You then draw attention to the fact that there is --
20 you don't have the records, but [REDACTED] there
21 were weaknesses and tensions in the management of
22 Macedon Children's Home. By that you are talking about
23 the superintendent and the turnover of staff.

24 **A. Yes. I am referring to the leadership in the home at
25 that time.**

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1 Q. And the recruitment problems that followed. You then
2 raise the questions, which will be a matter for the
3 Panel to consider, in 32 and 33, but you draw attention
4 to the fact that, for instance, at this very time
5 Barnardo's are introducing the first professional
6 fostering service --

7 **A. Uh-huh.**

8 Q. -- which was linking in to Macedon --

9 **A. Yes.**

10 Q. -- and that that was then consequently having another
11 layer of people involved in the life of the children --

12 **A. Uh-huh.**

13 Q. -- or young people.

14 Then in 34, BAR14, you pick up on the issue of
15 strategic leadership and you explain why you say that
16 making that comment by Martin Riddock that there was
17 a problem of strategic leadership is not evidence-based
18 and not justified when one looks at the actual evidence.

19 **A. Well, he didn't read the divisional plan. We had
20 a four-year rolling divisional plan. Had he consulted
21 that, it might have informed his judgment.**

22 Q. If we scroll further down, please, we come to the end.
23 The point you are making, BAR14, if I condense it right
24 down to try and summarise it in a sentence, that yes,
25 there were problems not untypical of problems that were

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1 in the system at the time in terms of recruiting and
2 keeping staff, what was known about abusers and their
3 activities and not known --

4 **A. Uh-huh.**

5 **Q. -- but Barnardo's was a good, forward-thinking,**
6 child-centred organisation that did not suffer from
7 a lack of strategic thinking.

8 **A. That would be my -- that certainly would be my view.**

9 **There were areas of weakness, which I have acknowledged.**
10 **Macedon was going through a period of rapid change,**
11 **moving from a traditional model to something quite**
12 **different. That was difficult for everyone. There was**
13 **a lot informed. We may have missed some things. We**
14 **invested a lot in it, and I think in the end it was**
15 **relatively successful. Certainly it was a learning**
16 **experience.**

17 **Q. And your concern is that a lot of good staff who worked**
18 **there on the ground and the management team based in**
19 **headquarters at the time are being unfairly maligned by**
20 **the type of approach that's described in the Ruddock**
21 **report.**

22 **A. Speaking personally, I think it was a privilege to work**
23 **for Barnardo's at that time. It certainly was**
24 **a privilege to work with the staff who I had. They were**
25 **a wonderful group of staff. They were creative in their**

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1 thinking. They were highly supportive to me personally
2 and certainly to their subordinates. My view is that it
3 was the best organisation organisationally in terms of
4 management systems and particularly in investment of
5 staff that I have ever worked in.

6 Q. There are a number of practice issues that, for
7 instance, Dr Harrison picks up in her statement that
8 were identified by police and others for criticism, the
9 likes of there was only one member of staff sleeping
10 over at night, the bathing of children.

11 A. Uh-huh.

12 Q. The types of issues that became a focus of opportunities
13 --

14 A. Uh-huh.

15 Q. -- for the allegations of abuse that have been made.
16 The point that Dr Harrison makes -- and I want to ask
17 you if this was the position as far as Barnardo's were
18 concerned -- that those were the practices that were
19 prevalent at the time, not only in Barnardo's, but
20 across children's homes, that you would have had one
21 member of staff sleeping over, that you did bathe the
22 children as part of your work, those who needed that
23 assistance, and that is the way childcare was carried
24 out at the time.

25 A. I don't recall in detail the sleeping-in arrangements,

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1 but I think it probably is the case that on the site, on
2 the campus, as it were, there would have been four staff
3 sleeping in on any one night, one in each group.

4 I think that was the case, and that I think would have
5 been acceptable at that time.

6 Q. Similarly with the taking -- as a member of staff taking
7 a child or children out to your house to be involved in
8 your own family, travelling with them in the minibus,
9 those types of day-to-day routine were part of life at
10 the time.

11 A. I think that probably was part and parcel of life at
12 that time. I mean, I do remember Barnardo's at the time
13 when the staff were called uncle and aunts and they
14 operated in what they called family groups within the --
15 within the home. Of course, that changed through time,
16 but, yes, there was an affinity between staff and
17 children, which at that time was not inappropriate. As
18 time went on clearly that had to change.

19 Q. BAR14, I am not going to ask you anything more. The
20 Panel Members will probably want to ask you something
21 about what you had to say yesterday and perhaps
22 something about these issues. So if you bear with us
23 for a short time.

24 A. Thank you.

1 Questions from THE PANEL

2 CHAIRMAN: May I just take you back to what I call the
3 spoons episode involving HIA101?

4 **A. Ah, yes.**

5 Q. As I understand what you were saying yesterday, the way
6 the three members of staff responded, each individually
7 punishing the boy --

8 **A. Uh-huh.**

9 Q. -- the boy getting a multiplicity of punishments, was,
10 as you put it:

11 "The child getting hit several times is totally
12 unacceptable."

13 Isn't that right?

14 **A. Yes. As I've said elsewhere, good residential practice**
15 **is predicated on good team work. Now clearly you cannot**
16 **have staff acting unilaterally.**

17 Q. You said that was completely indefensible.

18 **A. I believe so, yes.**

19 Q. Yes. So the particular way in which that matter was
20 dealt with by those people concerned was not in
21 accordance with the proper standards of professional
22 care at that time. Isn't that what flows from that?

23 **A. That would not have been acceptable under Barnardo's**
24 **policy and practice.**

25 Q. Well, what ultimately happened was that they were -- the

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1 three people concerned were admonished. Do you think
2 that was an appropriate level of response at the
3 standards of the time? After all they had broken
4 Barnardo's policy about corporal punishment. They had
5 individually and collectively behaved indefensibly.
6 Should they not at least have had some form of written
7 warning? I am not suggesting it would have been
8 appropriate to dismiss them, but should they not have
9 had a more severe form of response than that?

10 A. I think the records show how it was dealt with by BAR7
11 and BAR24 respectively. There was lengthy discussion
12 about it. They were admonished or reprimanded and
13 a record I understand was made in their individual
14 file -- personnel files. They were not brutal in their
15 punishment of the boy. I don't think they should have
16 done what they did, either individually or collectively.
17 I think at that time the line that was taken with BAR24
18 was probably proportionate.

19 Q. Another matter arising out of that particular episode
20 was that one of those concerned was BAR1, who was
21 an experienced social worker by that time. Isn't that
22 right? She was qualified.

23 A. She had some experience. Uh-huh.

24 Q. And -- well, she had worked for Barnardo's for several
25 years.

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1 **A. Yes. Uh-huh.**

2 **Q. And she had worked elsewhere before she worked for**
3 Barnardo's.

4 **A. Uh-huh.**

5 **Q. And she had a professional qualification. Isn't that**
6 right?

7 **A. I don't recall what qualification she had.**

8 **Q. She was qualified some way or another.**

9 **A. Yes. Okay.**

10 **Q. And whatever the actions of the other two members of**
11 staff are concerned, was her behaviour not an indication
12 that there was a real question mark over her
13 suitability?

14 **A. My recollection of the other two members of staff was**
15 **that they were -- they were good staff. I can't**
16 **remember. I think one -- at least one of them I think**
17 **perhaps had training, and therefore what happened, if it**
18 **is true that they had experience and had training and**
19 **should have been aware of Barnardo's policy, what they**
20 **did I think -- what she did rather I think was probably**
21 **no more serious than what they did. I think**
22 **collectively they were wrong. I would tend not to**
23 **apportion more responsibility to one than the other.**

24 **Q. Yes. If we could turn to the BAR46 issue in relation to**
25 the complaints he made about BAR3, you said yesterday

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1 you had no doubt, looking at it retrospectively, that
2 BAR24 should have brought this to your attention.

3 **A. Uh-huh.**

4 Q. Now I want to ask you about the use of the word
5 "retrospectively". As I understood your statement, you
6 are of the view that at that time he should have known
7 that he should have reported it to you; in other words,
8 it is not with the advantage of hindsight. Is that
9 correct?

10 **A. That is correct.**

11 Q. Yes. In your statement you say you cannot fully
12 understand how he came to the conclusion he did. Is it
13 fair to say that whether or not he made it in good
14 faith, it was quite simply the wrong decision and
15 an indefensible decision at that time?

16 **A. It certainly was the wrong decision.**

17 Q. Because the effect of it was that a man who you wrote in
18 very strong terms was not suitable to be employed by
19 Barnardo's if he came back seeking employment was for
20 all anybody knew able to get a job somewhere else with
21 children.

22 **A. Well, as you are aware, the purpose of my writing the
23 report that I did write was to try and ensure certainly
24 that he would not be employed in Barnardo's --**

25 Q. Yes.

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1 **A. -- and in the event of them being asked for evidence of
2 suitability, that that would be blocked.**

3 **Q. Because the effect of BAR24's failure to tell you meant
4 that the Eastern Board wasn't told, the police weren't
5 told --**

6 **A. Uh-huh.**

7 **Q. -- and you weren't told. So nobody was able to carry
8 out whatever form of investigation might have appeared
9 appropriate if they had been told.**

10 **A. I agree entirely that it had that implication. Uh-huh.**

11 **Q. Yes. So his failure to do this effectively closed down
12 that matter.**

13 **A. It certainly prevented that course of action being
14 possible.**

15 **Q. Yes. In his note which we see at 4242 he said:**
16 "In my judgment any well-intentioned
17 cross-examination at this late stage might do damage to
18 all concerned."

19 I appreciate it's very difficult, because I am
20 asking you to think about something that was written by
21 somebody else 35 years ago, but at least one
22 construction of that is that it's not just confined to
23 the child.

24 **A. Uh-huh.**

25 **Q. It's confined to or it relates to the implications for**

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1 the staff and for the institution.

2 A. I would be very concerned about that statement if it
3 implied concealment. I don't think that it was intended
4 to conceal anything, but I don't know, but if it did
5 imply concealment, that was very serious, but I -- in my
6 statement I refer to the state of staff morale across
7 the sector generally at that time. Staff felt
8 mistrusted and demoralised, and I think it was that
9 climate which would have been affecting BAR24's judgment
10 rather than any attempt to conceal. More than that
11 I cannot say.

12 Q. You see, in your statement at 1143, paragraph 28, what
13 you said was:

14 "I am content that he made his decision in good
15 faith, motivated by his desire to do what he felt at
16 that time was in the best interests of the young person"
17 --

18 A. Uh-huh.

19 Q. -- which would be BAR46, but do I understand you to be
20 saying now that, in fact, you think that he would also
21 have had in mind the effect on staff morale?

22 A. Well, in that he refers to all concerned, I think that
23 must have been in his mind. I am inclined to the view,
24 although I have no reason to -- I can't substantiate
25 this, that the over... -- his overriding concern was for

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1 **the boy, and that is why I have written it in that way.**

2 Q. Of course, another factor that has to be addressed is
3 that this was at the time when there was a lot of public
4 attention to what was happening in Kincora --

5 A. **Uh-huh.**

6 Q. -- what was alleged to be happening at that time, .
7 There had been a series of arrests. Isn't that right?

8 A. **That would have been the case, yes.**

9 Q. And it could be read as a factor in his view that to
10 draw these matters to the attention of the proper
11 authorities might result in unfavourable attention being
12 directed towards Barnardo's.

13 A. **That's certainly a possible implication. As you can
14 gather, in making my statement I am influenced by or was
15 influenced by the man who I knew and I don't think BAR24
16 would have concealed in that way.**

17 Q. Yes. I think it is fair to BAR24 to place on record
18 that we understand his state of mental health now is
19 such that he is not really capable of dealing with
20 questions of this nature.

21 A. **I understand.**

22 Q. So we can only ask others who knew him at the time.

23 A. **Yes.**

24 Q. Thank you very much.

25 A. **Thank you.**

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1 MS DOHERTY: Thank you, BAR14. Can I just go back to the
2 spoon incident and just to ask the letters on the file,
3 was that part of a formal disciplinary process? Was
4 that the first stage in a disciplinary process to put a
5 ...?

6 A. **From what I have read it certainly is not presented in**
7 **that way. I don't think the disciplinary code was**
8 **invoked at that time.**

9 Q. Can I ask BAR1, who you were quite critical of in your
10 note I would say of the incident, just a few months
11 later she is promoted [REDACTED]. Were you
12 involved in that decision? Was there any discussion at
13 the time?

14 A. **I suspect that I was probably aware of her -- staff were**
15 **being located in the new project. I think the decisions**
16 **-- I probably wasn't directly involved in the decisions**
17 **to upgrade staff. It was a fairly minor upgrading, as**
18 **you will appreciate.**

19 Q. Yes, but does it seem -- I mean, again in retrospect
20 somebody that has been just a few months before quite a
21 serious question raised about their practice --

22 A. **Yes.**

23 Q. -- that they are then promoted to being ...?

24 A. Uh-huh. I confess that when I read this material
25 recently, that I was a little surprised that she had

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1 **been promoted in the service, because, well, if you take**
2 **the history in its entirety --**

3 Q. Yes.

4 A. -- it's quite surprising.

5 Q. Surprising. Uh-huh. One of the other things I noticed
6 in relation to your note was the note that BAR8 had
7 given HIA516 a bike --

8 A. Uh-huh.

9 Q. -- and that staff weren't aware of that. They learnt of
10 that from HIA516 himself --

11 A. Uh-huh.

12 Q. -- which again seems surprising in terms of practice.

13 A. I think it would be helpful to ask one of the Macedon
14 former staff about that. I think there may have been
15 some tension about her doing that. I don't really know.

16 Q. Okay.

17 A. It's not something that was raised with me at the time,
18 but in reading the material -- the notes, that is
19 implied I think.

20 Q. Yes. Well, it would be interesting to check that. It
21 isn't something that you would have expected at that
22 time from staff --

23 A. Not at all.

24 Q. -- that they would be giving presents like that.

25 A. Uh-huh. Uh-huh.

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1 Q. In relation to BAR3 one of the issues that clearly when
2 you're writing the file note about him is that he is
3 borrowing money from children and we understood from
4 other witnesses that it wasn't just pocket money. It
5 was £40, which was the clothing grant, and money -- it
6 ended BAR8 had to give the money back to the child when
7 they wanted it. Again I just wonder whether the general
8 issue about how a member of staff could have access to
9 money and access, you know, to borrowing money from
10 children, whether that was raised more generally as
11 a result of what you found about BAR3.

12 A. **I don't know if it was. What he was doing was very**
13 **exceptional and highly inappropriate. If other staff**
14 **were aware that he was doing this, they certainly should**
15 **have been reporting it.**

16 Q. Uh-huh. I mean, one of the ways that Barnardo's dealt
17 with BAR1 was to withhold her increment. I am just
18 wondering was that a common way of dealing with staff or
19 was it exceptional that she was dealt with in that way?

20 A. **I'm not aware until right now that that happened.**
21 **Certainly where staff were seriously under performing,**
22 **that would have been seen as an entirely appropriate**
23 **thing to do, but, as I say, I wasn't aware until you**
24 **told me that had happened.**

25 Q. Yes. That was in March . So it was just prior, but

1 there was no discussion between you and BAR111
2 about worried about her practice or (inaudible)?

3 A. No, I don't recall there being specific discussion with
4 me about her practice, because I do think if it had got
5 to that stage, that BAR111 [REDACTED] felt -- was sufficiently
6 concerned to bring it to me, I doubt very much if she
7 would have progressed in the new project.

8 Q. Project, and in relation to BAR111 and yourself,
9 you know, your -- presumably you had kind of supervision
10 sessions with him or consultation. Was he bringing any
11 problems to you about Macedon and about -- I mean, was
12 there a concern about Macedon or was it seen to be ...?

13 A. I don't think [REDACTED] brought every problem to me, but
14 certainly matters of significance he frequently brought
15 to me about all of his work.

16 Q. Uh-huh.

17 A. And what I liked about BAR111 was that he did bring
18 problems to me, but he also brought me possible
19 solutions.

20 Q. Uh-huh.

21 A. He didn't bring them to me to solve. He was a good
22 member staff in that respect.

23 Q. And in at that respect when he was coming to you, did he
24 raise issues about Macedon?

25 A. I have no doubt that he did. I don't recall this

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1 particular matter in relation to her -- her performance,
2 because had it -- had that happened, I think we would
3 have -- I would have been looking probably at
4 disciplinary proceedings.

5 Q. I mean, just more generally, not necessarily about BAR1
6 or about the spoon incident, but in relation to, you
7 know, your discussions with BAR111 about the different
8 homes, where did Macedon and Sharonmore sit? You know,
9 in relation to the other homes that you were around, did
10 they cause concern? Were they seen to be operating
11 properly?

12 A. There certainly would -- because of where Macedon was at
13 that time and because of the management issues that
14 I have referred to, I think it likely -- and I can't
15 remember this in detail -- I think it likely that I was
16 -- he was bringing many more issues to me about Macedon
17 than, shall we say, about Manor House or Tara Lodge.

18 Q. Can I -- the senior residential officer post was moved
19 from the structure. Can you say what the thinking was
20 behind that?

21 A. I think that was associated with the kind of -- the
22 creation of the project leader designation. Project
23 leaders had a higher level of responsibility and
24 delegated responsibility authority, and they then
25 reported direct -- directly to the Assistant Divisional

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1 **Director. So I think at that time the SRO was taken out**
2 **of the system.**

3 Q. When BAR24 went back for the period to be the
4 [REDACTED], was that a demotion or was that just
5 helpful, because the post was vacant and ...?

6 A. Sorry. The first bit. Was that ...?

7 Q. Was that a demotion?

8 A. Oh, no, not at all.

9 Q. So in a way he had had a different level of
10 responsibility, and in terms of him coming back, was
11 that about helping out in relation to a vacancy or ...?

12 A. I cannot remember whether it was seen as an interim
13 arrangement. I -- my recollection at best is that he
14 certainly volunteered to do that. He was interested in
15 the position, but I -- I am quite sure it was not
16 demotion.

17 Q. Okay. You will be glad to hear my last question. Just
18 one of the things you talked about was that your
19 experience was about a lack of formal inspection and
20 where there was informal inspection and you asked for
21 feedback about that, you didn't get it. I just wondered
22 how that might have compared with the experience of
23 directors in other divisions when you got together at
24 your monthly meetings. Was there -- did you have any
25 sense about whether there was more inspection activity

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1 in the other countries?

2 **A.** I have no absolutely no idea. I don't remember that
3 particular subject ever being discussed in Barnardo's.
4 I suspect the arrangements in England were a bit
5 different.

6 **Q.** Okay. Thank you very much.

7 **A. Thank you.**

8 **MR LANE:** You mentioned just now that becoming [REDACTED]

9 [REDACTED] was a minor upgrading.

10 **A. Yes.**

11 **Q.** I realise it's perhaps the lowest tier of management,
12 but am I right in understanding that at Macedon there
13 would have been the superintendent, the deputy and then
14 the third in charge? Those would have been the three
15 managerial positions together with the matron?

16 **A. My recollection was that there was a team leader --**

17 **Q.** Uh-huh.

18 **A. -- assistant team leader and then third senior. So**
19 **within the framework --**

20 **Q.** Right.

21 **A. -- of a team --**

22 **Q.** Right.

23 **A. -- that was the third label.**

24 **Q.** Okay. Thank you. That's helpful. Reading through the
25 Barnardo's book, handbook, I couldn't find any mention

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1 of any sort of policy about children going to staff
2 houses and so on. Are you aware of any policy that
3 there was on that?

