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HISTORICAL INSTITUTIONAL ABUSE INQUIRY  
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being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Wednesday, 1st October 2014

commencing at 10.00 am

(Day 53)

MR JOSEPH AIKEN appeared as Counsel to the Inquiry.

1 Wednesday, 1st October 2014

2 (10.00 am)

3 Opening statement by COUNSEL FOR THE INQUIRY (cont.)

4 CHAIRMAN: Good morning, ladies and gentlemen. Just before  
5 we resume proceedings can I remind you all to ensure  
6 that your mobile phones are turned off when the Inquiry  
7 is sitting or at the very least switched to  
8 silent/vibrate mode, and I also wish to remind everyone  
9 that no photography is permitted anywhere on the  
10 premises or within the perimeter wall.

11 Mr Aiken.

12 MR AIKEN: I am obliged, Mr Chairman. Good morning, Members  
13 of the Panel.

14 We closed yesterday having looked at the 1958  
15 investigation that was carried out by the Irish  
16 Provincial and what was or wasn't done arising from that  
17 investigation, and we started to look as we drew to  
18 a close at some of the material that the Inquiry has  
19 received in respect of allegations of abuse against  
20 BR17, "BR17". We looked at the two individuals who were  
21 involved in the two limbs of the 1958 investigation.  
22 That was DL439 and DL480, and we also then looked at  
23 DL441, the elder brother of DL439, and looked at the  
24 abuse that he described suffering. He left, as we know,  
25 Rubane a month before his younger brother, DL439,

1 arrived.

2 Having looked at DL441, the older brother, I now  
3 want us to turn to DL442. You will find who that is on  
4 page 32 of the designation list. This man was in Rubane  
5 between 1961 and 1964 between the ages of 12 and 15. It  
6 will be obvious to you, Members of the Panel, that he  
7 did not arrive in Rubane until some three years after  
8 the 1958 investigation. He arrived at a time when BR17  
9 was still the person in charge of the home. BR17 did  
10 not move from Rubane as part of the general six-year  
11 cyclical transfers until 1st September 1962. So his  
12 path crossed with DL442 for towards a two-year period.

13 If we can bring up, please, 50154, we have material  
14 in respect of DL442 arising from a civil claim that he  
15 brought against the Order. We can see in paragraph 7  
16 that DL442 explained that he was sexually abused by BR17  
17 and then he says:

18 "... who also abused other boys."

19 He says:

20 "This happened regularly, once or twice a week",  
21 and he comments:

22 "He would do it openly in front of other boys. This  
23 mainly involved fondling",

24 although you can see the more serious allegation  
25 that he makes. He then says the abuse continued until

1 BR17 was posted to **Nigeria** about a year later.

2 Now that's an error. It is right in due course, as  
3 we will see, BR17 did move to Nigeria, but not at this  
4 point. When he left in September '62, he moved back to  
5 the Downpatrick Community and became the principal of  
6 a school.

7 You will see the reference to then him saying he was  
8 bullied by older boys, because he was seen as  
9 a teacher's pet.

10 If we look then, please, at 50159, you will see that  
11 DL442 started to seek treatment for the difficulties he  
12 was having in 2000, so long before there was any  
13 suggestion of inquiries into institutional abuse in  
14 Northern Ireland.

15 If we look at paragraph 46, please, on 50164, you  
16 can see the conclusions. You can see, as is inevitably  
17 the case with a number of individuals that the Inquiry  
18 will deal with, there are background factors potentially  
19 from the homes that they came from that are in the mix  
20 along with the abuse that they then suffered while in  
21 the children's home, and you can see it being discussed  
22 as one of -- potentially being looked at as one of  
23 several contributory factors to his subsequent problems,  
24 and an attempt to try and apportion the outcome as to  
25 abuse or as to the other factors, but you will then see

1 the analysis that's set out, that the doctor didn't  
2 consider that appropriate, and makes the point that,  
3 despite the difficult childhood that caused this person  
4 to be in the home, if he had been brought up in  
5 a non-abusive environment when there, then he would have  
6 stood a reasonable chance of a better outcome.

7 I see a message on the screen that suggests we are  
8 going to have a technical difficulty, but hopefully  
9 that's not going to arise. It's gone away.

10 That gentleman was also ultimately paid compensation  
11 in the sum of £27,500 for the abuse that he describes.  
12 Again in similar circumstances the generality of what he  
13 was saying was not disputed by the Order and the  
14 settlement will have been on the same without admission  
15 of liability basis.

16 The Inquiry then has received papers in relation to  
17 DL434, and you will see who that is on page 31 of the  
18 designation list. This man entered Rubane in  
19 January 1958, so a number of months before the two-tier  
20 investigation. He arrived aged 12 and left in July 1960  
21 aged 15. Therefore his time did cover the '58  
22 investigation, but also a further two years beyond it.

23 Now he made a detailed ten-page statement to police  
24 in September of 2010, and the Inquiry has received the  
25 police papers relating to that, and also has received

1 from the Order the papers relating to the civil claim  
2 that this gentleman took.

3 The ten-page statement is in the bundle, but I am  
4 going to hand a copy of it to each Member of the Panel  
5 at this point, and I am taking this approach due to the  
6 graphic content of the statement, which I am not going  
7 to bring up on the screen, but I would ask the Panel now  
8 to consider the content of that statement. For the ease  
9 of the core participants it can be found at RUB50200 in  
10 the bundle, but I don't want it brought up.

11 It may be it would be more convenient to the Panel  
12 if you rose for a short time to consider the content of  
13 that document before I continue on.

14 CHAIRMAN: Well, I see it's a very detailed statement, which  
15 runs to some significant number of pages. So I think  
16 we'll rise just to take a little while to read it.  
17 I imagine it will take at least fifteen or  
18 twenty minutes.