4 **A. I don't remember that there was a policy on it and**
5 **I suspect [REDACTED] it probably wasn't an issue,**
6 **rightly or wrongly.**

7 Q. Okay. Thank you. One last question, which may not be
8 for you to answer, but do you know what Martin Riddock's
9 experience was? He is described as a principal officer.

10 **A. I have never heard of him.**

11 Q. Right. Thank you.

12 **A. I don't know if he was a Northern Ireland divisional**
13 **member of staff. I suspect he wasn't.**

14 Q. Thank you very much.

15 **A. Thank you.**

16 CHAIRMAN: Well, thank you very much indeed for coming back
17 to speak to us again about these matters which occurred
18 so many years ago. We are very grateful to you for
19 throwing so much light on these matters. I would like
20 to say with absolute certainty that we will not ask you
21 back again in some other capacity, but since your work
22 in later years [REDACTED]

23 [REDACTED] I don't think I can give you such
24 an undertaking.

25 **A. Thank you.**

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1 Q. But thank you for coming today.

2 (Witness withdrew)

3 MR AIKEN: Chairman, we should be able to start the next
4 witness fairly shortly if we took a short break now.

5 CHAIRMAN: Very well. We will just break for a few minutes.

6 (11.15 am)

7 (Short break)

8 (11.40 am)

9 DR HILARY HARRISON (called)

10 Questions from COUNSEL TO THE INQUIRY

11 CHAIRMAN: Yes, Mr Aiken?

12 MR AIKEN: Chairman, Members of the Panel, the next witness
13 today is Dr Hilary Harrison, who is no stranger to the
14 Inquiry Panel, although she reminds me that she remains
15 as nervous as ever coming to give evidence. I told her
16 not to worry in that regard. She has previously
17 affirmed. Therefore she remains under her obligations.

18 Hilary, you have provided a statement to the Inquiry
19 on behalf of the Department in this module. I am just
20 going to bring that up on the screen, please, at 966.
21 It runs through to 972. I am not sure if the signature
22 page is maybe the next page if we move through, please.
23 If we go through 972, which is the last page of the
24 statement. I recall the statement page being the second
25 page, the previous statement.

1 **A. Yes.**

2 Q. So you have got me there. Hilary, you have signed the
3 statement and you want to adopt it as part of your
4 evidence on behalf of the Department to the Inquiry?

5 **A. I do.**

6 Q. And I am going to deal with this, Hilary, in quite
7 a truncated way, because the Inquiry's focus has been
8 towards Macedon in the period 1977 to 1981 or June '81,
9 when Sharonmore opened and Macedon closed. In summary
10 the position is that unfortunately to this point the
11 Department have not been able to find records of
12 whatever work it had with Macedon during that period.

13 **A. That's correct.**

14 Q. You explain in paragraph 1.5 of your statement on 969
15 that this was the period of SWAG, the Social Work
16 Advisory Group, which began in '73 I think or '72, and
17 to what extent SWAG were involved in the work of Macedon
18 there are no records for you to return to in order to
19 comment on that --

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

21 Q. -- as matters stand. The -- from what you have said
22 previously to the Inquiry about this era whatever was
23 being done, it won't necessarily have been in the format
24 of the type of inspections that did exist in the '50s
25 and '60s and may have been more an advisory role. To

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1 what extent in due course if this issue continues to
2 roll through --

3 **A. Yes.**

4 Q. -- and I know from speaking to Mr McGuinness the
5 Department are working more on trying to look at what
6 can be said about this period, and there will be
7 evidence from the Hughes Inquiry that will be of
8 assistance to that, in order to be able to say well,
9 yes, the power of inspection which was there was what
10 gave you access as the SWAG adviser, but it was more
11 advice that was being done --

12 **A. Yes.**

13 Q. -- that's an issue that's going to continue to be looked
14 at to see by the end of our work where the Department --

15 **A. Yes.**

16 Q. -- can get to on it. The best we have managed so far in
17 this module, as I said to you this morning, is that
18 BAR14 can recollect Ms Forrest and Ms Hill being
19 involved with his superintendents, and he was there in
20 the period , and I know that we have been able
21 to establish Ms Hill was there until '76 and Ms Forrest
22 until 1980.

23 **A. Yes. I think the other way round.**

24 Q. The other way round.

25 **A. Yes.**

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1 Q. My apologies. Ms Forrest to 1976 and Ms Hill to 1980.
2 We will get that into the evidence bundle. He commented
3 on not getting a reply to correspondence, but we don't
4 have what that was about necessarily, which home it was
5 about, but the Inquiry obviously would be grateful if
6 the Department would continue to try, as you have
7 undertaken to do, to get to the bottom as far as you can
8 of what, if anything, the SWAG adviser might have been
9 doing --

10 A. **Yes.**

11 Q. -- in a place like Macedon.

12 A. **Yes. I think as more information unfolds, we are**
13 **beginning to get a slightly clearer picture of what was**
14 **happening and why it was happening.**

15 Q. I am then going to turn to with you, Hilary, the Martin
16 Ruddock review in 2004, because it relates to Macedon.
17 Obviously it is written in the aftermath of the Crown
18 Court trial, which saw two members of staff convicted of
19 at that time a series of serious sexual offences,
20 subsequently overturned on appeal, but at the time he is
21 writing it is in the aftermath of convictions and very
22 strong condemnation from the trial judge.

23 You -- in paragraphs 2.2 and 2.3 you on behalf of
24 the Department, unbeknownst to you that BAR14 would
25 subsequently address this, but on behalf of the

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1 Department you have looked at what Martin Ruddock had to
2 say in that review paper.

3 **A. Yes.**

4 Q. And the Panel is aware of BAR14's critique of it for
5 other reasons, but you draw attention in 2.2 and then
6 2.3 -- you look at four examples of practice that were
7 the subject of comment and criticism by various, police,
8 court, then Martin Ruddock commenting on them. You talk
9 about:

10 "The lack of professionally qualified training
11 staff.

12 Staff working alone overnight in charge of children.

13 Lack of guidelines regarding bathing children.

14 Staff accompanying children alone on visits outside
15 the unit and taking children to their homes."

16 Then you make the point, Hilary, in paragraph 2.3,
17 if we scroll down on to the next page, please, in fact
18 while significant attention has been drawn to those
19 matters in the context of Macedon, they were not in any
20 way unique to Macedon at the time we are talking about
21 in the late '70s. In fact, they were reflective of
22 childcare practice across the system in Northern Ireland
23 and indeed from your knowledge England and Wales at that
24 point in time.

25 **A. Yes. That would be my view. I can elaborate on each of**

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1 them if you wish, but from a general perspective that --
2 that would be my view -- the Department's view.

3 Q. Well, if we do that, because it's of relevance obviously
4 to the Panel's assessment of systemic failing. If we
5 just scroll up, please, a little to the first -- just
6 scroll up a little further so we can see the four of
7 them. Obviously BAR14 has explained the Barnardo's
8 policy of they wanted qualified staff. They paid them
9 better than perhaps their statutory sector equivalent.

10 A. Yes.

11 Q. But with -- even with those things Barnardo's couldn't
12 get a full complement in and/or retain them. Do you
13 want to say a little bit from the Department's
14 perspective about that?

15 A. Yes. I think we do need to be careful here using terms
16 "professionally qualified" and "staff", because
17 I noticed, for example, when I was reading the comments
18 made by police and during the court procedures that was
19 a phrase that was often used, and I would always have
20 associated that with professionally qualified social
21 workers, and it is true that it was very difficult to
22 recruit professionally qualified social workers into
23 residential practice. However, there was an accepted
24 qualification for residential staff and it was the
25 CCC... -- I can't remember the full --

1 Q. CCR...

2 A. ...CYP or something. Isn't that right?

3 Q. ...YP I think it ends in.

4 A. Yes.

5 Q. I think everybody knows the acronym.

6 A. Yes, that's right. (Inaudible.)

7 Q. The Rupert Stanley certificate.

8 A. It was the Rupert Stanley certificate. That's right.

9 My impression certainly when I joined Barnardo's in '76
10 was that there was actually a very high proportion of
11 staff in the -- certainly in the residential unit that
12 I would have been familiar with, a much higher
13 proportion of staff who were trained and had that
14 qualification than maybe existed in statutory homes at
15 the time.

16 Now I need to be very careful, because, of course,
17 I didn't work closely with or had really any connections
18 with Macedon. So I can't speak for the situation there,
19 but certainly generally the policy within Barnardo's at
20 the time was to get staff who at least had that minimum
21 qualification.

22 Q. If I can pause you there, because in fairness I drew to
23 the Panel's attention during the opening --

24 A. Yes.

25 Q. -- that in the 1983 SWAG report on Sharonmore, albeit it

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1 is done at the -- the staff who were there, if you like,
2 are a continuum generally of those who were at Macedon.

3 **A. At Macedon, yes.**

4 Q. One of the comments that's made in the report is
5 a recognition of the high percentage --

6 **A. Yes.**

7 Q. -- of those who had been trained and have a certificate
8 --

9 **A. Yes.**

10 Q. -- compared to other homes --

11 **A. That's right.**

12 Q. -- that there were.

13 **A. Yes.**

14 Q. So the point I take you are making on behalf of the
15 Department is actually, well, Barnardo's were ahead of
16 the curve on this issue, and therefore criticising them
17 for it, the Department's view is that's unjustified.

18 **A. Well, I don't want to comment on the actual conclusions**
19 **reached by the report, but I would simply want to say**
20 **that there certainly was a dearth of trained staff in**
21 **other -- in statutory homes and indeed other**
22 **voluntaries. There were none, if any, in the late 1970s**
23 **or '80s. There were no to my knowledge professionally**
24 **qualified social work staff working in residential units**
25 **apart from Barnardo's, and they were the first to**

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1 introduce social work staff into their units and also to
2 pay them actually on a par with field social workers,
3 which again was unheard of at the time.

4 Q. The second issue and perhaps also leads into the fourth
5 issue:

6 "Staff working alone overnight in charge of
7 children",

8 that was not exclusive to Barnardo's. In fact,
9 that was the way things were done.

10 A. Well, I think those particular comments were made about
11 the staff routines in the small cottages where BAR1 and
12 some of the other people that we are concerned about
13 were working. My understanding is that there were
14 smaller numbers of children there, and again it -- you
15 know, I would have been reasonably familiar with the
16 situation in statutory homes at the time. It wouldn't
17 have been unusual for a member of staff to be on his or
18 her own with a group of children of that size.

19 Q. And similarly in respect of the fourth or (d) on the
20 page we are looking at:

21 "Staff accompanying children alone on visits outside
22 the unit and taking children to their homes."

23 A. Yes.

24 Q. Again at the time that would have been a normal piece of
25 behaviour.

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1 A. Yes. It wasn't unusual practice, and again I can speak
2 from having had children placed in statutory homes that
3 often staff would take them out on their own and indeed
4 still do to appointments and so on, but on occasion
5 staff would introduce -- would have introduced them into
6 family events.

7 Now obviously we began to get a bit more
8 sophisticated at introducing safeguards and -- for that
9 type of activity, and staff would ultimately have needed
10 to have been properly vetted and their families vetted
11 and some sort of assessment done, but again speaking
12 about the 1970s, I can recall having children placed in
13 statutory homes and staff there were involved in
14 engaging some of those children in their own family
15 activities.

16 Q. I will just draw to the Panel's attention we looked at
17 during the opening the fact that the Barnardo's -- it is
18 the Assisted Homes Handbook, and BAR14 explained to the
19 Panel yesterday there may, in fact, have been other
20 books that would have been more relevant, but that
21 handbook in 1979 flagged up, without setting down what
22 might be known nowadays as the child criteria, child
23 protection criteria that two people must travel with
24 a child -- it drew attention to the fact that transport
25 was one of those things you needed to be careful,

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1 because it is a hard thing to refute an allegation
2 that's made.

3 **A. Exactly, yes.**

4 Q. It is not that the risk wasn't -- the awareness of the
5 risk wasn't coming to the surface, at least in
6 Barnardo's, but it was still then in the culture of the
7 time based on what was known --

8 **A. Yes.**

9 Q. -- about abuse --

10 **A. Yes.**

11 Q. -- a normal activity that was engaged in by staff.

12 **A. Yes.**

13 Q. (c) on the page or the third:

14 "Lack of guidelines regarding bathing of children."

15 **A. Uh-huh.**

16 Q. The -- I am trying to condense this down, Hilary, but if
17 I can put it this way, there is not as many children's
18 homes nowadays. There is a lot more fostering going on,
19 but the reality is in all homes, foster homes, those
20 children's homes that there are, there is going to be
21 a need for adults to bathe children.

22 **A. Yes, exactly, and to undertake other personal care
23 tasks, and it would be very difficult to write policies
24 and procedures for every single one of these daily
25 routine tasks. So again it would not have been unusual**

1 **I would have thought not to have had guidelines dealing**
2 **with that specific issue of bathing children.**

3 Q. And am I right in saying that even if you were to draft
4 guidelines, they would have to indicate that it very
5 much depends on where the child is at in terms of what
6 they are able to do --

7 A. **Absolutely, yes, yes.**

8 Q. -- for themselves satisfactorily?

9 A. **That's right, and protecting their sense of privacy and**
10 **so on, yes.**

11 Q. Presumably there would be a practical difficulty in
12 insisting that there were two adults present every time
13 a child was bathed.

14 A. **Well, absolutely. If you are trying to normalise life**
15 **as much as possible for children, then it would be very**
16 **difficult to institute that kind of -- to establish that**
17 **kind of practice.**

18 Q. Therefore on the issue of -- the issue is more about
19 managing the risk of ensuring you recruit the right
20 staff, because there's always going to be the
21 opportunities for someone who is an abuser to take
22 advantage of --

23 A. **That's right.**

24 Q. -- in the daily routine of looking after children.

25 A. **Exactly, yes.**

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1 Q. So it's more how you stop them getting in as opposed to

2 --

3 A. Yes.

4 Q. -- banning a certain age limit child being bathed.

5 A. Yes, and how staff are managed, supported and
6 supervised, of course, while in post, yes.

7 Q. If I can summarise the point that you are making about
8 the Ruddock -- if we scroll on to the next page, please,
9 the point, if I can cut to the nub of it, Hilary, was
10 you felt he had gone on behalf of the Department -- the
11 Department's assessment was that Martin Ruddock had gone
12 too far in the analysis that was saying there was all
13 the failure at a strategic level to do things.

14 A. Yes. Well, I don't know about using the expression
15 "gone too far", but I think perhaps there maybe wasn't
16 an appreciation of the norms and standards at the time
17 and that it's very easy and I certainly find it all too
18 easy to do to look at practice and so on with the
19 benefit of hindsight and by today -- it's very, very
20 difficult to disassociate oneself from the standards of
21 today, but certainly, you know, we can speak from
22 experience, because looking at what was happening in
23 other children's homes at the time and the evidence
24 coming before the Inquiry, not just the negative
25 evidence but positive evidence of standards of practice,

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1 **I would say that perhaps there was an over-reliance on**
2 **the standards of today in -- in that report.**

3 Q. When we move to Sharonmore, Hilary, we haven't spent
4 an enormous amount of time on that, because there are
5 limited allegations in respect of it, and the material
6 that's available to the Panel indicates that when
7 incidents of sexualised behaviour generally by the young
8 people with each other or with others that they formed
9 relationships with outwith Sharonmore, those matters
10 were reported to Social Services, reported to the police
11 and the procedures that were in place took their course,
12 and the Panel are aware of the SWAG inspection from
13 1983, and indeed I am sure in written submissions the
14 Department will draw attention to the fact at the time
15 of your statement you didn't have access to all of the
16 material --

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

18 Q. -- that now you are able to call on --

19 **A. Yes.**

20 Q. -- in order to say well, actually the Department are --
21 post the change back to inspections in '82 onwards post
22 SWAG and then the Social Services Inspectorate are
23 involved in the life of Sharonmore, inspecting, making
24 recommendations, engaging with Barnardo's and in
25 a positive engagement. I know there is in the bundle,

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1 for instance, letters from BAR13 about the 1992
2 inspection, thanking the Social Services Inspectorate
3 for a positive engagement --

4 **A. Yes.**

5 Q. -- and addressing the recommendations.

6 The Inquiry is aware that BAR79 [REDACTED] in giving
7 evidence to the Hughes Inquiry [REDACTED],
8 replacing BAR14, talked about the fact the monitoring
9 arrangements which the Social Work Advisory Group were
10 not delighted about in terms of the pro forma, but also
11 commenting on the quarterly reviews that were being then
12 carried out --

13 **A. Yes.**

14 Q. -- by the Assistant Director, and I am sure the
15 Department will set out in their written submissions all
16 of the sequence of events that can be said in respect of
17 the Department's engagement in Sharonmore. I don't
18 propose to go into that, Hilary, any more today.

19 **A. Right.**

20 Q. What I want to do now, Hilary, as I said to you I would,
21 is to turn to two matters that relate to your time
22 working for Barnardo's and I want to just put on the
23 record, Hilary, a fact that you made the Inquiry aware
24 of right at the outset --

25 **A. Yes.**

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1 Q. -- and which you make plain in Annex A to the
2 departmental statement in the module at 974. If we just
3 scroll through to 974, please, so we can see that.
4 I want to make it clear that what I am now going to ask
5 you and what you are now going to say is you assisting
6 the Inquiry in a personal capacity, lest it be thought
7 by anyone that the answers that you are about to give
8 are by or on behalf of the Department.

9 **A. Yes.**

10 Q. They are your knowledge based on your involvement in two
11 particular events that have been the focus of the
12 attention of the Inquiry during this module about
13 Macedon.

14 **A. That's correct.**

15 Q. The first of those is the BAR12 befriending assessment.
16 By way of context BAR12 first met HIA516 in ,
17 picking him up absconding with others, and initially
18 there's a number of engaged in getting
19 alongside Macedon and the children there, and when you
20 meet him, he explained to you -- you met him in , as
21 we will come to see -- he explained to you he'd
22 originally tried to interest other in
23 supporting the children, initially took a number of
24 children out, and then he explained to you that he was
25 encouraged by BAR24 that it would be better that he

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1 concentrate his efforts on one child as a -- in
2 a befriendder type role than on several. He appears then
3 over the course of to have regularly given money to
4 HIA516, who was his focus then of his attention,
5 throughout and also bought him gifts during that
6 period.

7 Then in February you as the then project leader
8 at Barnardo's Tara Lodge, which was an adolescent
9 service --

10 **A. Yes.**

11 Q. -- are asked to conduct a befriending application
12 interview process in respect of BAR12's relationship
13 with HIA516 that was already essentially 15 months old.

14 **A. Yes.**

15 Q. BAR14 said to the Inquiry yesterday that this was
16 an unusual situation, because you would normally do the
17 assessment beforehand. If we can look, please, at
18 11428, the assessment, Hilary, runs from 11428 to 11434.
19 One can see right away that it involved you over the
20 course of two days spending five and a half hours
21 talking to BAR12.

22 **A. Yes.**

23 Q. What I want to do before we look at that is can you
24 remember how this came about that you were asked to do
25 this? Now I appreciate it is a long time ago. It's

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1 years ago. If you can't remember, just say, but
2 doing the best you can, can you recall how this all came
3 about or what you think is likely to have been the case?

4 **A. Yes. I really cannot remember the events leading to me**
5 **being asked to do it. I just really have no recall of**
6 **that, and, in fact, had I not seen the assessment**
7 **itself, I probably wouldn't have had any significant**
8 **recall of actually having done it. I have vague**
9 **memories of having met BAR12 or BAR12, but I really**
10 **cannot remember the circumstances in which I was asked**
11 **to do this.**

12 Q. Well, I am not going to go through the detail of it,
13 Hilary. What I am going to do is just summarise that it
14 is very detailed. You elicit from him a significant
15 amount of personal information about his family
16 background, about his reasons for not having marriage
17 and children himself.

18 A. Uh-huh.

19 Q. His understanding that children in the scenario of the
20 likes of HIA516 are likely to engage with him for
21 a while and then disengage with him --

22 A. Yes.

23 Q. -- and how he'd deal with that reality. You record out
24 the history of his -- the gifts and so on, and you then
25 come to a conclusion about his position. Now if I am --

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1 Hilary, I am going to look at 11434 and the conclusion.
2 If there's anything from the earlier sections that you
3 want to draw attention to so that we are not missing the
4 context of this, then please do that at any appropriate
5 moment, but you can see that you give your impression,
6 as it were, that he impressed you:

7 "... as a rather lonely man who feels he has missed
8 out on marriage and family life. Some areas of his
9 life, his relationship with HIA516, interest in his
10 team's", [REDACTED],
11 "personal problems, make up for this and at least he is
12 willing to admit this. I feel this is a very normal
13 desire for someone in BAR12's circumstances and I feel
14 he has been particularly honest about it. How much he
15 is prepared or willing to accept the guidance of others,
16 however, is difficult to say. I feel his own needs
17 might tend to override his better judgment.

18 On the whole I felt he was a genuinely caring person
19 who no doubt has offered HIA516 some very positive
20 help."

21 Now if we pause there, Hilary, you are doing this in
22 February and I presume it's correct to say that
23 Kincora would have been foursquare in the mind of every
24 social worker.

25 **A. Absolutely, yes.**

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1 Q. So one of the things you are looking for, am I right in
2 saying, is anything that would tend from his interviews
3 with you to suggest that he might interfere with HIA516?

4 A. Yes.

5 Q. Is that a fair ...?

6 A. Yes. Anything at all that might have been -- I might
7 have felt was inappropriate in the relationship.

8 Q. And am I right in saying, Hilary, if I categorise what
9 is a long and detailed record of his personal background
10 that he's explaining to you, the result of that was that
11 you didn't feel there was anything inappropriate about
12 his intentions or behaviour? You could -- there were
13 some bits of it you were not happy about --

14 A. Uh-huh.

15 Q. -- because he didn't seem to -- he had his own needs --

16 A. Yes.

17 Q. -- that weren't necessarily always going match the young
18 person's needs --

19 A. Yes.

20 Q. -- but there was nothing concerning about his
21 presentation and what he was explaining to give you any
22 belief that he would sexually interfere with HIA516.

23 A. Yes. Again it's hard to think back into what I was
24 thinking then --

25 Q. Yes.

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1 A. -- but reading the assessment, this was a man who was
2 very well-known to staff, had been known to them for
3 about fifteen months before I met him. He was very well
4 acquainted with the routines of the home to probably
5 a slightly disturbing extent that he was aware of what
6 was happening in the staff group and so on. So I had no
7 indication that there was anything untoward in the
8 relationship. I think my main concerns were about
9 BAR12's own needs, and I also, given the conclusion that
10 I came to, which was a very unusual one, that I didn't
11 feel I could recommend anything at the time, I get
12 a sense on reading this that I felt that there was
13 perhaps more information that I needed to know or needed
14 to be disclosed to me, that I didn't have that full
15 information, but I'd no --

16 Q. I will come to the -- I am going to come to that
17 recommendation.

18 A. To it, yes. I had no --

19 Q. There was nothing that --

20 A. -- indication there was anything of a sexual nature
21 within the relationship. Again he talked about having
22 had a normal relationship with a girlfriend, etc, etc.
23 So I had no -- you know, I had no indication about his
24 sexual orientation or anything like that at the time.

25 Q. That would have caused you any concern.

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1 A. Well, not that his sexual orientation of itself would
2 have caused me concern --

3 Q. Yes.

4 A. -- but I had nothing to suggest he would have had any
5 interest in this young child sexually.

6 Q. If we come on then, Hilary, to the recommendation,
7 because you have identified it yourself, that you say:
8 "It would be inappropriate for me to offer
9 a recommendation, being unaware of the total picture."

10 I think, reading between the lines, you were
11 uncomfortable about being in this situation.

12 A. Yes, and I can imagine why in that I -- there was
13 a social worker attached to Macedon at the time.

14 Q. Which was BAR8.

15 A. BAR8, yes. Normally in befriending situations it would
16 be the attached social worker who would carry out the
17 assessment. Also the child would have -- he was no
18 doubt in the care of I think it might have been the
19 Eastern Board and would have had a social worker
20 allocated to him, and if it had been felt that it wasn't
21 appropriate for the attached social worker to carry out
22 the assessment, then it would have been appropriate for
23 the Board social worker to do that. So I must have been
24 in some -- I must have had some concern about the
25 reasons why I had been asked and maybe felt that

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1 I didn't have enough information that would allow me to
2 weigh up the total picture, but that's purely conjecture
3 on my part. I can't say that I definitely didn't have
4 information. I just --

5 Q. Am I right in saying the likelihood -- you didn't know
6 HIA516.

7 A. Exactly. I didn't know the child either. So I was
8 inter... -- I was interviewing him in respect of a child
9 I didn't know and I didn't know him as a person either.
10 So I would have probably been quite cautious about
11 making a recommendation on those circumstances and just
12 based on the information that I had had in two
13 interviews with him.

14 Q. The next question I imagine we can guess the answer to,
15 Hilary, but can you remember -- you will have given this
16 back possibly to BAR111 [REDACTED] or potentially the senior
17 residential officer, one or other of them possibly --

18 A. Yes.

19 Q. -- or the superintendent.

20 A. I think it would have been BAR111 [REDACTED], my -- yes.

21 Q. So he will have presumably gone --

22 A. Probably very annoyed at the fact we didn't come to
23 a recommendation, but that's beside the point.

24 Q. Can you remember what happened on foot of it?

25 A. I really have no recollection. I note that I had

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1 intended to take up references. I can't remember
2 whether we did progress to that stage. I would hope
3 that I did, but I am so sorry. I just cannot remember
4 what happened after that.

5 Q. Maybe again it did happen and there is no documents or
6 it didn't happen.

7 A. Yes.

8 Q. You don't have a memory yourself.

9 A. I really don't.

10 Q. What I can say, Hilary, and I have discussed the copies
11 with -- if we just bring up on the screen, please,
12 16115, there is a letter -- you did this in February.
13 There is obviously a sequence of events that lead to
14 this letter, which is on foot of a meeting that took
15 place on 6th May of , where there's a discussion
16 takes place then about the relationship, and it is [REDACTED]
17 **BAR111** who is authoring the letter. He is talking about
18 "our meeting". So it would seem he is involved in the
19 meeting --

20 A. Yes.

21 Q. -- with BAR12. He sets out fact that the Eastern Board
22 are in agreement:

23 " ... along with Barnardo's are prepared to agree to
24 it continuing, subject to the following conditions."

25 Then the three conditions are set out. Then a

1 warning is added afterwards:

2 "I must add that if you are not prepared to abide by
3 these conditions, we will have no option but to review
4 the arrangements."

5 So is it being unfair to the construction of this,
6 Hilary, in light of what you have said in your report
7 about you are not sure whether he will stick to the
8 guidelines --

9 **A. Uh-huh.**

10 Q. -- and the tone of BAR111's letter on that subject
11 that that's one of the concerns --

12 **A. Yes.**

13 Q. -- that staff are -- I think he talks about this himself
14 to you -- there's disagreement sometimes between them as
15 to what's in HIA516's best interests --

16 **A. Yes.**

17 Q. -- and the staff are saying, "Well, this is our call.
18 It is not your call. It is our call", and he is being
19 given a warning basically that unless he is prepared to
20 --

21 **A. Yes.**

22 Q. -- toe the line, then a different outcome will arise.

23 **A. That's -- I would assume that that is correct, yes.**

24 Q. Then the sequence is that ultimately in November
25 there's a letter ending contact. If we look at 16113,

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1 please, it confirms another meeting that takes place.

2 The conditions are not being met and the relationship is
3 brought to an end.

4 Of course, the context of this, just to be clear,
5 Hilary is that there is no allegation of any sexual
6 impropriety --

7 **A. Uh-huh.**

8 Q. -- at the time these decisions -- these assessments and
9 these decisions are being taken.

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

11 Q. The sexual impropriety, the allegation of abuse, comes
12 a year later in June . So there's nothing more you
13 can recollect about this sequence of events. I have
14 covered as much of it as you can assist with.

15 **A. Yes. I would imagine after I presented that assessment
16 I didn't have any further involvement with the case.**

17 Q. The second issue, Hilary, that I am going to turn to
18 more briefly is that of BAR1. You explain in Annex A to
19 your statement, if we look at 974, please, that you can
20 recollect -- the sequence of events, just to put this in
21 context, is that BAR1 is working in Macedon. She gets
22 promoted to [REDACTED]. There are
23 three teams. She is then subject to disciplinary
24 proceedings in the sense of her increment is held back
25 to do with her performance in that role, and that's

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1 correspondence with BAR111 and the involvement of
2 BAR36 in Things don't improve. Ultimately as
3 part of the disciplinary process it seems she is moved
4 across to [REDACTED]

5 **A. Yes.**

6 Q. -- where you are the project leader --

7 **A. Yes.**

8 Q. -- in . A sequence of events then unfold with her
9 using a Scholl -- I am not sure what the right word for
10 it is -- shoe on a child in January of . That leads
11 to further disciplinary proceedings that will then
12 ultimately see her leave Barnardo's employment.

13 **A. Yes.**

14 Q. If we look in April , there is a letter, 070. If we
15 just turn that round, this is the letter which sets out
16 the two reasons that were being given, the second of
17 which was that:

18 "You hit a child at Tara Lodge with a slipper",
19 although it is a Scholl shoe we hear about.

20 **A. Yes.**

21 Q. And the reason at number 1 -- if we just maximise that
22 for everyone's ease, please -- the reason at number 1
23 that's given is the previous lack of performance that
24 continues. Ultimately then she leaves the employment of
25 Barnardo's.

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1 Now what I want to ask you, Hilary, looking back,
2 you'd obviously worked with BAR1 for a period of time in
3 Tara Lodge.

4 A. Well, I didn't work alongside her. I was responsible
5 for managing -- I had middle management responsibility
6 for the residential unit. She would have been directly
7 accountable to an officer in charge and, you know, she
8 worked alongside other residential staff, but
9 I personally didn't work with her.

10 Q. Is it fair if I characterise it you got to know her and
11 what her strengths and weaknesses were.

12 A. I did, yes.

13 Q. If you explain to the Panel, she wasn't capable of
14 working with difficult individuals.

15 A. Yes. That's right. I -- I did get to know her quite
16 well, because I seem to remember that I -- because she
17 had been transferred from Sharonmore, and I was
18 responsible then for providing professional supervision
19 to certainly the senior staff in the project, but I seem
20 to remember spending some individual time with her,
21 because -- because of the circumstances of her transfer,
22 and then, of course, I was receiving feedback from staff
23 about how she was getting on.

24 She had a number of positive qualities. She in many
25 respects was -- appeared to be a very caring person, was

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1 very, very good at practical duties, was always at work,
2 not off sick. She was extremely diligent about carrying
3 out instructions and so on, but in that particular unit
4 there were a group of adolescents who presented very
5 challenging behaviours and many of whom had come from
6 other settings where they were unable to be cared for.
7 They were referred from really all over the province.
8 So they were -- they weren't an easy group to work with,
9 and it became very obvious that BAR1 was very much out
10 of her depth in interacting with them. She found it
11 difficult to identify with the young people.

12 Her interactions were at times inappropriate,
13 although I seem to recall that the business about
14 hitting the young person with the shoe, it had come
15 about as a result of horseplay that had got completely
16 out of control between the two of them. So it wasn't
17 that she had gone up and deliberately whacked someone in
18 anger. She became angry apparently during the horseplay
19 and it then reached a level where the engagement was
20 violent rather than horseplay. That's -- I wasn't there
21 obviously, but I seem to recall that was recounted to
22 me.

23 I think that after -- there were a couple of other
24 incidents where she had not handled difficult situations
25 appropriately and she was just out of her depth in that

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1 kind of environment. My recall is that after the shoe
2 incident we had said to her, "Look, you're just not
3 suited to this kind of work". I think she went off sick
4 for a period and disciplinary proceedings were started,
5 but she resigned before those -- those, you know, were
6 concluded.

7 Q. There's two further parts to it that I want to ask you
8 about, Hilary, at this stage. One is that there was
9 nothing in her behaviour that you were concerned about
10 from a sexual perspective towards any of the adolescents
11 that were there.

12 A. Yes. Absolutely nothing. In fact, if anything, she
13 came across as a very prudish person, quite a private
14 person, and so it was very surprising to hear those
15 allegations about her.

16 Q. And it -- the Panel, for instance, have seen BAR14's
17 assessment of BAR3 as someone to keep away from other
18 people in effect, certainly from young people. That was
19 not how you saw BAR1, and you explained to me that you,
20 having identified the qualities that she did have,
21 identified somewhere where she could go and work and was
22 able to do that to your knowledge satisfactorily.

23 A. As far as I know yes, yes.

24 Q. That was to do with working with old people.

25 A. In a residential establishment. Now all of her tasks

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1 weren't caring tasks. There were some practical duties
2 involved. To the best of my recall that was the
3 situation. I think she got on well there.

4 Q. I am asking you that for this reason. It wasn't the
5 case that you were concerned about her that she should
6 not be -- she was a danger to anyone she worked with.

7 A. No. I had no sense of that at all.

8 Q. And the -- there are other matters, Hilary, that you are
9 aware of that are relevant to the Inquiry's work, and we
10 will come back to those on another occasion. We will
11 not deal with them today.

12 A. Uh-huh.

13 Q. The -- there's one point that I want to ask you about in
14 terms of Barnardo's generally and your time working
15 there. The nature of the organisation and the
16 suggestion of a lack of strategic thinking, was that
17 your experience of Barnardo's?

18 A. No, that was not my experience. I do have to be very
19 careful here, because I don't want to be seen to be in
20 any way over-favourably disposed towards the
21 organisation. I'm trying to be as objective as
22 possible, but that wasn't my experience. My experience
23 was that there were -- there was significant planning,
24 annual planning. We all contributed to plans. There
25 was communication with staff about what was happening

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1 **and what the plans were, and, yes, I would have said**
2 **there was a good -- there was a very sound level of**
3 **professional and strategic planning within -- within the**
4 **organisation that certainly I experienced.**

5 Q. And you worked there, Hilary, until?

6 A. **From 1976 until 1992.**

7 Q. Hilary, I am not going to ask you any more questions
8 today. I know we will meet again as matters progress,
9 but if you bear with us for a short time, the Panel
10 Members may want to ask you something, given the
11 specific matters that you can assist with beyond your
12 departmental role.

13 Questions from THE PANEL

14 CHAIRMAN: If I could just bring you back to the Ruddock
15 report --

16 A. **Yes.**

17 Q. -- which was compiled after the Crown Court trial of
18 BAR1 and BAR2, after Mr Justice Weir's comments --

19 A. **Yes.**

20 Q. -- as the trial judge when he was sentencing both of
21 them, but before the appeal was heard. Isn't that
22 correct?

23 A. **I understand that's right, yes.**

24 Q. You said that you felt there wasn't an appreciation of
25 the norms and standards of the time and perhaps

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1 an over-reliance on the standards of today. That's, to
2 put it in a nutshell, to say that too much reliance on
3 hindsight.

4 **A. Possibly, yes. I don't like to be critical obviously,**
5 **you know, but certainly from my experience of the**
6 **situation at the time that was being reported upon some**
7 **of the things, those particular things, were not unusual**
8 **practices --**

9 **Q. Yes.**

10 **A. -- within the residential setting.**

11 **Q. You have explained in detail in relation to the very**
12 **specific concerns that were identified by the trial**
13 **judge how many of them were, in fact, perfectly normal**
14 **procedures right the way across the whole system.**

15 **A. I would have thought so, yes.**

16 **Q. Then if we could turn to the time when you prepared this**
17 **assessment of then BAR12, as he was at that time, but**
18 **before we just look at one aspect of that, you said that**
19 **in February Kincora was foursquare in the mind of**
20 **every social worker. It is hard to think back now to**
21 **events which have become so well-known and spoken about,**
22 **even if not always accurately --**

23 **A. Yes.**

24 **Q. -- but is it fair to say that in the social work world**
25 **in Northern Ireland, if I can use that expression,**

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1 amongst your professional colleagues, there was a shock
2 wave as a result of the allegations that became apparent
3 of three men in trusted positions in a residential care
4 home abusing that as later became known --

5 **A. Yes.**

6 Q. -- and these were only allegations at the point you were
7 looking at, that professional people, and I use that in
8 the broadest sense of the word, trusted staff, could
9 behave in such a way as this?

10 A. Well, yes. I personally would have been extremely
11 conscious of that, because I was interviewed by the
12 police in connection with Kincora and actually gave
13 evidence to the Hughes Inquiry, having placed a number
14 of children in Kincora --

15 Q. Yes.

16 A. -- and having been a reasonably frequent visitor there.
17 Now I've --

18 Q. I think that's possibly something we will go back to on
19 a later occasion.

20 A. Yes, yes, but -- yes.

21 Q. I am just thinking about the effect that these
22 allegations --

23 A. Yes.

24 Q. -- as they were at that time, had upon people's
25 thinking.

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1 A. Absolutely. We were very, very aware of the fact that
2 this had happened, to be alert to the fact that it could
3 happen in even the most apparently benign of
4 circumstances, and so that -- I have no doubt that that
5 would have been very much in my mind when -- when I was
6 doing the -- when I was speaking to BAR12.

7 Q. Yes. Just to deal with the generalities for a moment,
8 by that time you -- may I put it this way -- were
9 an experienced social worker. You had been working for
10 Barnardo's for some years at the time you saw
11 BAR12.

12 A. . That would be what?

13 Q. Sorry. years.

14 A. years, yes.

15 Q. Mathematics was never my strong point.

16 A. Yes.

17 Q. So I take it this type of allegation that was then being
18 made and which was found to be substantiated
19 subsequently, was that a topic of discussion amongst you
20 and your colleagues? I don't mean just in Barnardo's,
21 but those professional colleagues who you met
22 professionally or associated with.

23 A. Particularly in relation to?

24 Q. To Kincora.

25 A. Oh, yes, very much and, in fact, it was something that

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1 was very much in the consciousness of residential staff,
2 because they were extremely concerned then that -- about
3 the possibility of false allegations, and if you recall
4 that when we introduced the complaints procedure, that
5 was not implemented in the statutory sector, because
6 staff were concerned about -- about spurious allegations
7 being made, but I remember at that time also we -- staff
8 were concerned about even the extent of touch. Could
9 they touch children? Could they put their arms around
10 a child to comfort the child? Would this be
11 misinterpreted in some way? I seem to recall that
12 around about 1980 Barnardo's instructed us to either
13 write or rewrite care and control policies to try to
14 give staff some guidance about appropriate and
15 inappropriate forms of behaviour. So it was very much
16 in the minds of not just my professional colleagues, but
17 also staff in residential care generally.

18 Q. If we could now turn to the befriending assessment
19 itself, when you carried out this exercise, you didn't
20 know HIA101.

21 A. No.

22 Q. Had any information been passed to you at Tara Lodge
23 from your colleagues in Macedon about any concerns they
24 had in relation to BAR12 not following recommendations
25 that they made or was that something that emerged solely

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1 from what he told you?