19 MR AIKEN: Yes.

20 (10.17 am)

21 (Short break)

22 (10.30 am)

23 MR AIKEN: Mr Chairman, Members of the Panel, the individual  
24 concerned, you have his police statement. There is  
25 a psychiatric report, which I am not going to open, but

1 I am going to give you the page references for it at  
2 50192. In common with another example that you have  
3 already looked at, this person subsequently abused his  
4 own children, and you will see the conclusions that are  
5 reached by the psychiatrist at 50196.

6 As I indicated to you, a civil claim was initiated  
7 by this individual, which was resolved earlier this  
8 year, and £20,000 was paid in compensation, but what  
9 I do want to say to the Panel, the Order has taken  
10 a view and has made its view clear about BR17 as  
11 a result of a series of individuals coming forward and  
12 explaining what they say happened to them. The Order is  
13 not in a position to accept all of the descriptions that  
14 are available in the police statement, but they have  
15 taken a general view as to BR17 and his conduct, and  
16 therefore when I use the words they accept the  
17 generality of the claim, it is on that basis that the  
18 matter was dealt with in the way that it was.

19 I then want to turn to two further individuals.  
20 DL272. You will see who that is on page 23 of the  
21 designation list. In 1995 as part of the police  
22 investigation into Rubane arising from Operation  
23 Overview -- you will recall me saying on the first day  
24 case 29 of Operation Overview produced 41 files. Well,  
25 this matter that we are going to look at was part of

1 that process. DL272 made a statement to police on  
2 2nd May 1995.

3 If we can bring up, please, RUB61348. Now this  
4 individual was in Rubane between August 1958 and  
5 March 1962 between the ages of 12 and 15. So he arrived  
6 just as the Provincial was conducting the first part of  
7 the investigation, which began in September of '58.

8 If we just scroll down, please, you can see him  
9 describing what he says BR17 did to him. He limits what  
10 he says occurred. It didn't get beyond that which he  
11 describes. If his timing is right -- you will notice he  
12 says:

13 "During the time I was in the De La Salle home  
14 I think it was then about a few months ..."

15 If his timing is right, then that's shortly after  
16 the completion of the two limbs of the investigation,  
17 which took place in September and then November.

18 Then if we want to mention DL198, and you will see  
19 who that is on page 19 of the designation list, and  
20 DL198 made a statement to police also as part of the  
21 same police operation on 20th June 1995, and we can find  
22 that at 61362.

23 Now he was in Rubane between July 1958 and  
24 December 1967 between the ages of 7 and 15. So his time  
25 in Rubane does not commence until about nine months



1 after the 1958 investigation.

2 You will see, if we scroll down, please, to the  
3 bottom of page 61363 -- just stop there, please -- so he  
4 describes being bathed, and if you just scroll down,  
5 please, and you can see on this occasion that he is  
6 describing an event where he says what occurred became  
7 known to DL227. It seems nothing more came of it than  
8 that. DL227 is a name to be found on page 21 of the  
9 designation list. When you look at it, you will see why  
10 it has not been possible for us to pursue that any  
11 further.

12 So what we have looked at, I have indicated to you  
13 in summary form the thirteen individuals the Inquiry  
14 will hear from. Then we have looked at seven further  
15 individuals in Rubane who make allegations, some after  
16 the period of 1958, some spanning it, some much more  
17 serious than others, and the Inquiry has also been  
18 provided by the Order with significant and --  
19 significant in terms of its content -- material that has  
20 come to the Order's attention relating to the activities  
21 of BR17 before and after his time in Rubane, and I am  
22 now going to summarise that material for you.

23 It appears that, as I indicated at the summary part  
24 of the opening, the abuse perpetrated by BR17 did not  
25 begin in Rubane. We looked yesterday that he first on

1           qualifying in his early 30s went to Downpatrick.

2           In 2012 DL440, and you will see who that is on  
3           page 32 of the designation list, now he made  
4           a five-page statement to police. Can we look, please,  
5           at 68029? Just scroll down, please. He describes  
6           how -- move on down, please, to the next page. While it  
7           is coming up, he describes in that statement how he was  
8           befriended -- how his mother firstly was befriended;  
9           that it was something of a status symbol that someone  
10          like a Brother in a religious order was taking  
11          an interest in the family. Just keep scrolling down,  
12          please. This was at this point a single mother bringing  
13          up her children.

14          You can see the involvement at the school, and then  
15          -- at the time this boy would have been nine years of  
16          age when what he describes began and BR17 would have  
17          been 25, and he describes the grooming behaviour, which  
18          I will allow you to read, because we are having  
19          a technical difficulty, that involved receiving gifts  
20          and time being spent with the family.

21   CHAIRMAN: Which page is that part to be found?

22   MR AIKEN: Just scroll down, please, to the next page.

23   CHAIRMAN: Yes, we are back on the screen.

24   MR AIKEN: So you will see how initially the interest was  
25          helping with homework, books and games and feeling pride

1           that a teacher had taken such interest.

2   CHAIRMAN:  He is describing what would nowadays be described  
3           as grooming.

4   MR AIKEN:  Yes.  If we just keep scrolling down the  
5           statement, please, he then describes how that grooming  
6           behaviour became something that he realised -- his  
7           words -- things were not right.  He describes his  
8           innocence, and just keep scrolling down.  He then  
9           reflects on the fact that now, looking back -- so he  
10          describes being placed on the knee of BR17 and the  
11          consequences of that, and how this was essentially  
12          carried on while his mother was round about in the  
13          house.  You see that at the seventh line down.

14            You can see just at the bottom of the screen at the  
15          moment the episodes that he is describing occurred about  
16          once a week for about a year and then less frequent,  
17          every two to three months.