2 A. I have a sense that -- I have no independent evidence of
3 this -- I have a sense that perhaps I was brought in as
4 an independent person, who would not be coloured by the
5 impressions of staff, and therefore I was maybe asked to
6 do a kind of, although it was a befriending assessment,
7 an appraisal of this person. I've a sense that might
8 have been the case and that perhaps then information was
9 deliberately not shared with me in order not to bias my
10 views in any way --

11 Q. Yes.

12 A. -- or prejudice me in any way. I do not believe for
13 one minute that staff had any indication that this
14 person might have had sexual interest in the child,
15 because I don't think we would even have got as far as
16 me being asked to do an assessment if that were the
17 case. There clearly must have been some unease about
18 it, although one of the interesting things is that the
19 relationship had been going on for fifteen months. So
20 I must have felt at the time there were some unusual
21 features to this, and I really didn't want to make
22 a recommendation, because I didn't have what I felt was
23 sufficient knowledge to do.

24 Q. And I think it is central to what you are saying that
25 the very fact that this exercise was being done after

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1 such a long period of fifteen months --

2 **A. Yes.**

3 Q. -- was in itself most unusual --

4 A. Unusual. Yes, it was.

5 Q. -- and therefore that alone presumably would have raised
6 a question in your mind --

7 A. Yes.

8 Q. -- "There is more to this than perhaps I'm being told".

9 A. Than I'm aware of, yes, yes, but I think the reason that
10 I wasn't told would have been -- I don't think there was
11 any attempt to kind of cover up information or whatever.
12 It was perhaps to give BAR12 the benefit of someone who
13 didn't have background knowledge about him. I think it
14 was done in a complete fresh --

15 Q. Yes. You'd come to it completely fresh with an open
16 mind.

17 A. But there must have been, you know -- in my engagement
18 with him, I mean, I note that I made the point he was
19 extremely nervous, which would have been rather unusual
20 for a [REDACTED] to have been
21 nervous at being interviewed by a social worker I think.
22 I'd been used to interviewing foster carers, etc,
23 prospective adoptive carers, and his degree of
24 nervousness certainly struck me as being unusual, the
25 fact that I recorded it. So there were a number of

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1 things that I can see from the assessment I was clearly
2 not terribly confident about.

3 Q. We have been told that there were some concerns within
4 ████████ for a considerable period of time before this
5 about his sexual orientation. Was there any procedure
6 at that time for that type of concern to be shared with
7 a body such as yourselves?

8 A. At that time. Normally in a befriending assessment we
9 would have taken up references. Now the person didn't
10 necessarily have to give an employer as one of those
11 referees. There were no procedures that I would have
12 been aware of in place in the 1980s that -- there were
13 no formal procedures that would have enabled that
14 information to be shared.

15 I know that -- again I am speaking from experience
16 of working with families and so on -- I know that we had
17 good relationships -- I am thinking back to my practice
18 in the statutory sector -- we have had very good
19 relationships with local police forces. This is more in
20 relation to families who were having difficulties rather
21 than people who were wanting to offer, if you like,
22 a service to a child, but there was what we called soft
23 information available. We could have got that from
24 a local police station, where we would check, "Is this
25 person known?" Maybe a cohabitee had suddenly moved in

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1 with a family and we didn't know anything about the
2 person, and the police were often very forthcoming in
3 providing information -- sufficient information to allow
4 us to exercise caution, but in that particular situation
5 where you had a person coming forward offering services
6 to a child, seemingly in a professional and responsible
7 position, I think the most we would have asked for would
8 have been references. I doubt if we would have insisted
9 that one of those was, you know, maybe from an employer.
10 So I -- there certainly weren't any formal systems for
11 that to be communicated.

12 If the police did have sufficient concerns and knew
13 that BAR12 was involved with a child in care, I would
14 have hoped that those might have been shared, but, you
15 know, we're dealing with very, very difficult
16 situations, particularly if nothing has been proven, and
17 we are, you know, dealing with people's impressions, and
18 even in terms of their sexual orientation, even if there
19 were concerns about his sexual orientation, that
20 obviously would not necessarily have led to the
21 conclusion that he was dangerous to children, but ...

22 Q. So, if one might summarise it, it might have been that
23 someone would have asked for references, but not
24 necessarily the case, or would it even go as far as
25 that?

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1 A. We should -- yes, we should have certainly sought
2 references for someone wanting to befriend, but those
3 would not necessarily have been sought from an employer.

4 Q. Yes.

5 A. In that situation we haven't would sought employer's
6 references.

7 Q. At what stage of this process would such references have
8 been sought from whoever they were asked from?

9 A. Yes. Usually after this kind of -- again to my -- to
10 the best of my recall usually after the initial type of
11 assessment and where we had a feeling that things seemed
12 to be okay we would seek reassurance from referees that
13 ...

14 Now having said that, I know that we did -- after
15 that then, for example, in foster care and adoption
16 assessments we would get references in very early. In
17 fact, that would be standard practice now to my
18 knowledge.

19 Q. Yes. Thank you.

20 MS DOHERTY: Thanks very much, Hilary. Can I just ask is
21 there any indication that the Department received a copy
22 of the Ruddock report at the time it was published, that
23 Barnardo's shared with the Department at that stage?

24 A. I really don't know. I'm not able to either confirm
25 or -- I really don't know. I know certainly the first

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1 that I saw -- I have been reviewing departmental papers
2 and departmental files -- the first encounter I had with
3 it was in the bundle of evidence in relation to Macedon,
4 but then having said that, files, as you well know, have
5 been destroyed. So I just don't know.

6 Q. Maybe that's something we can clarify if there's
7 a chance of clarifying it further.

8 A. Yes. Sure.

9 Q. Can I just ask in relation to BAR1 when she was
10 transferred over to Tara Lodge, was it -- were you very
11 clear about what the issues were about her performance?

12 A. I can't remember, but I would be very surprised if
13 I hadn't been told what the problems were in Macedon --

14 Q. Uh-huh.

15 A. -- but I can't remember what those were. I -- she
16 wouldn't have been transferred without me as the project
17 leader having some idea of what the difficulties were,
18 and I think I am assuming that that's how I got to know
19 her reasonably well during that period, because I was
20 keeping a close supervisory relationship with her.

21 Q. I mean, one of the things of interest particularly is
22 whether it was known that she had actually had had
23 a note on her personnel file before about hitting
24 a child with a wooden spoon.

25 A. That may not have been known. That may not have been

1 known.

2 Q. So it wouldn't have been normal for you to have had
3 access to the personnel file of an interdepartmental
4 move?

5 A. Yes, yes. I -- would it have been normal? Perhaps if
6 I had asked, I could have had access, but I don't think
7 it would have been routinely shown to me.

8 Q. Uh-huh.

9 A. I think we would have depended on the -- what senior
10 manager -- senior managers and possibly the project
11 leader. I have a sense that -- [REDACTED]
12 the time was BAR36 and I have some sort of sense that we
13 chatted about what the issues were and the problems and
14 the sort of guidance that BAR1 needed and so on.

15 Q. Can I just ask did Barnardo's help her to get the job in
16 the home for older people or give her a reference or
17 ...?

18 A. No. Oh, dear! I -- no, that wasn't done in an official
19 Barnardo capacity at all. I in some ways felt sorry for
20 her. I felt that she was very much a fish out of water.
21 I suppose, trying to do the best for her, I could see
22 what her seeming skills were and I -- it was a personal
23 contact that I made, and now I didn't arrange a job or
24 anything like that, but she went along for an interview
25 and was successful in getting the post in that

1 **particular establishment.**

2 Q. Okay. Thank you. In relation to BAR12 the fact that
3 there wasn't a befriending assessment done for fifteen
4 months, was that a failure in adherence to policy? We
5 know it is exceptional, but was there -- would you --

6 A. **Was there a policy that said ...?**

7 Q. Yes.

8 A. I am trying to think back to when certainly
9 policies and guidance were all being rewritten in light
10 of Kincora and our regular recognition of vulnerability
11 of children and introducing safeguards and so on.

12 I honestly couldn't say whether there were policies
13 directing that people who came to take children out and
14 so on, that there should be an assessment. I -- it --
15 in my mind it was expected practice as opposed to --

16 Q. Policy.

17 A. -- that I could definitely say there was a written
18 policy, but I would have had no doubt that it was
19 expected practice at the time.

20 Q. So that it was unusual that it didn't happen? It was
21 ...?

22 A. Yes. After fifteen months I should have thought -- it
23 was maybe one of these things that developed slowly and
24 before people realised this is a befriending situation.

25 Q. My final question you will be glad to hear is you

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1 mentioned that in relation to BAR12 there was a sense
2 that he was very well-informed about the house in
3 relation to what was happening within the staff group.
4 Can you just say a wee bit more about that?

5 A. Yes. I noticed that. Now , I can't actually recall
6 what the circumstances were in the staff group at the
7 time. I'm just wondering was that -- and talking about
8 Macedon and felt -- how he felt staff weren't coping,
9 and I am sensing that that was a period of transition
10 for staff from Macedon to the new project at Sharonmore,
11 and I think it's acknowledged that staff were
12 experiencing difficulties, wondering what was happening,
13 going to happen in terms of their future. I think
14 perhaps they might have had to apply for their own jobs
15 and so on. So I feel that it was something to do with
16 that.

17 Q. So it was more like the general atmosphere there as
18 opposed to understanding, you know, interrelationships
19 between staff?

20 A. I think so. I think so. I think it was more about the
21 period of unsettlement that staff were going through.
22 I feel it may have been -- was that rather than staff
23 not coping with children.

24 Q. Okay. Thank you very much.

25 CHAIRMAN: Well, thank you very much indeed for answering

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1 yet again our questions so fully, Dr Harrison. We no
2 doubt will be hearing from you again in relation to
3 other matters later on, but thank you again for coming
4 to us today.

5 (Witness withdrew)

6 MR AIKEN: Chairman, perhaps if -- now would be
7 an appropriate time for lunch, which will let me get
8 ready with the next witness.

9 CHAIRMAN: Yes. We will try and start at 1.30.

10 (12.55 pm)

11 (Short break)

12 (1.55 pm)

13 WITNESS BAR9 (called)

14 CHAIRMAN: Yes, Mr Aiken?

15 MR AIKEN: Chairman, Members of the Panel, good afternoon.
16 The next witness today is BAR9, who is "BAR9". He is
17 aware, Chairman, you are going to ask him to take the
18 oath.

19 WITNESS BAR9 (sworn)

20 Questions from COUNSEL TO THE INQUIRY

21 CHAIRMAN: Thank you very much. Please sit down.

22 MR AIKEN: Coming up on the screen, BAR9, is a copy of your
23 witness statement.

24 **A. Uh-huh.**

25 Q. Just check that that is the first page of your witness

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1 statement. When this is published, your name will be
2 redacted out, because you want to keep your anonymity.

3 **A. Yes.**

4 Q. And you have come out of retirement to talk to the
5 Inquiry. You explain that you had -- having left
6 Macedon and Sharonmore, Barnardo's in December you
7 became
8 where you are from --

9 **A. Yes.**

10 Q. -- and you spent many years working there until your
11 retirement.

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

13 Q. The first page of the statement is on the screen, and
14 then if we move through you to 2507, please, you have
15 signed your statement.

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

17 Q. And you want to adopt it as your evidence to the
18 Inquiry?

19 **A. I do, yes.**

20 Q. BAR9, you were born on .

21 **A. Correct.**

22 Q. Now , and you began working in Barnardo's in and
23 around

24 **A. That's correct.**

25 Q. And -- but you did a three-year stint before going off

1 in through to to do the
2 two-year qualification, the CQSW.

3 A. That is correct.

4 Q. Once you had got that qualification you came back to
5 work in Barnardo's in Macedon under -- by that stage
6 BAR23 was just short of retirement, and then there were
7 a number of -- BAR7 stepped in for a period,
8 . BAR24 came back and then eventually BAR36 in

9 mid- --
-0 A. That's right.

11 Q. -- before the transfer from Macedon over to Sharonmore.

12 A. That's correct.

13 Q. You continued until , when you left.

14 A. That's right.

15 Q. I want to look at a particular incident that's of
16 interest to the Inquiry because of its seriousness --

17 A. Yes.

18 Q. -- that relates to BAR29 --

19 A. Uh-huh.

20 Q. -- and involves what is said to have occurred on
21 a holiday at Ballylough --

22 A. Uh-huh.

23 Q. -- which was in Dervock.

24 A. Yes.

25 Q. I think various people have said to the Inquiry

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1 Ballycastle and so on --

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

3 Q. -- but it's in Dervock.

4 **A. Yes.**

5 Q. You are aware that HIA101 in his statement to the
6 Inquiry supporting this allegation made a comment that
7 you had come up to Portrush and brought BAR2 back.

8 **A. Yes.**

9 Q. There's about three aspects to that --

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

11 Q. -- that aren't right. It wasn't in Portrush. It was in
12 Dervock. You didn't come up to bring him back. You
13 were on the holiday and it was BAR 92 who came
14 up a night she wasn't on duty, as it were.

15 **A. Well, that's my recollection.**

16 Q. Yes, and I think we will see that shortly through the
17 contemporaneous documents. In fact, it wasn't BAR2 that
18 was brought back to Macedon. It was, in fact, BAR29
19 went back with BAR 92 --

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

21 Q. -- rather than BAR2. You had no involvement in anything
22 to do with BAR2 in respect of this other than being
23 aware of what happened on this evening that we are going
24 to look at.

25 **A. Yes, yes, yes.**

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1 Q. Just in context for the Panel, BAR29 was born on
2 , and in Macedon between to , but
3 then back between May and April between the ages
4 of and . So at the time of this holiday she would
5 have been .

6 **A. Uh-huh.**

7 Q. And she was a close friend of BAR47 --

8 **A. Correct.**

9 Q. -- now using a , but she is a girl you
10 have stayed in contact with and continued to be --

11 **A. That's correct.**

12 Q. -- to know and assist. The -- what BAR29 alleges, just
13 so the Panel are aware, if we look briefly, please, at
14 4446 in her lengthy police statement that runs from 4442
15 to 4450, if we scroll down, she says:

16 "In the summer of I went to Bushmills ..."

17 Again it's a different location.

18 "... on holiday with Barnardo's from Macedon.

19 I remember that I had returned from Blackpool on
20 a , which had been paid for already,
21 so I had to go. I remember that the children and staff
22 were already in Bushmills, but I can't remember how
23 I got there."

24 We will see that that recollection is right. She
25 wasn't there for the whole holiday:

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1 "The boys slept in portacabins."

2 My understanding is that's right. There was an area
3 where the boys slept --

4 **A. Uh-huh.**

5 **Q. -- and then the girls slept with the female staff in the**
6 main house.

7 **A. Well, as I've said in my own statement, I have very**
8 **little recollection of the layout.**

9 **Q. Yes.**

10 **A. I remember the old school house.**

11 **Q. Yes.**

12 **A. I remember a canteen. The living quarters, yes,**
13 **obviously the girls slept in one end and the boys in the**
14 **other, but I can't remember the portacabins to be**
15 **honest.**

16 **Q. She explains she shared a room with BAR47 and I think**
17 **another staff member. In fact, we will see that that**
18 **was BAR 95 --**

19 **A. Yes.**

20 **Q. -- later to be BAR 95 that she was sharing the room**
21 **with, and on the night of this incident then she didn't**
22 **want to share with BAR47 and BAR 95 and insisted she**
23 **slept differently and that was with BAR 92.**

24 She then explains that all the other kids were in
25 the canteen. She was in bed and BAR2 came into the

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1 room. She then describes over the course of the next
2 page, if we just scroll down, please, the steps that he
3 took to rape her in the room and she -- violently, and
4 as soon as that had finished we see he got up
5 straightaway. She put a duffle coat on and then she ran
6 out.

7 **A. Uh-huh.**

8 Q. She describes him trying to stop her running out,
9 screaming and shouting, and trying to shut him up --
10 shut her up. Describes being hit with an open hand.
11 "Didn't feel like a punch. Hit me a couple of
12 times. Got away. Ran to the gate. Went to a phone box
13 facing place to hide. Was brought back to Macedon by
14 **BAR 92 . "**

15 What we will come to see now when we look at the
16 contemporaneous documents, and I know you have had
17 a chance to read through the reports at the time --

18 **A. Uh-huh. Uh-huh.**

19 Q. -- is that there is some of what is said here that's
20 recorded at the time --

21 **A. Uh-huh.**

22 Q. -- but the sequence of events don't match --

23 **A. No.**

24 Q. -- this account.

25 **A. Yes, yes.**

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1 Q. What I am going to do -- the Panel Members have had
2 access to the documents that are contemporaneous, the
3 report written by BAR2, the report written by
4 **BAR 95** --

5 **A. Uh-huh.**

6 Q. -- the report written by **BAR 92**, and then
7 BAR29's own account given to BAR8 --

8 **A. Yes.**

9 Q. -- and

10 **A. Uh-huh.**

11 Q. Therefore I am not going to open and read through all of
12 those documents. What I am going to summarise, BAR9, is
13 the sequence of events that come out of those documents,
14 because you need to match them up in the right place,
15 and then if I get it wrong anywhere, you can tell me,
16 "No, that's not quite right".

17 This all seems to happen in and around

18 According to BAR29 herself there's
19 a conversation takes place between her and BAR2, and
20 this is recorded in BAR2's note as well, that BAR29
21 claimed that BAR2 had on an occasion before her GB
22 holiday told BAR47, BAR47 --

23 **A. Uh-huh.**

24 Q. -- who -- you will explain in due course that you always
25 felt BAR47 was very wedded to BAR2. You told him to be

1 very careful about that.

2 **A. Correct.**

3 Q. We will come back to that, but apparently BAR47 claimed
4 to BAR29 that BAR2 had called her a cow, and BAR2 told
5 her, according to his report, in this conversation that
6 BAR47 was lying. He had not called BAR29 a cow. He was
7 aware that each of them told lies about him. If we just
8 put up on the screen 5252 while I am going through this.

9 BAR2 --

10 CHAIRMAN: I don't think we need to look at the documents.
11 Just summarise to us what's in them.

12 MR AIKEN: BAR2 said he was aware that each of them told
13 lies about him to get the better of each other and they
14 wanted to be as close to **BAR 2** as the rest of them --
15 she wanted, as in BAR29 wanted, to be as close to him as
16 BAR47 was and others. BAR2 said he had no barriers. He
17 explained to BAR29, as he had done with BAR47, that he
18 would never be anyone's boyfriend in Macedon and BAR2
19 had his own life outside of work. So that's written
20 just shortly after this incident --

21 **A. Yes, yes, yes.**

22 Q. -- recording the conversation that implies he had
23 already given BAR47 a warning that he wasn't capable of
24 being anybody's boyfriend and he is now telling BAR29
25 that as part of the conversation. He then records how

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1 she's upset about the conversation they have had and
2 BAR 92 report confirms she was -- wouldn't go
3 to bed that night, was upset.

4 The following morning she was described as sulking
5 around and by 6.30 that evening on there's
6 an altercation happens between her and BAR 92. BAR 92 is
7 worried about her. There's a packet of tablets that are
8 involved and a confrontation takes place between her and
9 BAR 92. Then after tea according to BAR 95 , BAR 95
10 BAR 95 , they go off on a trip to the pictures. She
11 describes BAR29's unhappiness in that process. Then in
12 the evening BAR29 herself explains that she runs off on
13 three occasions.