18            If you just scroll down, please, so you can see the  
19          description that has been given of the use of the  
20          position in the school with PE.  It is about eight  
21          lines up from the bottom.

22            Scroll down, please, on to the next page.  You can  
23          see how at the top of the page he describes some  
24          arrangement being reached with his mother that allowed  
25          BR17 to take this boy to his bedroom.  He says he can't

1 exactly recall how that came about. His mother refused  
2 to talk about it. He describes his reaction. He then  
3 surmises as to what might have been the discussion that  
4 led to this being acceptable. He describes the abuse in  
5 his bedroom in the centre of 68033. On 68034 he  
6 indicates that the abuse ended when BR17 was transferred  
7 and, as we now know, that transfer was to Rubane.

8 Now he brought a civil claim against the Order in  
9 2005. The Order has provided the material relating to  
10 that. We can see how he described the abuse at 51491.  
11 Just take that page down, please. Mr Chairman, if I can  
12 just make it clear, a name appeared on the screen. That  
13 name should not be used. Those who saw it should make  
14 no reference to it.

15 CHAIRMAN: Yes.

16 MR AIKEN: You will have I trust in your papers the document  
17 that I am referring to, and if I can use -- there will  
18 be a number on the top right of your hard copy. At  
19 51491 you will see --

20 CHAIRMAN: These matters happened according to the account  
21 we have been given when this child was at school.

22 MR AIKEN: Yes.

23 CHAIRMAN: What is the relevance of this to our terms of  
24 reference?

25 MR AIKEN: Material has been disclosed showing now that the

1 Order is aware of abuse taking place before this Brother  
2 entered Rubane.

3 CHAIRMAN: Aware now or aware then?

4 MR AIKEN: They are aware now.

5 CHAIRMAN: Well, this is not within our terms of reference.

6 MR AIKEN: No.

7 CHAIRMAN: Pass on.

8 MR AIKEN: There then is a number of individuals we are  
9 aware from the material that has been provided whenever  
10 BR17 returned to Downpatrick, having left Rubane in  
11 1962. So the 1958 investigation, how that was dealt  
12 with and the non-reporting, the consequences of that can  
13 be seen through material from a number of individuals  
14 that have been provided to the Inquiry. Now those  
15 individuals again were not in Rubane. They are people  
16 who were abused through coming into contact with this  
17 Brother when he returned to teaching in the school in  
18 Downpatrick. So I can leave those matters if the  
19 Inquiry would prefer.

20 CHAIRMAN: Well, our terms of reference do not permit us to  
21 investigate matters that happened in schools. While  
22 there may be an argument as to where the boundary lies  
23 if the school is on the same premises, for example --

24 MR AIKEN: Yes.

25 CHAIRMAN: -- these it seems from what you have said relate

1 to matters at a different stage of his history when he  
2 went on to teach in a school and wasn't in  
3 an institution within the terms of --

4 MR AIKEN: Yes.

5 CHAIRMAN: -- the scope of our terms of reference. So we  
6 shouldn't consider them.

7 MR AIKEN: Their purpose is to simply show the consequences  
8 of not dealing with him in 1958, but --

9 CHAIRMAN: I am afraid that is something that flows from our  
10 terms of reference. It is not relevant.

11 MR AIKEN: There is, if I simply give you the reference  
12 then, a document that discloses how abuse became known  
13 to the Order in 1981 and how that was dealt with, which  
14 may assist in showing the general approach even at that  
15 point, but the abuse that that investigation and the  
16 moving of the Brother deals with occurred not in Rubane.  
17 It was in school subsequently, but I can make the Panel  
18 aware of how that was dealt with, if that's of  
19 assistance.

20 CHAIRMAN: Well, we'll consider this and we'll come back to  
21 it in due course, if necessary.

22 MR AIKEN: So that's essentially all I am going to say then  
23 about BR17, and the Inquiry will hear from the thirteen  
24 witnesses over the next two weeks in respect of the  
25 abuse that they allege he engaged in.

1           What I want to do then is move to the next part. We  
2 stopped yesterday at 1960, and I want to then move to  
3 look at the period between 1960 and 1965. I know we  
4 have a little logistical work to do with papers. So  
5 this may be an appropriate time to take a short break to  
6 allow that to happen.

7 CHAIRMAN: Yes. Very well. Well, I take it that the folder  
8 we have been using will not be relevant now for some  
9 time?

10 MR AIKEN: Yes.

11 CHAIRMAN: Very well. I will rise now for I hope not more  
12 than five minutes.

13 (10.55 am)

14 (Short break)

15 (12.10 am)

16 CHAIRMAN: Now, ladies and gentlemen, I think it is  
17 appropriate at this stage that in the light of what is  
18 going to be placed before us shortly I should explain  
19 the Inquiry's approach to such matters.

20           Whilst what may have happened to a child in their  
21 family home or in a school will not formally -- sorry --  
22 will not normally fall within our terms of reference  
23 because, for example, schools are expressly excluded  
24 from our terms of reference, nevertheless that may still  
25 be relevant to the Inquiry's terms of reference.

1           That is because it may reveal a state of affairs  
2           that was brought to the attention of those responsible  
3           for residential institution within our terms of  
4           reference. The reaction of the institution or any  
5           organisation concerned to that state of affairs and the  
6           action it took or failed to take to protect children in  
7           residential institutions within our terms of reference  
8           are matters that we consider fall within our terms of  
9           reference.

10           That is because these matters may reveal systemic  
11           failings by the institution or the organisation in the  
12           way it reacted to that knowledge. The reaction might be  
13           such as failing to remove the person or persons  
14           concerned from contact with children, not just contact  
15           with children who fall within our terms of reference, or  
16           failing to report the matter to the appropriate civil  
17           authorities in the form of the relevant Ministry or to  
18           Social Services or to the police.

19           Now, Mr Aiken.

20   MR AIKEN: I am grateful, Mr Chairman.

21           The Inquiry has been provided by the De La Salle  
22           Order with a series of documents relating to individuals  
23           who were -- who allege that they were abused by BR17  
24           after he left his post in Rubane and that abuse  
25           primarily relates to a school where he began to work.



1 Now the Inquiry -- schools are not within our terms of  
2 reference. We are not going to explore in any detail  
3 those allegations per se in relation to even someone who  
4 previously worked in an institution that we are dealing  
5 with such as Rubane, but where that material does bite  
6 on this Inquiry's work in this particular instance  
7 dealing with BR17, there is one individual whose  
8 material has been rightly disclosed to the Inquiry that  
9 demonstrates how the Order dealt with known allegations  
10 and accepted abuse by BR17.

11 While the Inquiry has the material, I am not going  
12 to bring that material up on the screen, but I am going  
13 to summarise it to the Inquiry in this way, that in and  
14 around 1981 and the end of 1981, possibly the start of  
15 1982 an individual who had been abused by BR17 during  
16 his time working in a school post his time in Rubane  
17 brought that allegation to a member of the Order, who --  
18 I will check this -- but I believe was a Brother  
19 Director in one of the communities of the Order, but as  
20 a result that information was conveyed to the then  
21 Brother Provincial.

22 The Brother Provincial at that point in time, end of  
23 '81/start of '82, was **BP 4** Again  
24 his name shouldn't be used beyond the chamber. Brother  
25 **BP 4** , the Provincial, took a series of steps in

1 relation to what he had been told. Those steps  
2 demonstrate the approach of the Order at least to the  
3 allegations involving BR17 at that point in time.

4 Firstly, he saw to it that the individual who was  
5 saying they were abused received psychiatric help.

6 Secondly, he approached, confronted, whatever the  
7 appropriate word for what took place, BR17 with the  
8 allegation that had been made, and it appears from  
9 material the Inquiry has received that BR17 accepted the  
10 allegation that had been made by this individual.

11 As a result of that BR17 was psychiatrically  
12 assessed and the Order is presently looking for the  
13 material that arises from that interaction, because this  
14 is material that has come to light in recent days, and  
15 the Order is going to see whether that material is  
16 available and can be provided, but what that discloses  
17 is that BR17 was sent for assessment, and as a result of  
18 that assessment it appears that he was asked to and  
19 accepted a transfer from his position in Downpatrick to  
20 Nigeria, and he, as you can see from his biography, then  
21 moved to Nigeria during 1982 and he continued to live  
22 there until he died.

23 Now what that sequence of events shows will raise  
24 a series of issues for this Inquiry in terms of how the  
25 Order that was running this children's home dealt with

1 matters even at that point in time, because the Inquiry  
2 will recall from the start of my opening that by 1981  
3 the Order had had a Brother suspended and subject to  
4 charge in respect of Rubane, another Brother facing  
5 assault charges, and a caretaker from Rubane facing  
6 charges of sexual abuse. So this matter comes to light  
7 after that period of time and it discloses the steps  
8 that were taken at that stage of 1982.

9 From the material that is available it does not  
10 appear that the individual was reported to civil  
11 authorities, whether that be to government Ministries or  
12 to the police, and it is not clear from the present  
13 material, although it may be the Order can ascertain  
14 whether there is any further information that perhaps  
15 went towards Rome, as to whether there was any reporting  
16 of this matter to the Superior General and his General  
17 Council and what response there might have been to that.

18 So that series of steps essentially brings  
19 a conclusion to the matters relating to BR17, because at  
20 this point the Inquiry is unaware of what his role was  
21 when he went to Nigeria, and that's again something the  
22 Order can look into, whether that involved any  
23 interaction with children, and whether there were  
24 further allegations that arose during his time there.  
25 So I don't want to say anything more at this stage,

1 Mr Chairman, about those matters.

2 What I would have been moving on to was to take  
3 us -- we had got yesterday to the end of 1959, and  
4 I intend to look at the period 1960 to 1965 before  
5 looking at the particular incident that comes to  
6 everyone's attention in 1964.

7 We have an administrative issue that we need to  
8 resolve before that can be most efficiently executed by  
9 me. Perhaps we could consider taking an early lunch  
10 today to allow those administrative issues to be  
11 resolved.

12 CHAIRMAN: I gather they may take more than an hour. So we  
13 will resume, ladies and gentlemen, as soon after  
14 2 o'clock -- 2 o'clock or as soon thereafter as we can  
15 be ready for you.

16 (12.20 pm)

17 (Lunch break)

18 (2.05 pm)

19 CHAIRMAN: Yes.

20 MR AIKEN: Mr Chairman, Members of the Panel, when we closed  
21 yesterday in terms of the chronology, we had reached the  
22 end of 1959, and the last memo in effect that we looked  
23 at was from Mr Alexander, who may have been the  
24 Assistant Secretary in the Ministry of Home Affairs,  
25 making it clear when the issue of overcrowding was

1 brought to his attention that, yes, a letter should be  
2 written to the home to BR17. He made the point, if you  
3 recall:

4 "Before we know it they will have 80 or 90 in the  
5 place."

6 The letter was then written on 12th November of 1959  
7 telling him to get the numbers down to the approved  
8 number of 71.

9 Then we now are going to move into the period 1960  
10 to 1965 to look at the progression of the home before we  
11 stop to look at a specific incident that will be  
12 important to the work of the Inquiry in 1964.

13 Can I say in passing the Order has set out in both  
14 its awareness statement to the Inquiry an incident  
15 relating to another Brother of the Order, but in Dublin  
16 in 1958, and I will just give you the reference for that  
17 rather than bring it up now, but that's at RUB174 and  
18 also RUB182. That was an incident that the Order became  
19 aware of at that point in time.