14 **A. Uh-huh.**

15 Q. BAR 95 explains in her report that the sequence
16 of events involve her trying to talk to BAR29 and her
17 running off, and then we come to the third occasion of
18 the running off. So BAR 95 is saying she is involved in
19 each of these scenarios with BAR29, and then at midnight
20 BAR 95 asks BAR29 to go to bed. She
21 refuses. She starts kicking and screaming. She is
22 about to run off again and goes out towards the main
23 door to run off when BAR2 held her by the shoulders in
24 an effort to restrain her. She falls against the wall,
25 breaks her watch. BAR29 accuses BAR2 of hitting her on

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1 the back with the open hand with full force. She said
2 later to BAR8 and that it was humiliating.
3 She was scared by the look on his face and complained
4 about pain in her stomach, which in speaking to them
5 described it as part of her annoyance at what had taken
6 place.

7 BAR2 in his report of that sequence of events
8 describes hearing yelling. He is in the kitchen of the
9 boys' part --

10 A. Uh-huh.

11 Q. -- with four kids. Hears yelling. Runs over to the
12 main house where a confrontation takes place with BAR29.
13 Takes hold of her arm. She is wearing a duffle coat at
14 the time. Gives her a shake. Slaps her on the back of
15 the arm with an open hand. She yells, runs off into the
16 night for what is the fourth time, and BAR 95
17 accounts for the incident in a similar fashion.

18 A. Uh-huh.

19 Q. Describes the incident involving BAR2, which appears to
20 be in the hall of the main building, and outside as she
21 runs off. You were saying to me **BAR 95** was
22 a good member of staff. She was someone you trusted
23 doing good work.

24 A. Certainly, yes, yes, a very good member of staff, yes.

25 O. She is brought -- BAR29 is then brought back by local

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1 people. Refuses to sleep in the same room as BAR 95
2 BAR 95 and BAR47. BAR 92 then offers to share
3 with her.

4 BAR2 phones BAR8 according to the record --

5 **A. Uh-huh. Uh-huh.**

6 Q. -- discusses the situation with her, and there's then
7 a record that at 8... -- that call is made about
8 12.30/12.45 in the morning. At 8.30 BAR8 informs
9 that BAR29 would be returning that morning.

10 BAR29 comes back to Macedon accompanied by BAR 92

11 BAR 92 , and there is no doubt there is a bruise to the
12 back of BAR29 --

13 **A. Uh-huh.**

14 Q. -- because BAR 95 explains that she sees the
15 bruise, and then is told of the bruise and
16 records it. It is a mark that resembles a finger mark.
17 In the police statements it is described in a similar
18 way, but the sequence of events that are recorded --

19 **A. Uh-huh.**

20 Q. -- and in BAR29's own account there is no suggestion of
21 any sexual engagement with her at all. There is
22 a fall-out takes place --

23 **A. Uh-huh.**

24 Q. -- and a restraining exercise --

25 **A. Uh-huh.**

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1 Q. -- that goes wrong on the fourth occasion, as it were,
2 as she runs off into the night.

3 A. Uh-huh.

4 Q. What I want to ask you just at that point, you worked
5 with BAR2 for a number --

6 A. Yes.

7 Q. -- of years.

8 A. Yes, in Macedon and -- well, and in Sharonmore.

9 Q. Sharonmore for a short period.

10 A. Short period, although he was in another group in
11 Sharonmore. There was two groups in Sharonmore, yes.

12 Q. You were explaining to me that he was a young guy,
13 attractive guy. BAR47 was certainly very keen on him
14 and close to him.

15 A. Yes.

16 Q. And you warned him on a number of occasions to be very
17 careful.

18 A. Yes. I think shortly after I came back in I think
19 it was fairly obvious BAR47 was very close to him and
20 she made him cups of coffee and things like that. He
21 also -- this struck out in my mind -- he had a ring and
22 she borrowed this ring and wore his ring and things.

23 Q. Yes.

24 A. So there was an inappropriateness from my point of view,
25 as a worker that BAR2 was too close to her. So I did

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1 talk to him on a couple of occasions and said, "Listen,
2 you are the adult here. You are the member of staff.
3 This is a young girl. Watch yourself". Obviously that
4 conversation was about, and I BAR47 and I had similar
5 conversations. I think she fell out with me a few times
6 over it, but ...

7 Q. Yes, because she was very keen on him.

8 A. **She was. She was.**

9 Q. After he left various statements explain that she was
10 very upset about that --

11 A. **Yes.**

12 Q. -- that he had left.

13 A. **Well, she certainly appeared to trust him a lot more**
14 **than she trusted the rest of us. No doubt about that.**

15 Q. Yes, and in fairness she disclosed to him what she said
16 her had done to her --

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

18 Q. -- which is then passed to BAR8.

19 A. **Correct.**

20 Q. It ends up with her making a statement to the police in
21 , and the Panel are aware of I think you had to
22 handle

23 A. **Right.**

24 Q. -- BAR47 having sexual intercourse with her then
25 boyfriend --

1 **A. Correct.**

2 Q. -- that breaking up, telling you about it. You phone
3 the police. He is investigated.

4 **A. Yes.**

5 Q. She makes a relevant remark about her status --

6 **A. Yes.**

7 Q. -- to the police that the Panel are aware of at that
8 point in time, but am I right in saying, BAR9, while you
9 were aware of BAR47 being wedded to him --

10 **A. Uh-huh.**

11 Q. -- there was nothing in his behaviour that caused you
12 concern that he was taking advantage of that?

13 **A. No. I had no evidence of that. No evidence of that.**
14 **You know, obviously, I mean, looking back, but I would**
15 **never have thought anything was taking place**
16 **inappropriate at that time or I would have shared it**
17 **with the person in charge. There is no doubt about**
18 **that. Certainly my only recollection of that time would**
19 **have been warning him off.**

20 Q. Yes. Well, it looks -- if that -- you know, there's
21 obviously a report written in --

22 **A. Right.**

23 Q. -- which refers to him claiming in any event that he had
24 given that warning to BAR47 and he was giving it to
25 BAR29 --

1 A. Yes, yes, yes, yes.

2 Q. -- as well --

3 A. Yes, yes.

4 Q. -- that, you know, he couldn't be anybody's boyfriend.

5 It seems that he was the subject of some dispute between
6 BAR29 and BAR47, if one takes the record at face value
7 between what BAR29 told and BAR8 --

8 A. Uh-huh.

9 Q. -- and what BAR2 was recording in his record.

10 A. Yes, yes, yes.

11 Q. But the position is, BAR9, that incidents did come to
12 your attention that caused you concern and you did
13 report them to Social Services and the police. We were
14 talking about some examples of that.

15 A. Yes, yes, yes.

16 Q. I think you didn't necessarily remember until we were
17 talking about it about BAR 44 and

18 A. No, not at all. It came back to me when I saw the
19 report.

20 Q. It's clear that he tells -- it becomes the subject of
21 Sharonmore being in the Hughes Inquiry, that particular
22 incident

23 A That's correct

24 Q. You described him as a very streetwise kid, who was up
25 to all sorts, but a very lovable kid at the same time.

1 A. Very likeable. Yes, indeed.

2 Q. You -- it appears information comes to you via the uncle
3 that he had been indecently assaulted by this man --

4 A. Yes.

5 Q. -- while out and about, having absconded from school.
6 and you bring it and report it to the police.

7 A. That's correct.

8 Q. Similarly, as I mentioned, when you were dealing with
9 BAR47 and what her boyfriend and her had been doing and
10 she disclosed to you what it was, you bring that to the
11 police --

12 A. That's right.

13 Q. -- and it is investigated by Social Services. The Panel
14 are aware of police statements that you provide at the
15 time. You go along and support the young person through
16 that process.

17 A. Yes.

18 Q. Ultimately you are not in charge of what decision is
19 made --

20 A No

21 Q. -- but you are there to support them and take them
22 through it

23 A That's correct

24 Q. I ask you that because I had to draw to your attention,
25 as you know -- you've only recently been aware of it --

1 that in 2012 --

2 **A. Uh-huh.**

3 Q. -- BAR37, who is another boy that you know --

4 **A. Yes.**

5 Q. -- made an allegation that he was sexually abused by

6 BAR39 --

7 **A. Yes.**

8 Q. -- in Macedon in the potato peeling room, and that he
9 came out and told you about that, because he was upset.

10 He then wavers a little as to what exactly he told you,
11 but he doesn't know what you did about it. Just before
12 I ask you about that, the context of this is -- and the
13 Panel are aware of this --

14 **A. Yes.**

15 Q. -- that in 2010 he assaulted BAR39, was convicted of
16 that assault and was sentenced to imprisonment.

17 **A. Yes.**

18 Q. While serving the sentence of imprisonment he made
19 contact with the police and made this statement wherein
20 he alleges BAR39 sexually abused him, and as part of
21 that indicates that he told you about it at the time.
22 You have had an opportunity to reflect on that. Can we
23 just see the sentence, please, at 8185? It is in
24 handwriting, BAR9. I know you have had the chance to
25 read it.

1 A. Yes.

2 Q. But we can see:

6 You think -- it is not entirely clear what date he
7 is talking about:

8 "I told him BAR39 made [him] do something very bad
9 to me. I didn't tell me exactly what it was at the
10 time. I don't recall what BAR9 said he would do."

11 Now --

12 A. Well, it must have been around to , around that
13 time --

14 Q. Yes.

15 A. -- because that's the only time I have worked with BAR37
16 in Macedon --

17 Q. Yes.

18 A. -- in the big house where he talks about the potato
19 peeler.

20 Q. Can I ask you: did he ever tell you BAR39 had sexually
21 assaulted him?

22 A I have no recall I don't recall that at all

I certainly don't think he ever did, because if I had
heard that I would have passed that on immediately.

25 Q. That's what I was going to ask you. If some child had

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1 told you they were sexually assaulted by someone else or
2 some young person told you they were sexually assaulted
3 by someone else, what would you have done with that
4 information?

5 **A. I certainly would have liked to think I would have**
6 **followed the procedure, which at that time would be to**
7 **inform the superintendent, and obviously then I suppose**
8 **the placing authority. I think most of our young people**
9 **were Eastern Board. So I would certainly share that,**
10 **and I would have thought as a result of that it would**
11 **have been shared with police.**

12 Q. Well, it appears that's what you did with the other
13 instances that are in the -- that are available to the
14 Inquiry from the police papers. I should draw to the
15 Panel's attention that this allegation of (a) sexual
16 abuse and (b) telling you about it was not made as part
17 of the Macedon Inquiry --

18 **A. No.**

19 Q. -- whenever BAR37 made a number of statements. The
20 first time it is made is in 2012.

21 The -- I want to ask you a couple of other matters,
22 BAR9, in fairly short form. Can you explain to the
23 Panel the level of difficulty of the children that you
24 were managing?

25 **A. Well, I think for a start there was a large group.**

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1 I think I was quite shocked when I went in , because,
2 as most people realise, most people in residential
3 social work or childcare at that time weren't qualified.
4 It was a large group of children, who had very competing
5 needs for a start. They -- we didn't have adequate
6 numbers of staff as there is today. There is no doubt
7 about that. So individual care plans weren't there as
8 it is today. It was very much working with a group, and
9 I suppose my memories of the early days was working with
10 the young people and there was very much looking after
11 their physical well-being, spiritual, intellectual to
12 a point, because obviously to do individual homework was
13 very difficult, because you could have been on with
14 a part-time member of staff with ten, twelve young
15 people. So there was -- there was -- it was hard work.

16 Q. You were explaining to me you had to deal with -- you
17 were giving me an example of a guy going up on the roof
18 taking slates off.

19 A. That wasn't that -- that was later on. That was -- that
20 was when I first came back after being at university --

21 Q. Yes.

22 A. -- that I noticed a change, and that was -- when I left,
23 a lot of these young people were 8, 9. When I came back
24 they were 11, 12 --

25 Q. Yes.

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1 A. -- and their behaviours had deteriorated considerably
2 I thought. Now, you know, I think part of it was maybe
3 they were getting older. Maybe other reasons. I don't
4 know, but there certainly was a lot of difficult
5 behaviour in in Macedon.

6 Q. Am I right in saying there were a lot of good staff that
7 you worked with, who were --

8 A. Certainly I think there was a lot of very dedicated
9 staff indeed. Yes, I think there was a lot of very good
10 staff. I know BAR8, who was there , was
11 exceptionally caring.

12 Q. You mentioned to me just, without you knowing about
13 whether or not she has assisted the Inquiry, BAR7,
14 BAR 95 .

15 A. Yes. BAR7 was in House , which is where
16 BAR37 originally was placed when he first came in and
17 BAR 38 . That was a very close knit group of
18 children. They were all sort of groups in that
19 house.

20 Q. Yes. You'd the family, the , the ,
21 although I think the were in the cottage.

22 A. No. The were, yes, with me at one stage and with
23 others I am sure maybe the Inquiry hasn't even heard of.
24 There was quite a large number of other children
25 involved.

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1 Q. I want to ask you about two other staff members, BAR9.

2 A. Yes.

3 Q. The first is BAR1, because you obviously were --

4 A. Yes.

5 Q. -- there --

6 A. Yes.

7 Q. -- in your second spell --

8 A. Yes.

9 Q. -- and BAR1 was there. I am right in saying everybody
10 knew she told ghost stories and did the and so
11 on with -- with --

12 A. Well, certainly is I never witnessed it, but, you know,
13 was something that we all were aware of, because
14 she had a very strange way of sometimes
15 that

16 I never witnessed her, you know, doing the with
17 the children as in ghost stories, but I would have heard
18 from the children, but it was latterly I heard. It
19 wasn't at the time.

20 Q. Not at the time?

21 A. I was not aware that, you know -- and I don't think it
22 did certainly take place when I was about on duty.
23 I don't think so.

24 Q. There was nothing in her behaviour ever caused you
25 concern at the time?

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1 A. No. I think BAR1 was somebody who had some maybe quirky
2 behaviours, but nothing that concerned me of anything to
3 do with that she could have presented a risk to any of
4 the children, no, no.

5 Q. But BAR3, your view of him was a bit different.

6 A. I suppose I struggled to get to know him, because he was
7 -- a relatively short space of time working with him,
8 but he was someone who was extremely capable, would have
9 tried to intimidate you as far as intellectual ability,
10 always walked about with a notebook, as I recall,
11 dressed in black, would have told you that he was
12 a member of an order and I recall him saying he worked
13 in South Africa, and he did certainly give us the
14 impression he had worked with children out there.
15 I knew very little about him and there were certain
16 things I just found a wee bit awkward with him, not that
17 I suspected him of anything, but I do think that he --
18 as I said in my original report I think way back, that
19 I would have felt he maybe had a slight drink problem.

20 Q. Yes.

21 A. But I had no evidence of that on duty, but I just got
22 that ...

23 Q. You remembered him being friendly with BAR1.

24 A. He was friendly with BAR1.

25 Q. You think he borrowed money from her.

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1 A. Well, I think that was something -- he seemed to have
2 a bit of a hold over BAR1 -- that's how I would put it
3 -- because BAR1 from my memory maybe had some money.
4 That's all I can say. That's just -- that's just
5 memories. I mean, that's -- I can't elaborate on that.

6 Q. The -- BAR9, I am not going to ask you any more
7 questions, because I have covered with you the BAR29
8 story. Your memory of it now isn't obviously as clear
9 as you can see at the time.

10 A. No. Well, it was -- I was in that building. I was
11 there. Now -- and I have memories of BAR29 running out
12 of the building. I thought I was part of stopping her
13 or retrieving her from -- now there is -- when I read
14 things now, I can see that, yes, I recall the story
15 being told that there was two gentlemen returned her to
16 the unit. I recall that, but I certainly was in that
17 building at some stage. My memory maybe is playing
18 tricks with me on some levels, but certainly I know that
19 BAR2 was there. I know BAR 92 was there and
20 brought her back to Macedon. Those things are
21 definitely embedded in my head. BAR 95 ,
22 I couldn't -- I can't remember being there --

23 Q. No.

24 A. -- but obviously BAR 95 was the central person, yes.

25 Q. The Panel have and can read --

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1 **A. Yes, yes.**

2 Q. -- what was said at the time to have taken place. Well,
3 BAR9, I am not going to ask you any more questions. If
4 you bear with us for a short time, the Panel may want to
5 ask you something.

6 **A. Okay.**

7 Q. So if you can just bear with us.

8 **A. Certainly.**

9 **Questions from THE PANEL**

10 CHAIRMAN: You described BAR1 as "quirky". What exactly do
11 you mean by "quirky"?

12 **A. "Quirky" -- maybe it's not the best description. BAR1**
13 **would -- sometimes when you were talking to her, you**
14 **would think she was on a slightly different planet. She**
15 **wasn't actually tuned into what you were saying.**

16 I found BAR1 just a different personality, somebody
17 I hadn't worked with before and obviously had -- because

18 she . She had her own room in

19 Macedon. , and I always

20 felt that it was a fairly strange existence for somebody
21 , but I knew very little about her sadly,

22 because I suppose coming and these staff were already in
23 place, I would have -- not that I didn't enjoy working

24 with her, because she was very attentive to the young
25 people, particularly on a one to one basis, but she --

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1 you know, I think she had some strange mannerisms
2 I would say.

3 Q. In what way?

4 A. Well, the was one of those things. I think the
5 way she -- I don't know if she did that
6 out of habit or was it in any way to intimidate. I am
7 not sure. I always queried that in my own head.

8 Q. You said that BAR3 could be somebody who was
9 intellectually intimidating. He was giving the
10 impression he was a member of a religious order.

11 A. Yes.

12 Q. I take it a Catholic order?

13 A. Yes.

14 Q. And that you said he seemed friendly with and had some
15 hold over BAR1.

16 A. He was very friendly with her, yes. I think, you know,
17 he would have been about a lot, because I think --
18 because there wasn't that many of us doing shifts, so
19 they would have been on shifts quite a bit together, and
20 I would have seen him fussing over her at times. You
21 know, he would have paid her a lot of attention, which
22 -- I was never too sure what that meant, to be honest.

23 Q. Well, did she appear in any way to be emotionally
24 dependent upon him or sort of the way that people can
25 follow somebody else around as if they are fawning on

1 them or ...?

2 A. No, I don't -- I don't think she was emotionally
3 dependent on him. I don't think I ever sensed that.
4 I think he would have done things for her as far as --
5 because I think he would have done things in relation to
6 maybe going to the bank for her and things like that.
7 I recall things of that nature, but I don't -- I don't
8 think she had a deep emotional attachment at any level.
9 You know, I don't think so. I don't think that was
10 about ...

11 Q. We are aware that subsequent to his departure, to put it
12 in a neutral way, it became known to his superiors that
13 he had been borrowing money from members of staff,
14 taking money that belonged to or had been allocated to
15 children and not always paying it back.

16 A. Yes.

17 Q. Did you get any sense at the time that he was exploiting
18 his position to borrow money and not always paying it
19 back?

20 A. I know that's how he eventually left Macedon.
21 I wasn't aware of it at the time. It was actually --
22 you know, I would have -- I would have suspected and
23 I had no -- I can only say I suspected BAR1 lent him
24 money, because he always seemed to be short of money,
25 and I think in my statement away back I do recall

10 Q. Was he a plausible sort of person in the sense that he
11 appeared convincing when he was describing what he had
12 done elsewhere?

13 A. He was extremely, extremely -- I would have said he was
14 a very -- an extremely capable individual when it come
15 to describing things, because he would have gone into it
16 in quite some detail, but again that's -- that's
17 memories of 35 years ago and a short period of time,
18 but, you know, there was something about him that always
19 stuck in my head. He was always perfection as far as
20 , and I think there was certain things that
21 I as a man and as somebody that had played rugby and
22 everything else would have seen slightly different. I
23 think there was eye shadow and things that I would have
24 maybe detected and would have questioned.

25 Q. Yes. I don't think you would have seen many rugby

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1 players wearing eye shadow in or anywhere
2 else.