20 So we have got the -- another example -- if we can  
21 bring up, please, 10600 -- of the annual numbers return  
22 that we looked at yesterday that seems to have come into  
23 being in and around 1959 as least as far as we have the  
24 records for Rubane. You will see that this form is  
25 signed off by the Brother Director and it's of 4th

1 January 1960 and the numbers being given are 74.

2 We then have a report of 17th January 1960. If we  
3 can look at 10218, please, this may be the first of  
4 these types of reports. This is the Welfare Officer,  
5 which I take to be DL367, of the Nazareth Lodge Welfare  
6 Committee, which was involved in the aftercare of boys,  
7 including boys from Rubane. You can see he is setting  
8 out the number of boys from Rubane House that he's been  
9 involved with and where they have been engaged. I am  
10 not going to spend much time on this document, but  
11 I just want you to be aware of its existence and the  
12 fact that there was work going on by way of aftercare  
13 that this type of document reflects.

14 If we move through on to the -- I am not sure  
15 whether there is a second page to this document. If we  
16 scroll down, please, to 10209 -- sorry -- 10219. 10219.  
17 Yes. So you can see then there is an analysis set out  
18 for each individual boy. If we can just scroll down,  
19 please, through these pages, we can see -- move on to  
20 the next page. If we just take that page down, please.  
21 The report covers a number of pages and records for  
22 a number of boys engaged with the work of the Nazareth  
23 Lodge Aftercare Committee what they were doing to assist  
24 them. The Inquiry has received a number of documents  
25 like that. We will look at some of those over the

1 coming months.

2 On 3rd March 1960, if we go, please, to 5197, the  
3 Governing Board then meet, and I am going to summarise  
4 the content of this, if I may, but if you just scroll  
5 down, please, you'll see there's further discussion of  
6 building plans and the envisaged costs of the new  
7 building that was being suggested which at this stage  
8 involved a dining hall and kitchen and the intermediate  
9 school that was being proposed. That's the extension to  
10 the new school that was already in existence. In  
11 a previous meeting minute we saw reference to perhaps  
12 building another storey on the building. You can see --  
13 it is faint, but you can see reference to a suggestion  
14 to do the intermediate school first, and pointing out  
15 that the Ministry of Education wanted a guarantee that  
16 residential accommodation for over 100 people would have  
17 to be provided before the school extension could be  
18 approved.

19 On 13th April -- just bring up, please, 10412 --  
20 13th April 1960 Miss Wright from the Ministry of Home  
21 Affairs inspects the home. You will see she says in the  
22 second paragraph about:

23 "Plans for the new intermediate school have been  
24 submitted to the Ministry."

25 You can see she is still continuing to meet with

1 BR17.

2 "It is now understood that a two-thirds grant will  
3 be forthcoming for the proposed project."

4 Again the point is made about has to be at least 100  
5 boys in terms of residential accommodation before that  
6 work can begin.

7 You will see the suggestion now being made by BR17:

8 "Although the eventual plan is to build three to six  
9 cottages, BR17 thinks it will be sufficient to provide  
10 one cottage for 20 boys initially together with a new --  
11 together with a new recreation hall, dining room and  
12 kitchen."

13 So we are aware of the previous discussion about  
14 cottages and then that not really getting off the ground  
15 and now BR17 is again talking about cottages to the  
16 Ministry as the suggestion for providing the increased  
17 accommodation.

18 You can see on the -- towards the bottom:

19 "On the day of the visit there were 77 boys in  
20 residence ..."

21 But, in fact, the total number was 79, because there  
22 were two boys in hospital. We can just -- none of the  
23 names contained in this document should be reported.

24 It is pointed out --

25 "I pointed out to BR17 this number was eight in



1 excess of the authorisation and he should take steps to  
2 reduce the number to 71 without delay."

3 If we scroll down, please, to the next page. Can we  
4 scroll up to the bottom of the page before?

5 EPE OPERATOR: No.

6 MR AIKEN: Right. Can we see 10412 again, please? If we  
7 look at the annotation at the bottom of the page, so we  
8 have an annotation to Miss Wright:

9 "It is most disappointing to find that despite our  
10 efforts last year this home has still far too many boys  
11 in it. I don't propose to take any action pending the  
12 outcome of your further visit. On that occasion you  
13 should inform BR17 of the Ministry's grave concern at  
14 the" -- and move on to the next page, please -- "grave  
15 concern at the continued overcrowding and endeavour to  
16 gather some idea of what his proposals are for  
17 a reallocation of accommodation once the new cottage and  
18 the other units are provided."

19 It appears from the -- on 4th May 1960 -- and we  
20 don't have a report to follow this -- but it appears  
21 Dr Simpson and Miss Wright did attend again. The  
22 reference for that is 10105. What was said on that  
23 occasion there isn't a record to indicate, but if Miss  
24 Wright did that which she was directed to do, then what  
25 BR17 will have been told is set out on the annotation.

1           On 25th May of 1960 there was a visit to Rubane from  
2           the Child Welfare Council. The Panel will be familiar.  
3           We looked at them in the first module. There were  
4           a series of Child Welfare Councils established on foot  
5           of the 1950 Act and this was one such visit. I will  
6           just give you the reference in the Events of Importance  
7           log at 10105. There is no need for that to be brought  
8           up.

9           On 31st May a civilian                   teacher arrived.  
10          That's DL6. He will feature in the evidence that you  
11          will hear over the coming days as boys make allegations  
12          of the physical abuse that they say he engaged in  
13          towards them. He is since deceased.

14          Now in the History of the Home log of 31st May there  
15          is also reference to two new bungalows on the grounds  
16          near the Rubane corner area of the premises being  
17          completed and the gardener and this new civilian  
18                   teacher moved into those bungalows.

19          In June 1960 you have the visitation from the  
20          Provincial and perhaps indeed the Assistant General at  
21          11819, and the History of the Home at 11820 records in  
22          the summer of 1960 the extension taking place to the  
23          chapel and reconstruction of the outhouses or old  
24          stables being converted for store rooms and recreation  
25          rooms for the boys.

1           On 13th August 1960 BR3 arrived to replace a Brother  
2           who was leaving. The reference for that is at 11819.  
3           You will have a curriculum vitae for BR3 at 959. You  
4           will hear over the coming days a series of allegations  
5           about BR3, who worked in the home.

6           On 21st September 1960 the Superior General himself  
7           from Rome visited at Rubane. The reference for that is  
8           at 10107.

9           Then on 25th November BR60 writes to the Ministry of  
10          Home Affairs. If we can look, please, at 10145. So he  
11          indicates on 25th November that he's directed by the  
12          trustees of the De La Salle Boys Voluntary Home to refer  
13          to the recent discussions which BR17 and he himself had  
14          with the Ministry regarding the provision of additional  
15          accommodation for the children at present in the home  
16          and its future development.

17          He sets out again the house and the 250 acres were  
18          purchased for the sum of £45,000 -- you are aware there  
19          is an issue over that -- and after expending a further  
20          sum of £15,000 it was opened in 1951. Then he sets out  
21          how the capital was defrayed. During the nine years the  
22          home has been in existence he sets out that it has  
23          catered at that point for 274 boys while 99 of them had  
24          moved -- 99 of them had moved from Nazareth Lodge, and  
25          you can see there is another 57 voluntary cases, and

1 then he lists out, if we just scroll down the page,  
2 please, a series of numbers from various welfare  
3 committees.

4 If we can move through to the next page, please,  
5 10146, and if you can maximise just that for me, please,  
6 you can see the list of the welfare authority children.

7 Then he says:

8 "At present there are 78 boys in the home."

9 So the issue of numbers continues, and he says  
10 then -- gives the breakdown of where they come from.

11 Then:

12 "Due to the lack of accommodation during the past  
13 year the home has had to refuse admission to one boy  
14 each from various welfare authorities and some voluntary  
15 cases."

16 He makes the point that one of those boys who had to  
17 be refused continued to spend time in a mental hospital,  
18 because the welfare authority it is said according to  
19 this letter couldn't find accommodation suitable for his  
20 needs.

21 He points out that since 1956 the average intake  
22 from Nazareth Lodge has been 12 per year and it is  
23 likely that that will continue. He makes the point  
24 that:

25 "As these boys are in the 11 plus age group, they

1 are likely to stay at the home."

2 If we can go down to the next -- this may be  
3 an unusual page that has a 6A. So RUB - 11943

4 EPE OPERATOR: I don't have that document.

5 MR AIKEN: Right.

6 If we go, please, to 10147, we may be missing  
7 a third page that we have to remedy. I apologise for  
8 that. He is indicating here -- he notes that  
9 section 118 makes provision for the payment of grants to  
10 voluntary organisations towards the expenses incurred in  
11 improving and equipping voluntary homes, and he is  
12 enquiring if the Ministry would be prepared to give  
13 financial assistance to the development of the home on  
14 the lines set out on the attached architect's drawings.

15 I think if I can ask you, Members of the Panel --  
16 this letter is important, and it is better that we get  
17 the third page, because it talks about the general  
18 principle of how the development is to take place. So  
19 if I can apologise for the inconvenience, I would ask  
20 you to rise for a few minutes until I remedy this  
21 problem.

22 CHAIRMAN: Certainly.

23 (2.25 pm)

24 (Short break)

25 (2.50 pm)

1 CHAIRMAN: Mr Aiken, we have been looking at the documents  
2 you have given us and in the light of the time that we  
3 have lost through this problem being sorted out -- and  
4 I should say we entirely appreciate these things are  
5 very complicated. We are not in any way criticising  
6 anybody. I am sure everybody is doing their best. We  
7 are dealing with vast quantities of material and this  
8 does create problems, but we are happy to go on a little  
9 later this afternoon than otherwise might be normal to  
10 catch up.

11 MR AIKEN: I am grateful for that, Mr Chairman. All being  
12 well, we have ironed out our present technical problem.  
13 We were looking at BR60's letter. If we can just go  
14 back, if we can, to 10146, and then we will move through  
15 to the page that we have just added, we can see at the  
16 bottom he is saying -- he is referring to the Nazareth  
17 intake and then he is making the point that:

18 "As these boys are all in the 11 plus age group they  
19 are likely to stay at the home for at least four years."

20 Then if you can move through for me to the -- I am  
21 not sure whether we are using the incorrect A reference,  
22 but we are able to pull the page up:

23 "This means that approximately 50 places are  
24 occupied each year by boys from Nazareth Lodge.

25 The home is at present certified by the Ministry of

1 Home Affairs for 71 boys, but for the last two years  
2 that number has often been exceeded by as many as ten  
3 boys extra, which has resulted in overcrowding in every  
4 department, but particularly the dining room."

5 So you can see that there is an acknowledgment from  
6 BR60 of overcrowding and the difficulties that it  
7 creates.

8 "In view of this the trustees have in recent months  
9 given serious consideration to the question of improving  
10 the existing amenities at the home, and it is generally  
11 accepted that the provision of a new kitchen, dining  
12 room and a recreation hall are absolutely essential.

13 Our architect estimates that the provision of this  
14 accommodation is likely to cost approximately 16,500  
15 pounds."

16 I don't have the calculation, but I will give you  
17 the calculation in due course as so what that is in  
18 today's money's worth.