3 **A. No.**

4 Q. Did he use a stethoscope or carry a stethoscope or carry
5 a doctor's type bag?

6 A. **I did not see that, but I subsequently heard, because**
7 **obviously I would have been in contact with the young**
8 **people. I would have heard a particular young person**
9 **mention something about a bag like a medical bag, but**
10 **I never -- never saw that.**

11 Q. When you say subsequently --

12 A. **This was after --**

13 Q. -- do you mean shortly after he left or years later?

14 A. **No, no, this was years after, after the trial, after the**
15 **trial process.**

16 Q. Yes. Thank you very much.

17 MS DOHERTY: Thanks, BAR9. That has been really helpful.

18 Can I just ask --

19 A. **Yes.**

20 Q. -- you -- the description of BAR2 at his own hand
21 shaking the girl and hitting her with the flat, would
22 that have been an unusual thing? Was it ...?

23 A. **Certainly it wouldn't have been something that I don't**
24 **think any of us would have condoned, to be honest, you**
25 **know. Even back in what, , you know -- you know,**

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1 I don't think any of us would have seen that as proper
2 treatment of young people. I am sure there's times we
3 all in our careers have physically had to restrain young
4 people, and certainly for myself that was a day and
5 daily part of my job in with some very
6 challenging young people, but not to lift your hand
7 a slap, you know, would not have been something that
8 I don't think any of us would have wanted to happen.

9 Q. Was it sufficiently strange that there was discussion
10 about it afterwards amongst the -- like in the evening?

11 A. That's the bit that I struggle to recall, you know,
12 because I -- the only thing that I recall from that was
13 about -- BAR29 was about her saying he grabbed her,
14 not -- I don't recall the slapping bit, but that
15 obviously came out later --

16 Q. Yes.

17 A. -- and BAR8 obviously saw the marks on her back and
18 obviously was part of that investigation.
19 I wasn't privy to that --

20 Q. Right.

21 A. -- and that's why I feel, you know, where was I at that
22 time? I struggle with that. I do.

23 Q. In relation to training about restraint, because
24 obviously that is necessary --

25 A. Yes.

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1 Q. -- did you receive at any time any training?

2 A. No. I think, to be honest, I would have to say social
3 work in general was in its infancy. I was one of the
4 first to train out of Macedon. So really things didn't
5 take off to the '80s. You know, procedures were fairly
6 sparse, you know, because, you know, in the '80s there
7 was booklets produced for children in care. There was
8 obviously clear procedures in child protection, various
9 things. There was actually courses run on how to -- we
10 all adapted the various techniques and today, you know,
11 I think there is unified approaches within units now,
12 therapeutic crisis intervention and things like that,
13 which didn't exist then to be honest.

14 Q. What about the approach to corporal punishment within
15 Macedon?

16 A. Well, I do not -- you know, funnily enough, somebody
17 asked me that question some time ago I suppose, but I do
18 not recall children being punished by, you know, like
19 corporal punishment, smacking or caning or anything of
20 that ilk. I don't recall that at all --

21 Q. No.

22 A. -- you know, and I don't -- and I would have thought,
23 knowing the people who were in charge, and I suppose
24 when I went there, BAR24 was ,
25 was the matron, and there was a very -- I would have to

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1 say a very caring environment. BAR24 was an extremely
2 caring individual. , was exceptionally
3 caring and so there was a very nice atmosphere in those
4 early years, and the same with BAR23,

5 So, you know, there was, as I recall, not a sort
6 of aggressive attitude towards young people. I never
7 sensed that.

8 Q. So, I mean, the evidence we have heard about wooden
9 spoons being --

10 A. Well, I certainly never witnessed any of that.

11 Q. Okay.

12 A. Again that would have been shared with me at some stage
13 during the trial, but not -- I never -- never witnessed
14 that.

15 Q. Okay.

16 A. I think -- yes, I don't know who administrated that.

17 I was not --

18 Q. That wasn't your experience?

19 A. No, no.

20 Q. Can I ask when you talked to BAR2 about needing to be
21 careful --

22 A. Yes.

23 Q. -- what was his response?

24 A. Well, again, 35 years on, I think BAR2 took me
25 seriously, because I remember having one conversation

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1 with him in the hallway in Macedon near the phone box
2 and I remember saying to him, "Listen, BAR2, you know"
3 -- it was just after I think a cup of tea or something,
4 coffee had been brought to him and I said, "BAR2, that's
5 not -- you know, that's not good practice". I says,
6 "There's a lot of kids here to think about. You know,
7 you are working with a group of kids here. You cannot
8 single one out". He appeared to listen. I would like
9 to think it reflected in that statement he gave where he
10 said that he couldn't be anybody's boyfriend type of
11 thing. I think -- I would like to think that was maybe
12 part of maybe the sort of reason that I had given, but
13 I don't know if that was or not.

14 Q. You found yourself needing to have that conversation
15 more than once?

16 A. I think he -- yes, I think, to be honest with you, he
17 appeared to not always listen, yes. There was a few --
18 quite a number of incidents where I had to, yes, and
19 other people were concerned that he was getting too
20 close. Yes, yes.

21 Q. And can I just ask -- last question -- generally was --
22 because the notion of children developing crushes again
23 wouldn't be unusual. Was there anything -- any
24 discussions at staff meetings about that or discussions
25 about how to keep yourself?

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1 A. I would have thought it was bound to be a topic within
2 Macedon. I mean, I don't have exact recollection of it,
3 to be honest, but I am sure, given that we worked quite
4 closely together, we were doing split shifts -- you
5 know, in those days you worked to -- were up at
6 7 o'clock, 7.30 in the morning, 10 o'clock you went off,
7 back at 2, on that next night again. You know, you
8 could have worked three of those back-to-back maybe
9 because of a shortage of staff and various things. So
10 we -- it was very much a living environment. So we
11 would have been very much together, you know, passing on
12 information. So I would have thought even at 2 o'clock
13 time when we were passing on information to the next
14 shift there would have been information.

15 Q. And that would be -- that would be -- because we have
16 seen documentation about a discussion about how BAR2
17 should handle --

18 A. Yes.

19 Q. -- the girls, both girls having an interest in him.

20 A. Uh-huh. Uh-huh.

21 Q. Would that have been unusual or would it have been
22 something that it would have been -- affected other
23 staff and relationships? Was it seen as a more general
24 issue or was it seen specifically ...?

25 A. I think it was more specific to BAR2.

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1 Q. So it's more specific to BAR2.

2 A. Certainly I can't remember any other male there that had
3 that attention thrown on him.

4 Q. Was being given to him?

5 A. Yes.

6 Q. Okay. Thanks, BAR9.

7 MR LANE: You said you did the CQSW. Where did you go for
8 that?

9 A. Yes.

10 Q. Did that have a specialist residential thing or training
11 on site?

12 A. No. Really -- well, I chose as one of my placements as
13 a -- not a ... -- it was
14 in , and I was very fortunate I had a very good
15 practice teacher there, whom I had heard about. So it
16 was a bit of both residential component and obviously
17 fieldwork, because obviously I was going out visiting
18 parents of young people.

19 Q. Did you pick up ideas to take back to Macedon?

20 A. Some good, some bad, yes, because I think at that time
21 I found it very difficult to accept some of the
22 practices --

23 Q. Uh-huh.

24 A. -- which operated. There was a time out system
25 for children. There was use of the corner and things.

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1 That was sort of something I found difficult to do --

2 Q. Right.

3 A. -- but in saying that I had a very -- exceptionally good
4 placement there, because there was a couple of very good
5 child psychiatrists at that time there, and I learned
6 a lot from that placement, and very different type of
7 children, you know, because there was a wide group of
8 children, you know, and some of them there for -- in it
9 for their physical health and obviously there was
10 children there for other reasons.

11 Q. Were you saying when you got back to Macedon that the
12 standard of behaviour had deteriorated among children?

13 A. Yes, I think I noticed that in a number of young people
14 and I think -- I am not going to put any emphasis on
15 that other than years had passed, and young people
16 growing up, they were always difficult. I name one or
17 two who I know were always difficult from the age of 6,
18 7 and by 10 they got more difficult. By 11 they were
19 very difficult.

20 Q. And getting into teenage presumably more difficult
21 again.

22 A. Getting into teenage years and I think -- you know, I --
23 so I --

24 Q. Was Macedon also receiving a more difficult clientele?

25 A. I think as time went on, yes, there was -- that

1 certainly happened, yes, and certainly when we went to
2 Sharonmore, that was inevitable, because obviously
3 Barnardo's were trying to offer something that the
4 boards weren't offering.

5 Q. Yes.

6 A. We were I suppose setting ourselves up a wee bit as
7 a specialist unit. Hence we were attracting some very
8 difficult young people. You know, it was a very
9 difficult time at times in the early years, you know.

10 Q. It was -- it's been said that the staff turnover was
11 high some time around about then. Could you give any
12 comment about that?

13 A. In?

14 Q. In Macedon.

15 A. In Macedon?

16 Q. Towards the end of Macedon.

17 A. Towards the end. Well, I think there was -- I think it

18 was inevitable there was change. There was change, you

19 know. I think when came there was inevitable

20 change. came from a background. Quite

21 rightly was promoting a more professional approach

23 Q. Yes.

24 A. -- and wanted to appoint qualified social workers. So
25 there was a number of people who would have found that

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1 quite difficult I think, the number of people who would
2 have worked part-time in Macedon, who were very caring
3 individuals, but would have not been working from a very
4 clear ethical background.

5 Q. Right.

6 A. So I think there was some natural movement for some
7 people. I think that -- I think it was a time of
8 change, bearing in mind there was a lot going on around
9 in residential care.

10 Q. And we have seen the reports of the incident concerning
11 BAR29.

12 A. Yes.

13 Q. Were there generally logs kept on a day by day basis?

14 A. There was -- that's what I was trying to remember the
15 other day myself. I can recall writing daily logs.

16 Q. Uh-huh.

17 A. Now I am not too sure if that happened in Macedon or was
18 when we went to Sharonmore. Certainly in Sharonmore,
19 yes, there was a lot more emphasis on recording.

20 Q. Yes.

21 A. There was recording, yes. There was handover as such
22 between shifts --

23 Q. Uh-huh.

24 A. -- but it was a limited level of recording I have to
25 say. It was nothing like what happens today.

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1 Q. Was that an oral handover or written down?

2 A. I would have said possibly on some shifts it took both.

3 It could have been just an oral handover. They weren't
4 as professional as that.

5 Q. But when there was an incident of the sort we have been
6 talking about --

7 A. Yes.

8 Q. -- then you were asked positively to prepare statements.

9 A. Certainly I would -- I would have certainly thought that
10 was very much even in evidence then. You know, it was
11 the evidence, yes. It was the evidence, yes.

12 Q. Okay. Thank you very much.

13 A. Thank you.

14 CHAIRMAN: Well, BAR9, thank you very much indeed for coming
15 to speak to us today. We are very grateful. Thank you.

16 (Witness withdrew)

17 MR AIKEN: Chairman, we have one more witness today. If we
18 take a short break to allow that to be ...

19 CHAIRMAN: Five minutes.

20 (2.45 pm)

21 (Short break)

22 (3.00 pm)

23 WITNESS BAR13 (called)

24 MR AIKEN: Chairman, Members of the Panel, the final witness
25 today is BAR13, who is the of

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1 Barnardo's . She is aware, Chairman,
2 you are going to ask her to take the oath.

3 WITNESS BAR13 (sworn)

4 CHAIRMAN: Thank you. Please sit down.

5 Questions from COUNSEL TO THE INQUIRY

6 MR AIKEN: BAR13, you and I have discussed the fact that
7 you've provided the Inquiry with eleven statements.

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

9 Q. And what -- unless the Panel disagree with me, what I am
10 doing to not do is I'm not going to bring each one of
11 those up and ask you to confirm that you have signed
12 them and you adopt them as your evidence to the Inquiry.
13 What I am instead going to indicate is that you have
14 provided four general statements, an overview statement
15 about Barnardo's running the two homes, a general
16 statement about Macedon, a general statement about
17 Sharonmore and then a statement dealing with civil
18 claims.

19 **A. That's correct.**

20 Q. And in addition to that you have provided three
21 statements dealing with specific issues that the Inquiry
22 raised with you: one in relation to BAR 52 , whose
23 name came up in the Macedon Inquiry; a second one
24 dealing with BAR 53 and his allegations that
25 relate to an earlier period than the one we have been

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1 focusing on; and, similarly, a third statement from
2 BAR 54 -- in respect of BAR 54 , who made
3 similar allegations about an earlier stage.

4 **A. Yes.**

5 Q. In addition -- that takes us to seven. Then there are
6 four further statements, which are the statements you
7 have provided in response to the four applicants who
8 came forward to the Inquiry.

9 **A. That's correct.**

10 Q. With all of those statements there are exhibits, with
11 some statements a considerable volume of exhibits, some
12 a much smaller number. With all of that material you
13 have put your name to it on behalf of Barnardo's and you
14 want to adopt that evidence as part of your evidence to
15 the Inquiry.

16 **A. I do.**

17 Q. That has shortened something that would otherwise take
18 a very long time.

19 **A. Yes. Thank you.**

20 Q. Now what I -- there are a number of key issues that have
21 come up time and time again in the evidence and I want
22 to allow you to say what you want to say about those.
23 The most obvious one, starting earliest, is [REDACTED] you
24 have the involvement with BAR24 receiving the
25 information that BAR46 was saying BAR3 had tried to kiss

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1 him as far as the record is concerned. He makes a file
2 note of it. It is placed in BAR46's file. It is not
3 passed on to BAR14, and Martin Ruddock confirms in the
4 report from 2004 that consequently that was a major
5 opportunity lost by Barnardo's to examine child abuse.

6 Another consequence of it that you have heard me
7 refer to, and you can tell me whether you agree with
8 this, is it meant the opportunity to potentially make
9 sure BAR3 didn't work with other children, whether he
10 did or not, that opportunity was lost.

11 **A. Yes, that's correct.**

12 Q. That is a failure that Barnardo's recognise and
13 acknowledge and do so before the Inquiry.

14 **A. That's absolutely -- Barnardo's position on that was**
15 **that that was a missed opportunity. It was contrary to**
16 **both policy, procedure and good practice both from**
17 **a childcare and from a management point of view, and**
18 **I think the decision does not have any defence --**
19 **wouldn't have had any defence then and does not have any**
20 **defence now.**

21 Q. The -- we have heard -- I am trying to find the best
22 way, BAR13, to condense down what is a huge issue, which
23 is the Macedon Inquiry that takes place. I am going to
24 try -- I know that -- I am going to try and summarise
25 what I understand the position is as far as Barnardo's

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1 is concerned, and you can confirm where I get it wrong,
2 but the -- Barnardo's was faced in the late 1990s/early
3 part of the Millenium with a pattern of allegations that
4 required investigation by police --

5 **A. Yes.**

6 Q. -- and that may well and did lead to criminal
7 proceedings.

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

9 Q. And throughout that process Barnardo's placed importance
10 on the duty it saw itself owing to the children who had
11 been in its care, in providing support and arranging to
12 make sure they had counselling available to them if they
13 required that, and assisting them through their
14 disclosures and the giving of their evidence.

15 **A. As well as meeting our statutory obligations.**

16 Q. Yes, and it was seen as crucial to Barnardo's that the
17 children in its care would know that Barnardo's would
18 listen to them --

19 **A. That's correct.**

20 Q. -- and would take their allegations seriously and would
21 be prepared -- and Martin Riddock refers to this in his
22 report -- would be prepared to believe that which may at
23 first to others seem unthinkable.

24 **A. That's correct.**

25 Q. Barnardo's position before the Inquiry has not been to

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1 get into commenting on the veracity or otherwise of
2 particular accounts that the Panel has had the necessity
3 to look at.

4 **A. That is correct. That's not really our role.**

5 Q. And you leave that very much as a matter for the Inquiry
6 Panel to make the determinations it needs to make about
7 these events.

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

9 Q. That said, Barnardo's recognises that allegations can be
10 made that are not true.

11 **A. That's correct and today there are some even, you know,
12 these days some that aren't true and some that are.**

13 **That's the fact of this work.**

14 Q. You were having that discussion with me last evening,
15 BAR 13, that it creates a very difficult scenario to deal
16 with where an allegation is made that has to be taken at
17 face value. It has serious consequences for a member of
18 your team, especially nowadays, and there is a difficult
19 grinding between trying to make sure the young person
20 makes their disclosures but also dealing with the
21 reality that you have a member of staff who may well be
22 the subject of an allegation --

23 **A. Yes.**

24 Q. -- that's not true.

25 **A. Yes, and while it may be difficult and it may be**

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1 **complicated, there really is no choice. There is**
2 **a process and that's reporting, investigation. So it is**
3 **difficult, it is complicated, but for a children's**
4 **organisation there really is no choice but to, you know,**
5 **support further investigation.**

6 Q. And that's a position --

7 A. **That's a given, yes.**

8 Q. -- that Barnardo's was committed to then and is
9 committed to now. Barnardo's also recognise that -- the
10 position that, as I understand it, Barnardo's adopts is
11 that it wasn't for it but for a court or an Inquiry to
12 determine to the extent necessary the allegations, and
13 Barnardo's take no issue with the decision of the Court
14 of Appeal --

15 A. **No, we don't.**

16 Q. -- and acknowledge that, when considering the veracity
17 of the allegations, the Inquiry will recognise
18 inconsistencies in the accounts that have been given.

19 A. **That's correct.**

20 Q. But -- and this is where the position of Barnardo's --
21 so that I make sure I articulate it properly for you to
22 confirm -- that whatever the decision of a court and the
23 Court of Appeal, that doesn't diminish the importance of
24 learning from the fact the allegations were made and
25 what can be gleaned from the events that were said to

1 have taken place.

2 A. That's correct. I think any organisation in our
3 position, it should pause and reflect on what happened,
4 take the learning and check current practice, and that
5 is what we did throughout, you know, all the judicial
6 processes and afterwards.

7 Q. I will look at the Martin Riddock report a little with
8 you, but the point of it, as I understand it, it was an
9 internal document where two members of staff went and
10 attended the trial and were looking for learning, not
11 necessarily to whether or not someone was guilty or not
12 of what was alleged.

13 A. That's correct. We received permission from Justice
14 Weir to sit in and take notes on policy and practice
15 points. The Martin Riddock report, which has been
16 referred to, was not solely based on those observations.
17 It was based on a further set of considerations as well.

18 Q. And he sets out he looked at children's files in -- as
19 part of the work that he undertook and we will look at
20 that a little more detail.

21 A. Yes.

22 Q. But the purpose -- it's a report looking back, as it
23 were, for learning that came out -- can come out for
24 Barnardo's at that point in 2004.

25 A. Absolutely. It was an internal -- an internal

1 management report.

2 Q. And the position that Barnardo's adopts is that the
3 outcome or otherwise of the criminal process didn't
4 necessarily change whether or not there were systems
5 problems that could have facilitated abuse, whether or
6 not it occurred.

7 A. Yes. That's correct.

8 Q. And it's those systems problems that Barnardo's still
9 recognise, whatever the outcome of the Court of Appeal,
10 were present in Macedon at the time.

11 A. Yes. It would have given us cause for concern, yes.

12 Q. And there are some matters that you -- we've mentioned
13 the BAR24 incident. Another matter that you continue to
14 regard as a failing relates to knowing that there was
15 a link between BAR1 and **BAR 85** , and when he was the
16 subject of allegations in not looking and
17 carrying out that exercise of, "Well, was this something
18 that we need to be concerned about?"

19 A. That's correct. I mean, it would be our -- was our view
20 and continues to be our view that there should have been
21 management consideration of that situation, even if
22 nothing had materialised from it. The question should
23 have been a matter of concern to management, perhaps
24 a risk assessment, certainly discussion around the
25 protective factors. Perhaps the policy wasn't there

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1 quite in the same way as it would be today, but I think
2 even from a point of view of good management practice
3 there should have been consideration and a protective
4 plan put in place at that stage.

5 Q. And perhaps that's again reflective of the day, in that
6 I think BAR14 was saying there was no evidence base to
7 believe BAR 85 had any engagement in Macedon.

8 A. Yes.

9 Q. I am not sure there is any -- you are not making the
10 suggestion that there was any basis for that, but simply
11 that exercise should have been conducted.

12 A. Yes. Our position is that the question should have been
13 asked.

14 Q. What lies at the heart of that is the policy within
15 Barnardo's that you must be self-assured that things are
16 okay.

17 A. Yes.

18 Q. As you can see, I am trying to summarise down, BAR13 --

19 A. Thank you.

20 Q. -- what is a wide subject. So don't agree with me if
21 I'm not getting the right tone, but that's what
22 I understood you are saying, that Barnardo's want to
23 ensure, and where they recognise the systems problems,
24 it is because they can look at that and see that that
25 cannot mean that they are assured that nothing went

1 wrong.

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

3 Q. It may be nothing went wrong --

4 **A. Exactly.**

5 Q. -- but it's that lack of assurance is what leads
6 Barnardo's to say that is a failing on their part in
7 terms of the systems they have in place.

8 **A. Yes. We believe we should have asked the question.**

9 Q. Similarly we were speaking last evening about the
10 BAR12/HIA516 scenario and the issue that you were
11 discussing with me wasn't so much -- it's a matter for
12 the Panel -- whether or not that situation was taken
13 advantage of by the particular , but your
14 concern was about the length of time that it took for
15 that to be brought to a head one way or the other.

16 **A. Yes, yes, that's right and, you know, with hindsight you
17 can see how that situation materialised, and this was
18 a trusted member of the community. So I have a level of
19 sympathy with how that was arrived at, but I think our
20 position in Barnardo's, you know, on reflection would be
21 that at least it was poor practice leaving the
22 assessment to that point in time.**

23 Q. Yes, and it is that -- because at the point in time it
24 is being conducted and indeed the time that **BAR 111**
25 is writing the letter saying. "Okay. This can continue

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1 because there is potential for this to be in HIA516's
2 interests", and he's laying down conditions, and then
3 subsequently allowing a period of time -- I think it is
4 four or five months -- for, "Well, were the conditions
5 being met? No, they're not. Right. This has to come
6 to an end", the sequence of events that's taking place,
7 there is no suggestion of any interference at that point
8 in time, at the time that decisions are being made --

9 **A. No.**

10 Q. -- and the driver in deciding not to allow the
11 relationship to continue was that it was not any longer
12 in HIA516's best interests --

13 **A. That's correct.**

14 Q. -- not because there was a belief HIA516 was being
15 abused by him.

16 **A. Yes.**

17 Q. So the context of the decision, but what you are saying
18 is that even allowing for the time in which this is
19 being done, the sequence of events and the time that it
20 took, even if ultimately nothing happened in terms of
21 abuse, that time was too long.

22 **A. Yes, and also the fact that the assessment was done at
23 a point when the issues had become problematic.**

24 Q. Yes. I think everybody is agreeing it was an unusual --

25 **A. Yes.**

1 Q. -- sequence of events that took place.

2 Those are some of the key issues where Barnardo's,
3 having reflected even on the Inquiry, on the evidence
4 the Inquiry has heard, are satisfied that still their
5 systems were not sufficient as far as Macedon was
6 concerned in terms of how matters were being dealt with.

7 **A. Those specific matters at that particular period of
time, yes.**

9 Q. The point -- we will look at Ruddock for this reason,
10 because, as I understand Barnardo's position, you are
11 also saying to the Inquiry that therefore Barnardo's
12 consider that whether or not the Inquiry -- it is
13 a matter for the Panel -- whether or not the Panel are
14 satisfied that abuse did or did not occur, the
15 conclusions of the Ruddock report Barnardo's continue to
16 accept.

17 **A. Yes, that's correct.**

18 Q. You are aware that obviously BAR14, who was
19 at the time, and indeed Dr Harrison on behalf of the
20 Department, draw attention to -- I will try and merge
21 the two accounts to say to you that there's too much
22 influence of hindsight and not recognising matters as
23 they were at the time in that assessment, which leads to
24 an unfair conclusion towards, for instance, the
25 strategic planning of the senior staff and matters of

1 that kind.

2 A. Yes. Can ...?

3 Q. Do you want to say anything?

4 A. Perhaps I could attempt to clarify the status of that
5 report --

6 Q. Yes.

7 A. -- because I think how it was commissioned has maybe
8 directed, you know, how it's eventually been written,
9 because, as you'll recall, Justice Weir made a number of
10 very strong points about his doubts about Barnardo's
11 practice and the management and behaviour at that
12 particular period of time. Now those were -- those were
13 comments which senior management in London took
14 extremely seriously and had to be addressed.

15 Martin Ruddock was requested to address Justice
16 Weir's comments one by one and make a -- and make
17 a comment response on the basis of what we had heard in
18 court and our own understanding of the situation. He
19 was asked to map that against the safe organisation
20 framework that we use as our own template for measuring
21 our safeguarding practice, and he was asked to look at
22 what our practice is today and what we've learnt, and if
23 we were to, you know, raise the same issues as Justice
24 Weir was raising today, could we stand over our current
25 practice?

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1 So that was -- that was the commissioning of the
2 report and that was what shaped its final outcome. It
3 was not an in-depth historical review of what was going
4 on at that particular period of time, and Martin Ruddock
5 is clear in that report that it is with the benefit of
6 twenty years of, you know, hindsight of other, you know,
7 investigations. At that time there was another major
8 I think it was called Thor investigation that had just
9 been concluded in England.

10 So all of those issues were a direct influence on
11 Martin's final comments to senior management. "Justice
12 Weir said this. Here is our safeguarding framework.
13 This is what we think our current position is today."
14 That was the status of that report. It was an internal
15 management document to address concerns that senior
16 management had raised in the wake of Justice Weir's
17 comments.

18 Q. The position that Barnardo's have set out in
19 considerable detail, and again I am trying to condense
20 down for you, but as far as Sharonmore is concerned --
21 I'll come back to Macedon shortly -- as far as
22 Sharonmore is concerned, Barnardo's have explained in
23 the third statement as well as the second main specific
24 statement that relates to Sharonmore that, having
25 reflected on all of the material that was then available

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1 at the time of writing the statement and, as
2 I understand it, as you sit today, Barnardo's position
3 is that they don't recognise the same failings in how
4 Sharonmore was operated, albeit a creative, experimental
5 mechanism that was set up, yet again continuing to deal
6 with very difficult, disturbed children, but not
7 suffering from the same problems in terms of system
8 failures --

9 **A. Yes.**

10 Q. -- that Barnardo's recognise existed in Macedon.

11 **A. Yes, at a specific period of time. Yes, that would be**
12 **our position on Sharonmore.**

13 Q. And the -- I want to -- I hope I have captured what is
14 a nuanced position accurately. If I haven't, please add
15 to it as you feel the need, but hopefully I have
16 encapsulated what Barnardo's are saying to the Inquiry
17 as far as that particular period, and I know you are
18 being specific to say it is that particular period in
19 Macedon that has become the focus of the Inquiry's work.

20 **A. Yes. I'm content with that.**

21 Q. Have I captured what you are ...?

22 What I want to do now is just step back -- having
23 set that scene with you, BAR13, I want to step back,
24 because one of the points that BAR14 makes in his first
25 five paragraphs of his third statement is to point out

1 you as at the time were an example of
2 the strategic thinking, forward thinking development
3 evidence of Barnardo's being on the front foot doing
4 good things, because you came in in [REDACTED] to
5 service.

6 A. Yes.

7 Q. That was the first of its type in Northern Ireland.
8 That was Barnardo's identifying a need and then trying
9 to provide the answer to it. He goes on, as you know,
10 to point out that the effect of that in reality meant
11 you yourself as a professionally qualified social worker
12 were in and out of Macedon from [REDACTED] onwards until June
13 of [REDACTED] --

14 A. Yes, that is correct.

15 Q. -- and had occasion as a result of that work -- you are
16 not there all of the time living with the children --

17 A. No.

18 Q. -- but as a result of that work you are meeting some of
19 the individuals that have become the focus of the
20 Inquiry's work and got to know the likes of BAR1 and
21 others in the sense of being aware of them working in
22 Macedon. Is that accurate?

23 A. I would have met some of the staff in passing. My role
24 was to prepare a number of the children to go into
25 prior to the others moving to

1 Sharonmore or whatever, you know, their plans were. So
2 in that first year I attended all the children's
3 reviews. I would have come across BAR1 maybe in that --
4 in that context.

5 Q. And the point he was making was there was a lot of good
6 people working in Macedon, and others like yourself were
7 coming to it for other reasons, but there was nothing in
8 its operation that caused concern that saw someone like
9 you or a BAR9 or someone like that to be saying, "Hold
10 on a minute. We've got to be doing something. This is
11 dangerous" or "Children are at risk" or ... So it's
12 that context that I think he's drawing attention to,
13 that at the time people were not concerned that children
14 were being abused in Macedon.

15 A. There was nothing untoward that came to my attention.

16 Q. And at the same time alongside that, BAR13, was
17 a recognition by I think everyone that Barnardo's as
18 part of their focus were dealing with some of the most
19 difficult, damaged children, who came from very
20 difficult backgrounds, and who, were a facility like
21 Barnardo's Macedon not available, may have been in
22 somewhere like a training school

23 A. That may have been a point of contention for me as the
24 at that stage, because I think a lot of
25 the presentation to myself about the young people and

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whether they were suitable for placement or not was very focused on their behaviour and how difficult they were going to be to place. In fact, some thought that perhaps they were unplaceable. I think I was probably more interested in, you know, their backgrounds, what had happened to them, how we were going to place them and support them. So there was a very strong focus on behaviour and difficult behaviour.

9 Q. And you worked through that, because part of the aim of
10 the was to place some of
11 the children --

12 A. Uh-huh.

13 Q. -- from Macedon --

14 A. Uh-huh. We did.

15 Q. -- and see that through to fruition.

16 A. Yes.

17 Q. And the -- there's a particular example, BAR13, that
18 comes out of the Macedon Inquiry, which I haven't opened
19 to the Panel until now, because it was something that
20 you were yourself involved -- you took a lot of the
21 disclosures and were involved in supporting the
22 individuals, but there was one particular case where the
23 person was not prepared to make ultimately a statement
24 to the police, but which demonstrates -- and I am going
25 to use it, open the documents with you now so the Panel

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1 can see it -- it demonstrates -- because it raises
2 an issue of whether someone was abused in Macedon and it
3 also demonstrates the complexity of the issues as far as
4 someone like yourself trying to do the right thing, how
5 that manifests itself.

6 I am talking about

7 **A. Yes.**

8 Q. -- who was born on . He was in Macedon
9 between [REDACTED] from the age of until [REDACTED]
10 [REDACTED], aged . Ultimately the allegation -- and
11 we will just look at the documents now and see what
12 exactly was being said, and there is a difficulty in
13 getting to the bottom of what exactly was being said by
14 him, and that was part of the process of trying to get
15 the disclosure from him as to what he was saying, but
16 ultimately it related to a member of staff called

17 **BAR 82** . He was employed in Macedon between
18 [REDACTED] and [REDACTED] . That was
19 a [REDACTED] period. Members of the Panel, the
20 reference for that can be found at BAR-4253. Barnardo's
21 have provided the Inquiry with his staff file and it
22 runs in the bundle from 18856 to 18887.

23 It appears that the disclosure process began prior
24 to the 2001 police report that went to the DPP, because
25 Detective Constable Boyce was able to refer in his

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1 analysis of the 51 individuals to BAR 110 . He
2 was the eleventh person that I referred to during the
3 opening who didn't proceed, because he didn't make
4 a statement. So that process of speaking to him began
5 as early as prior to 2001. I think it goes back to
6 1999.

7 **A. Yes.**

8 Q. But ultimately you provide a report, which I know you
9 have the hard copy of, but we will bring it up on the
10 screen. 8643, please. This is from 26th January 2004.
11 So it's shortly before the trial itself in terms of
12 hearing. If we can bring up 8643, please. You set out,
13 BAR13, in the record the process of visiting his
14 siblings and him, and if we -- you explain you first met
15 him in [REDACTED] as part of your work. You explain in the
16 fifth paragraph down a conversation that you had then
17 with BAR 110. Initially there was reference to
18 and you weren't aware of whether that was a member of
19 staff or another boy --

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

21 Q. -- that he was talking about, but he was saying that it
22 related to sex. You say your original assumption was
23 that it was a peer.

24 Then if we scroll down, further visits to family.

25 There is reference to the photograph that you were given

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1 and a number of derogatory comments are made by this
2 other girl about the same boy and reference to boys
3 having referred to him as .

4 Then upon reviewing that and trying to take all of
5 the pieces of information that you had received, you
6 weren't then confident in your previous assumption --

7 **A. That's right.**

8 Q. -- that the was referring to one of the peers.

9 **A. Yes.**

10 Q. You then spoke again to BAR 110 about who he was talking
11 about, and through his distress he was able to explain
12 to you that it was a staff member that he was talking
13 about and then he named him by surname.

14 **A. That's correct.**

15 Q. At that stage you were involved with the police as part
16 of the Macedon Inquiry. The Panel have access to a huge
17 --

18 **A. Yes.**

19 Q. -- volume of joint protocol meetings where these matters
20 are continuously reviewed and discussed and updated and
21 taken forward, and you can see in the record, if we
22 scroll down a little further, please:

23 "Detective Constable Boyce interviewing BAR 110."

24 That's what ultimately leads to him being able to
25 quote the four lines he does in his report, and you also

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1 reported the matter to the Board's attention in effect

2 --

3 **A. Yes. That's right.**

4 Q. -- as part of the strategy group, and there was
5 reference to this man's history then being known about
6 or information that allowed it to be believed that he
7 was in and had gone
8 off to .

9 Because he didn't make a statement, BAR13, the
10 matter didn't really progress as far as the police were
11 concerned. Can you remember, because it is not clear to
12 me from the note, can you remember how did it keep
13 coming back on the radar in that it appears in 2003 and
14 it leads to the report in 2004, which we are looking at
15 at the moment? Was there some other piece of
16 information --

17 **A. Yes, yes.**

18 Q. -- that kept bringing it back?

19 **A. No. It remained on the agenda of the --**

20 Q. Of the strategy group?

21 **A. -- of the strategy group and we then referred it to the
22 Board --**

23 Q. Yes.

24 **A. -- and the Board, through Hugh Connor, who was then
25 Director Children's Services at that stage of the Board,**

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1 they -- they undertook to progress it, and I was
2 assisting them in their progression of it, which is why
3 Theresa Nixon, who I think was Assistant Director on the
4 Board at that stage, goes to London and I accompany her,
5 but the Board took the initiative then to explore the
6 issues further.

7 Q. The -- if we move on to the next page, we can see this
8 coming to fruition in that you and -- it seems that
9 there was a question about whether this should be
10 reported to his employer. He worked for --

11 A. Yes.

12 Q. -- .

13 A. Yes.

14 Q. And that arrangements were made to interview him.

15 A. Yes, but there was a step before that. We had been
16 involved in this kind of situation before. We don't
17 consider it appropriate to go to somebody's employer
18 without first telling them what we are going to do,
19 and that was the position that the Board took. So the
20 Board had contacted BAR 82 and [REDACTED] and
21 I met him in [REDACTED] with his support person to say to
22 him that our position was that we were considering
23 approaching his employer.

24 Q. If we look, please, at 18885, ultimately that leads,
25 BAR13, to a report from you in June of 2006 to what was

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1 then known as -- I am not sure; I think the title might
2 have changed now -- it was the Disqualification from
3 Working with Children List. You draw attention to the
4 background to this. If we scroll down further, please,
5 you outline then the details of the allegation that was
6 made to you by BAR 110. If we scroll further down,
7 please, you set out the history of what was said. You
8 can see -- just scroll up a little bit, please:

9 " BAR 110 asked me on the telephone to ensure
10 that BAR 82 never worked with children again."

11 Now does this display the difficulty with these
12 types of situations, because you have an allegation
13 which might be described as somewhat vague in that
14 detail is not being given to you, they are not prepared
15 to make a statement to the police about it, but your
16 concern is, "Well, is this person working with children?
17 If so, does something need to be done about that?"

18 A. Yes, yes. Our -- our knowledge, as good as it was, was
19 that this person was employed in a or
20 a position. Therefore we had a duty which we
21 exercised through the Board --

22 Q. Yes.

23 A. -- to address that.

24 Q. You then describe in the report the meeting that takes
25 place where the allegations are put to him, and if we

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1 scroll down, please, the police investigate it and that
2 doesn't really go anywhere. The result of this
3 ultimately is that he is temporarily added to the list
4 and he's notified about that, and then a sequence of --
5 I am not going to go through all of the documents, but
6 there is one -- he gets suspended on foot of this.

7 **A. Yes. He is off for thirty months.**

8 Q. Thirty months, and the reference for that, Members of
9 the Panel, is at BAR-18883, while it is investigated, as
10 it were, by his own employer. There's a sequence of
11 letters. I am only going to look at one, BAR13, for
12 the -- because it illustrates the difficulty with this
13 type of situation. If we look at -- he wrote to you --
14 back to the people who maintain the list on 25th
15 November 2006.

16 **A. Yes.**

17 Q. If we look, please, at 18879, he takes issue with all
18 that has gone on and regards it as a major interference
19 in his life that's totally unjustified.

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

21 Q. He explains why he says that. If we scroll down on to
22 the next page, please, he draws attention to the fact he
23 knows he didn't abuse anybody and whoever -- whatever
24 distress appeared from BAR 110 when speaking to
25 you, he was acting as far as it involved making an

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1 allegation -- as far as it involved him abusing him. He
2 says:

3 "Given her role, it may be understandable, but it is
4 also unfortunate that BAR13 was unable to see beyond
5 appearances in this case. BAR13's observations continue
6 along the lines of how she followed procedures and
7 processes, and give some insight into the time taken by
8 the authorities to deal with matters. She refutes my
9 assertion that Barnardo's have reached a blinkered and
10 unfair judgment based on a determination to be
11 supportive to ex-residents at any cost. She does not
12 deny that Barnardo's made compensation payments ranging
13 from £20,000 to £30,000 to each of the ex-residents in
14 the case that reached court prior to convictions and the
15 appeal outcome. She appears oblivious to my view and
16 unable to grasp the extent to which there are lies and
17 deceit. She was unable to see this at the time."

18 He queries your professional judgment. He is
19 entitled to his view --

20 **A. Absolutely.**

21 Q. -- it was a major interference in his life.

22 **A. He was -- he was very angry. There was -- there was**
23 **considerable discussion between Barnardo's and the Board**
24 **as to who should do the referral to the -- I think POCVA**
25 **was it called?**

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1 Q. Yes, it would have been called that.

2 A. **There was legal advice given by the Board's solicitor at**
3 **that time that it should be us, because we were the**
4 **employer at the point of allegation.**

5 Q. Yes. If we scroll down, we will see the last comment
6 that he makes on the -- his letter. He talks about then
7 the consequences for him in terms of he's suspended and
8 very upset that this sequence of events occurs.