19 "The Ministry of Education has on several occasions  
20 drawn attention of the managers to the lack of  
21 intermediate secondary education at the home and has  
22 suggested that a minimum of 120 pupils would be  
23 necessary in order to provide an economic unit."

24 You are aware of the flow of material between the  
25 home and the Ministry. That may be slightly

1 overestimating the position:

2 "The possibility of sending these boys to the  
3 intermediate school for the area has been explored from  
4 various angles without success.

5 The managers feel that in view of the present number  
6 of boys at the home and inquiries that they have  
7 received from various sources that the home would need  
8 to be extended in the near future to cope with at least  
9 120 boys.

10 As a general principle" -- and this is important and  
11 I will ask the Panel to note this at this point -- "as  
12 a general principle it has been decided that any  
13 extension to the existing accommodation should be on the  
14 cottage system, which would provide living accommodation  
15 for the boys, and the existing residence could then be  
16 used for providing accommodation for resident staff --  
17 say sick bay and general administration."

18 So you have an expression here of an intention from  
19 the Governing Board to have cottages, the family group  
20 type system of some form that will take all 120 of the  
21 envisaged boys, leaving the main residence as  
22 an administrative block. Now it may be as part of that  
23 it would see the steward's house as potentially one of  
24 those cottages and maybe some other outbuildings as  
25 another one, but certainly an intention to create that



1 type of family group arrangement in 1960.

2 If we can move through then to the next page, which  
3 should be RUB10147, which I think we looked at just as  
4 we took the break, that then is the invitation at 10147,  
5 the invitation from BR60 for an inquiry of the Ministry  
6 whether they would be prepared to give financial  
7 assistance to the development of the home on the  
8 lines that are set out on the attached drawings.

9 Now that letter is of 25th November. On 30th  
10 December then we have the Governing Board meeting at  
11 RUB5198. You will recall, if I can just say at this  
12 point, in the last two Governing Board meetings, the one  
13 in March '60 there was discussion of building plans,  
14 envisaged costs, building in stages, doing the  
15 intermediate school first, not necessarily the type of  
16 exploration that BR60 has indicated had taken place over  
17 the cottages, and certainly we are now going to look at  
18 30th December Board meeting and there is discussion  
19 here. Again the Bishop is presiding. There is three --  
20 description of three parts of the building. If we can  
21 scroll down a little, please. So you can see first the  
22 chapel. It was decided to proceed with this first, as  
23 it was the least cost in effect. Second, the dining  
24 room and kitchen. The matter is to be placed before the  
25 Ministry of Home Affairs. If no help was forthcoming,

1 the Ministry of Education should be approached. Third,  
2 the intermediate school. Sketch plans have been  
3 submitted and approved by the Ministry of Education and  
4 the architect was authorised to produce working  
5 drawings.

6 You can see then BR17 suggested that the debt --

7 If we just move down a little, please, and you will  
8 note just before we do -- my apologies -- you will see  
9 right at the very top BR60 is at this meeting as well.

10 If we scroll down, you can see he is talking about  
11 how the debt might be managed in order to allow building  
12 to commence. So he talks about the loan with the  
13 Orphans Society being held in abeyance.

14 If we can move through to 5199, we can see he is  
15 suggesting it be deferred pending the outcome of the  
16 interviews with the Ministry officials to see what grant  
17 might be available for the work that's proposed, and  
18 then some other references are made to various other  
19 matters that are taking place in the home.

20 Now -- so you can see that, despite the content of  
21 the letter that went to the Ministry, which was said to  
22 be on behalf of the trustees, essentially the Governing  
23 Board, the content of this Board meeting does not seem  
24 to reflect a description of building for 120 boys,  
25 moving everyone to cottage style accommodation and the

1 main house being a central block. The discussion that's  
2 taking place here is essentially three parts, one  
3 extending the chapel, the other providing a dining room  
4 and kitchen, which is consistent with the letter that  
5 was sent, though it went on to refer to a recreation  
6 hall, and then further work on the intermediate school.  
7 It doesn't contain the reference to it being clear that,  
8 "We are going to move to the cottage style system".

9 On the -- I think I said -- if we just go back,  
10 please, to the page before, 5198 -- yes. I mistakenly  
11 referred you to this being 30th December. This was 30th  
12 November. So it was five days this meeting took place  
13 before the letter was written to the Ministry of Home  
14 Affairs.

15 Then on 2nd December, if we can go to 10377, we can  
16 see a reference to having received this letter. He  
17 attaches:

18 "... a copy of the memorandum mentioned during our  
19 talk yesterday."

20 Now that's the memorandum, if we can reflect back to  
21 the 1952 memo, that explained how voluntary homes were  
22 to apply for grants, and we will -- so what's being --  
23 the letter is being considered and it is then said:

24 "I think we are justified in asking at this stage  
25 for a reply to paragraph 5, as we could not be expected

1 to consider the principle of a grant as requested in the  
2 letter without precise knowledge of the sum of money in  
3 mind."

4 Now paragraph 5 that's being referred to, if we can  
5 move to 10315, please, and if you just maximise 5 for  
6 me, and this is the type of information that's required  
7 when making an application for a grant, and you can see  
8 the type of information and documents that's being  
9 sought. They are looking for who is making the  
10 application, the accounts in order to be able to satisfy  
11 -- one of the criteria was that there was not funds  
12 available to make the project work without State  
13 funding. Then the statement that:

14 "The organisation can only meet a portion of the  
15 funds required",

16 and then a detailed statement setting out:

17 "If the grant is to be towards the provision of  
18 qualified staff, particulars should be given of the  
19 number of children, the existing staff, the duties which  
20 the proposed new members of staff will undertake, the  
21 qualifications of the proposed new members and the  
22 salary to be paid."

23 So you can see the type of information that's being  
24 laid out that's required whenever someone is coming  
25 forward looking for a grant.