9 I suppose this is one example of (a) the difficulty with
10 these types of situations, that you have an allegation
11 made twenty years later about something that's said to
12 have happened in Macedon. The allegation isn't pursued
13 in terms of the person won't make a statement to the
14 police, and you are at the same time having to consider,
15 "What is needed in order to potentially protect
16 children?" It may be the allegation isn't necessarily
17 true. You express the view in your original note that
18 you have taken a lot of disclosures over your time and
19 it had veracity as far as you were concerned.

20 A. **No. I think -- I think the words I used were something**
21 **along the lines of I felt it was sufficiently robust to**
22 **warrant further investigation.**

23 Q. "Robust", yes. In fact, those are exactly the words.

24 A. **Yes.**

25 Q. Yes, those are exactly the words you use, "sufficiently

1 robust". Therefore this is the sequence of events that
2 flowed from it.

3 A. Yes. There was another small piece in it, which was
4 that senior management and their solicitor,
5 and I think accompanied actually by Geoff Boyce, did
6 interview BAR 110 at his home --

7 Q. Yes.

8 A. -- and then they reported to management in and
9 the suspension period was thirty months while they
10 considered and dealt with all of that.

11 Q. Yes. In the end they reinstated him.

12 A. They reinstated him, yes.

13 Q. That's how that was dealt with.

14 The -- I want to ask you -- you obviously had the
15 opportunity to hear what BAR14 was saying about the
16 Martin Ruddock report. As you reflect on it all now
17 before the Inquiry, you can see his point of view, can
18 you, in terms of the points he was making about the
19 strategic thinking that was going on? Do you want to
20 say anything about ...?

21 A. Yes. I mean, I would reiterate a lot of what BAR14 said
22 about the forward thinking and the strategy and also
23 what Hilary Harrison said to that effect. I think
24 Barnardo's is -- I intended only to stay five years and
25 I am here much, much longer. It is a forward thinking

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1 -- if you want to work for children, it's definitely the
2 best place to work, but I wouldn't necessarily put
3 strategic thinking and children's safety as one of
4 impacting on the other, because I now probably have
5 28 strategic plans for Barnardo's. I would no
6 -- by no means judge our functionality or safety on the
7 basis of the standard of strategic planning. So
8 I can't quite put those two pieces together, but
9 I absolutely agree with both BAR14 and Hilary that we
10 are a very forward-looking organisation.

11 Q. I think in fairness to them the reaction to it may have
12 been that that reference to senior management lack of
13 strategic planning or strategic thinking seems to come
14 in. There's not a lot around it in Martin Riddock's
15 report to explain why the senior management came in for
16 criticism in that regard.

17 A. **Absolutely. I think BAR14 has a fair point there.**

18 Q. And -- but ultimately the position remains that
19 Barnardo's take the learning from it and regard the
20 failures that we have discussed as the ones that stand
21 whether or not all of the allegations are true.

22 A. **Yes, and I think I have said previously to yourself**
23 **that, you know, we do respect the outcome of the Court**
24 **of Appeal, but, you know, regardless of the veracity of**
25 **that, we would still remain concerned that, you know,**

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1 **perhaps children didn't always receive the best of**
2 **treatment. You know, we would still have that doubt in**
3 **our minds.**

4 Q. As I explained to you, BAR13 -- I hope I did -- I try
5 not to spend a huge amount of time with the main witness
6 from the organisation running the home on the basis that
7 that's rather unfair to them in the sense of a huge
8 amount of material. It's in the written form that you
9 have provided helpfully to the Inquiry, and I know that
10 you will continue to assist the Inquiry with issues that
11 might still need to be ironed out from --

12 A. **Yes, yes.**

13 Q. -- from our work. I have covered with you the main
14 themes. Can I ask you before I say to you I am not
15 going to ask any more questions at this point -- I know
16 the Panel want to ask you some things -- but is there
17 anything else you want to say on behalf of Barnardo's
18 that I haven't encapsulated in the summary that I have
19 tried to bring together?

20 A. **No, not at this point. I mean, obviously we will have**
21 **the opportunity to put in our written final statements.**

22 Q. Written submissions, of course, yes.

23 A. **So -- but not at this point, no. Thank you.**

24 Q. Okay. Well, bear with us for a short time. The Panel
25 Members may want to ask you something.

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1 Questions from THE PANEL

2 CHAIRMAN: Could I, first of all, just amplify what Mr Aiken
3 said? We have all your very comprehensive statements
4 about management structures, approaches and so on, which
5 we have read, but at this stage without in any way
6 preempting our final views what we want to focus on are
7 the small number of important matters Mr Aiken has been
8 raising with you today. So I think my and no doubt my
9 colleagues' questions, if they have any, must be seen in
10 that particular context.

11 Can I ask you just to explain in a little bit more
12 detail to us the rationale behind your feeling that
13 questions should have been asked about the relationship
14 between BAR1 and BAR 85 , that there should have
15 been consideration given to that and a protective plan
16 prepared, if necessary. It may seem obvious to you and
17 no doubt it is to us, but from the point of view of the
18 general public if you could just explain in a little bit
19 more detail why you think that should have been done at
20 the time.

21 A. Okay. I mean, we have heard statements in this Inquiry
22 and in other -- in other times when we have been talking
23 about Macedon about, you know, staff taking children
24 home or maybe taking them out on outings or whatever and
25 having, you know, quite individualised relationships

1 with children between staff.

Now that's very difficult, because people have rights. You can't jump to assumptions. I am not saying we should have jumped to assumptions, but we should have stopped and asked that question: "Was there any risk of BAR1 taking a child to her house where BAR 85 might have been present? Could they maybe have taken the child out in a car?" The questions should have been asked. BAR1 should have been involved in discussions about what her own understanding of and her own responsibilities around protection. At a very cynical level I think the question should have been asked from a reputation management perspective, never mind the child protection perspective.

24 Q. Yes. In looking at these things in a general way as
25 opposed to the specific issues in relation to those two

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1 individuals, is it the case that, rightly or wrongly,
2 the body who has the care of children has to have regard
3 to a number of very unpleasant possibilities? At one
4 end it might be simply limited to the association
5 leading a child to be inadvertently or innocently placed
6 in a position where somebody might abuse them sexually
7 or physically, and then there's a range of
8 possibilities. At the other end of the spectrum you get
9 the risk that somebody is deliberately colluding with --

10 **A. Yes.**

11 Q. -- or condoning the actions --

12 **A. Yes.**

13 Q. -- of a person who might physically or sexually abuse
14 the child.

15 **A. Yes.**

16 Q. If I understand what you are saying correctly, it is not
17 so much the answer to the question that's important at
18 the preliminary stage, but it is that the body has to
19 investigate the nature of the relationship in order to
20 assess whether or not any of those dangers exist.

21 **A. Exactly.**

22 Q. If you decide that they do exist, then you have to
23 decide what -- what action may be appropriate, which is
24 the next stage. Isn't that right?

25 **A. Yes, yes.**

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1 Q. Leaving aside for the moment, therefore, whether or not
2 there was any improper relationship between BAR1 and
3 BAR 85, you are saying, are you not, that the possible
4 risks were never addressed, because nobody --

5 **A. Asked the question.**

6 Q. -- thought to ask the question, "Well, what are the
7 implications of BAR1 being in a formal relationship with
8 BAR 85?" Is that right?

9 **A. That's correct.**

10 Q. Can I just ask you -- because we have asked one or two
11 other witnesses about this, and I am still not entirely
12 clear for my own part what the position was -- were you
13 aware either then or subsequently have become aware that
14 there was a formal engagement between BAR1 and BAR 85?
15 Those are the days when perhaps people living together
16 and looser arrangements that happen now were not as
17 common. If somebody was engaged, they generally had
18 a ring and so on to show for it.

19 **A. Yes. BAR1 had a ring.**

20 Q. She did have a ring. What the nature of the
21 relationship was, of course, is more difficult to
22 determine, but that was the outward manifestation of
23 their relationship. Is that right?

24 **A. Yes.**

25 Q. Did she ever talk about him?

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1 A. I never would have had that -- I never would have had
2 much conversation with BAR1.

3 Q. No.

4 A. I would have seen her about the grounds and I would have
5 come across her in a child's review, but, you know,
6 obviously I had heard some discussion amongst other
7 staff that BAR1 was engaged to BAR 85 in the
8 circumstances. You know, natural curiosity, I observed
9 she had a ring.

10 Q. If I could then ask you to go to a quite different
11 aspect of her time with Barnardo's, putting it as
12 neutrally as possible, she had a somewhat chequered
13 career in terms of being unsatisfactory as far as
14 Barnardo's were concerned in that her employment was not
15 going to be continued when she was working with small
16 children. She then asked could she transfer to deal --
17 to work with older children in Macedon. She was taken
18 on there. Over a period of time, although she was found
19 to be falling below what was expected of her, increments
20 were not granted to her, which otherwise would have
21 happened presumably almost as a matter of course, and
22 yet each time she appears to have persuaded somebody to
23 allow her to continue, and then ultimately she is moved
24 to and is found to be unsatisfactory again,
25 and she resigns before disciplinary proceedings can be

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1 brought to a conclusion.

2 Looking at it now, I think it's a fair summary of
3 what BAR14 said to us yesterday. He was somewhat
4 surprised --

5 **A. Yes.**

6 Q. -- if I remember correctly, that she was -- and I am
7 paraphrasing here -- kept on as long as she was.

8 **A. Yes. Looking at the record -- from the records the
9 career path that you describe is exactly what happened
10 and I think it is surprising.**

11 Q. Because one can understand that there may be people who
12 simply are promoted to a higher rank and, having been
13 very good at the lower rank, they can't cope with the
14 additional responsibilities or demands, or there may be
15 people who at several points have shown themselves to be
16 falling below an acceptable standard and yet still seem
17 to manage to get promoted or at least put in a more
18 responsible position.

19 Here there were two episodes which were known about
20 or two aspects which were known about that one might say
21 signalled very clearly she shouldn't have been kept on,
22 let alone promoted. The first was the wooden spoon
23 episode --

24 **A. Absolutely.**

25 Q. -- and all the ramifications. Leaving money, a large

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1 sum of money, in her handbag. Then reacting
2 impulsively, hitting a child with a spoon, and then
3 there is this and ghost telling stories.

4 Now there may be lots of children who do like to be
5 frightened, but even taking the most charitable view of
6 what was happening, there appear to have been a large or
7 significant numbers who knew that what was being done
8 resulted in at least some children being at best brought
9 to an over-excited state before they go to bed --

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

11 Q. -- the very time you want to try to calm children down
12 -- or being quite scared.

13 Now taking those two additional factors, was it
14 a failing on the part of the procedures in Macedon that
15 she was kept on and promoted, knowing that?

16 **A. I think there is -- there has been evidence that, you**
17 **know, various procedures were exercised. Somehow or**
18 **other we don't seem to have reached a threshold of**
19 **dealing more formally with her. Barnardo's are a very**
20 **values driven organisation. I think particularly at**
21 **that period of time there would have been a lot of**
22 **effort to keep giving people a chance to see if they**
23 **could do better. I think in BAR1's case that was**
24 **a mistake. I think, you know, if you compare it to the**
25 **current situation in terms of, you know, HR support,**

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1 etc, we have, I don't think we would have been seeing
2 a similar treatment of a member of staff as we saw then.

3 Q. Yes. Thank you very much.

4 MS DOHERTY: Thanks very much, BAR13. That has been really
5 helpful and very clear, your evidence. Can I just ask
6 just about BAR1, do you know why she wasn't considered
7 suitable for nursery?

8 A. No.

9 Q. No.

10 A. No. I'm sure -- I'm sure it's in a file somewhere, but
11 off the top of my head, no. Sorry.

12 Q. You don't. Okay. In relation -- I mean, you said the
13 bit about when you were doing the work with the children
14 at Macedon, there was a strong emphasis from staff on
15 their behaviour and how challenging it was and how
16 challenging it might be to place them. Do you think
17 that was because as a staff group they were finding the
18 behaviour of the children difficult to manage? Did you
19 ...?

20 A. I think -- I think there were probably a number of
21 factors. I think they were finding the behaviour very
22 difficult. I don't think they necessarily were at
23 a stage where they were doing too much reflection on,
24 you know, putting all these pieces together and what was
25 happening. Also the unit was going to close and some

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1 **people were not going to get jobs in the new situation**
2 **and, you know, since I was the first person in from the**
3 **new -- the new way forward, and I think it was quite**
4 **difficult, you know, to have somebody coming in saying,**
5 **"Well, you know, I know this young person is, you know,**
6 **not the most attractive or endearing young person, but**
7 **we are going to try and foster them". So morale was low**
8 **and, you know, they had a hard job.**

9 Q. Do you think that in terms -- would it be fair it say
10 that in terms of the way that they dealt with the
11 children was a sense of dealing with the immediacy of
12 their behaviour as opposed to trying to help the
13 children to manage their behaviour?

14 A. **Yes, I think so.**

15 Q. How was Macedon viewed? You know, I mean, obviously it
16 was changing, but, like, from somebody coming in was it
17 considered to be a home that was doing okay or ...?

18 A. **I had -- I had never heard of Macedon before. I joined**
19 **Barnardo's because I wanted to do the**
20 **work.**

21 Q. Okay. So you had no ...?

22 A. **No.**

23 Q. When you spent time there, what was your -- I mean, you
24 clearly said that, but I just wonder things like
25 corporal punishment, did you see any corporal

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1 punishment? Did you get a sense of how that was . . .?

2 A. No. I thought it was a very old-fashioned
3 establishment. I mean, I had a lot of experience by
4 that stage of a number of residential units and I had
5 actually covered in some units from a point
6 of view. I thought it was -- it needed to change.

7 Q. The interesting thing about that I guess is that
8 Barnardo's, I mean, as an organisation you could see
9 them investing a lot in consistency. BAR14 talked about
10 going over for meetings every month --

11 A. That's correct.

12 Q. -- talking about policy, driving it together. There is
13 quite a lot of policies, procedures and documents. So
14 is there a sense that there was a kind of a gap between
15 what the overall philosophy was and the way forward and
16 what the practice was in this home?

17 A. BAR14 is absolutely correct. I mean, we are a very a
18 procedurally and policy directed organisation and very
19 reflective of our practice, etc. This was a unit that
20 was, you know -- in some ways the organisation were
21 saying it wasn't good enough any more and they were
22 moving to something new and different and they were in
23 the process of change and that was their main focus.

24 Q. So do you think if the motorway had not been coming
25 along, what might have happened?

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1 A. I think Barnardo's would have still moved forward to
2 a more innovative, therapeutic plan for new residential
3 care, because Barnardo's had been systematically closing
4 residential care across the UK and developing these new
5 models.

6 Q. Okay.

7 A. So we were on that pathway anyway and that was assisted
8 by the motorway.

9 Q. So in a sense that was a strategic decision that was
10 then --

11 A. Yes, at UK level, yes, and locally, yes.

12 Q. Okay. Thank you very much.

13 MR LANE: You said just now that it was old-fashioned. Was
14 that by comparison with Barnardo's places in other parts
15 of the UK?

16 A. I had no experience of Barnardo's places in other parts
17 of the UK. I had experience of a lot of statutory
18 provision.

19 Q. Uh-huh. In Northern Ireland?

20 A. In Northern Ireland.

21 Q. Right, and in what ways would you describe it as having
22 been old-fashioned?

23 A. The actual location itself.

24 Q. Uh-huh.

25 A. I will always remember my first drive into it. It

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1 was -- you know, there were woods and a big old house
2 and the sea and, I mean, a lot of people have described
3 it here as quite idyllic. I mean, to me it was quite
4 an old-fashioned place to bring children up outside, you
5 know, a local community setting. Big rooms. A lot of
6 focus on routine. A lot of focus on taking care of the
7 children in a physical sense, but not as much reflective
8 consideration of their needs, not as much therapeutic
9 input as I would have expected to be able to witness at
10 that point in time.

11 Q. That's helpful. In terms of recruiting staff where did
12 you advertise or how did you set about it?

13 A. **For Macedon?**

14 Q. Uh-huh.

15 A. I wouldn't have been involved in the recruitment of
16 staff for Macedon --

17 Q. Right.

18 A. -- but I think Barnardo's probably followed what
19 everybody else followed in terms of using the papers,
20 etc.

21 Q. The Belfast papers and so on?

22 A. **Yes, the Belfast papers.**

23 Q. Yes. Right. Martin Ruddock, what was his role? Was he
24 a member of Northern Ireland Barnardo's?

25 A. **No, no. He was social work qualified --**

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1 Q. Uh-huh.

2 A. -- and he was a member of -- and I am going from memory
3 here -- I think it was called the Risk Management and
4 Quality Assurance team at head office.

5 Q. Right. So he came over from Barkingside for this
6 purpose?

7 A. Yes, he did.

8 Q. Right. Thank you. One last question. If one produces
9 a statement for a file -- I am talking now about the
10 BAR24 statement -- you presumably are doing that because
11 you are not sending a memo to somebody expecting action.
12 You are closing down on something. In terms of that
13 wouldn't you send a copy then ordinarily to all the
14 people who ought to know about it, the different files
15 that it ought to go on?

16 A. Yes, and if -- you would expect if you copied people in
17 that they would be actioned on the basis of that note.

18 Q. And so in this case you would expect a copy to go, shall
19 we say, on the boy's file, on BAR3's file and so on?

20 A. I would have expected at least that note should have
21 gone to the Director.

22 Q. Right. Do you know where it actually was placed?

23 A. It was -- do you know actually I can't remember off the
24 top of my head. I remember finding it in a file, but
25 I would not be 100% sure whether it was in the boy's

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1 **file or whether it was in some other file --**

2 Q. Uh-huh.

3 A. -- but -- so I wouldn't want to say, because I am not
4 confident about that.

5 Q. Right. Kept presumably at Macedon rather than in the
6 office?

7 A. Yes.

8 Q. Okay. Thank you very much.

9 A. Thank you.

10 **Further questions from COUNSEL TO THE INQUIRY**

11 MR AIKEN: There's just one matter -- there is just one
12 matter that I am going to clarify. Mr McGuinness has
13 asked me on behalf of the Department. I think it arose
14 from a question Ms Doherty asked of the last witness.

15 The Martin Ruddock report, it wouldn't have been
16 given to the Department, for instance?

17 A. No.

18 Q. It wouldn't be something that they'd have --

19 A. **It was an internal management report, probably prompted**
20 **by senior management.**

21 Q. Yes. So it's been seen by -- the first time it has been
22 seen outside of Barnard's is in the Inquiry?

23 A. Absolutely.

24 Q. Okay. Thank you.

25 CHAIRMAN: Well, thank you very much indeed for coming to

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1 speak to us. In the normal way I would be going to say
2 now that other than perhaps some form of further query
3 that might occur to us, which we would deal by way of
4 correspondence, that would be the end of your evidence.
5 There is a matter that has just been drawn to my
6 attention and the Inquiry will have to consider how to
7 deal with it. So it may be the case that we do not
8 finish this module today, but we may have to resume at
9 some later stage.

10 **A. Okay.**

11 Q. Once we come to a position about that, we will let you
12 and all the other core participants know. The one thing
13 I can say to you, nothing in that line will occur until
14 the New Year.

15 **A. Okay. Thank you.**

16 Q. So those of you who have not yet done their Christmas
17 shopping will know that they have time to do so next
18 week. Until then thank you very much.

19 **A. Thank you.**

20 **(Witness withdrew)**

21 MR AIKEN: Well, strange things continue to happen and
22 unexpected developments and so on, but that concludes
23 today's oral evidence and it may or may not conclude all
24 of the oral evidence.

25 CHAIRMAN: Well, we will rise now and we will resume on the

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1 first Tuesday in January with a new model -- I'm
2 sorry -- a new module.

3 (4.15 pm)

4 (IInquiry adjourned until Tuesday, 5th January 2016)

5 --ooOoo--

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