1           If we can go back then to the memo at 10377, please,  
2           and you will see the annotation then down the left-hand  
3           margin. It is rather difficult to make out, but it is  
4           drawing attention to the memo and to ensure uniformity  
5           of procedure. It is making reference to another  
6           application. The name "Fox Lodge" is connected to the  
7           Nazareth property in Belfast.

8           Now as a result of that consideration a letter was  
9           then sent on 6th December. If we can look at 10378,  
10          please. Just maximise that for me. So a letter is  
11          coming from Mr McGrath:

12           "I am directed by the Minister to refer to your  
13          letter regarding the proposed developments at De La  
14          Salle. I enclose another copy of the memorandum."

15          As we are aware, there is a much earlier letter  
16          sending the memorandum on a previous occasion and asking  
17          for all the necessary information that's referred to in  
18          paragraph 5 to be set out.

19          That brings us to the end of 1960 and into 1961. We  
20          have the submission of the annual return on 9th January  
21          and that's at 10601. I am not sure whether we are going  
22          to be able to bring it up, but it discloses now the  
23          numbers are at 79. There we have the return of January  
24          '61. You can see the number of boys is said to be 79.  
25          There are more medical examinations you can see if you

1 look at the reference just at 10107.

2 Then we will see on 7th February, if we can bring  
3 up, please, 10116, a letter potentially -- it is either  
4 going to be from BR17, who is still the person in  
5 charge, or potentially the secretary, who was BR13, and  
6 he is referring to the Brother Visitor, to BP1:

7 "Either you didn't receive my last letter or I have  
8 misunderstood what was required for submission to the  
9 district council."

10 So it appears that the Brother Visitor's council --  
11 so there must have been a provincial council in Ireland  
12 -- must have received some form of communication on  
13 occasions from individual communities or homes that the  
14 communities ran. It is maybe something the Order can  
15 look into for us as to whether there is any record if  
16 there were minutes of this type of district council  
17 meeting, whether there is anything relevant contained in  
18 them.

19 "He is under the impression that it was plans only  
20 which you needed, but in speaking he told me ..."

21 He then sets out the position and talks about the  
22 oratory.

23 "First scheme to commence and should start within  
24 the next six or eight weeks."

25 Then:

1           "The school sketch plans have been approved by the  
2           Ministry of Education and the architect has been asked  
3           to prepare working drawings. See again the reference to  
4           the 65% grant."

5           Then:

6           "The dining hall. The position has changed more  
7           times than I like to remember and has entailed countless  
8           interviews with the Ministry of Education, Local  
9           Education Committee",

10           and he is looking for 100% grant for the dining  
11           room, and he expresses the view I think slightly further  
12           down that he anticipates ultimately succeeding, and  
13           I think he is correct that he did ultimately succeed.

14           If we just scroll down, please, then you will see  
15           "The recreation hall and cottages":

16           "The question of grant for the recreation hall is at  
17           present under consideration by the Ministry of Home  
18           Affairs. They have placed all our other extension  
19           schemes in the hand of the Maconachie Committee."

20           You will recall that was the committee that the  
21           Ministry set up to examine whether capital grants should  
22           be awarded or not and make recommendations to the  
23           Minister on foot of their investigations, and he is  
24           awaiting their findings.

25           He says:

1           "The cost of the recreation hall may cost up to  
2           4,000 pounds. I have made no move on the cottages as  
3           yet, although accommodation here is truly bursting at  
4           the seams and should receive immediate attention. To  
5           date we have 82 boys ..."

6           So the return that went in the month before was 79.  
7           Now the number is at 82.

8           "... occupying accommodation originally meant for  
9           70, and we have a waiting list of six urgent cases  
10          seeking admission."

11          If we can move down to the next page, 10117:

12          "But at the same time I think the planning of  
13          cottages requires the most careful and minute  
14          examination, necessitating far more time than I have  
15          just now at my disposal. So I have no choice but to  
16          wait until I get many of the other matters finally  
17          settled. I think you will agree that the construction  
18          of the cottages would entail procuring first-hand  
19          information on existing cottages run by other bodies in  
20          similar circumstances. So the plans of the cottages  
21          which you have are not meant to be final. At some  
22          future date, unknown as yet, it is hoped to build one  
23          cottage to relieve the intolerable congestion."

24          He then thinks he has given all the information  
25          that's required of him.



1           On 14th March then 1961 we have another Ministry  
2           inspection from Miss Forrest. We will see that at  
3           11868. Just maximise that. She indicates now there is  
4           78 boys in residence. 27 are in the steward's house, 64  
5           beds in the main house. She makes the point the  
6           bedrooms and dining room are seriously overcrowded.  
7           Number of toilets is inadequate. Those in the steward's  
8           house are far too far away to be of use except at night.  
9           She makes the point about staff, that there are you will  
10          see in the last paragraph now seven Brothers, three  
11          teachers, two prefects, a secretary and BR12, the  
12          Subdirector. Then there is a lay teacher  
13          So you can see the difficulty with the staff ratio and  
14          some of these Brothers that are counted in that staff  
15          ratio are, in effect, doing a full-time job teaching as  
16          well.

17                So he then makes the point, BR17, to Miss Forrest:

18                "He is most anxious to hear from us on the question  
19                of grant as he feels he will not get his own committee's  
20                approval to going ahead with this extension and  
21                improvements unless he can show pretty clearly just  
22                where the money is to come from. He has some hopes of  
23                getting Ministry of Education help with the dining and  
24                kitchen or possibly just one of these."

25                Now then on 28th April -- so that's a report goes

1 in. You can see it is annotated by various members of  
2 staff. On 28th April if we can look at 10... -- in  
3 fact, if we can go to a page, please, at 10229. That's  
4 10229. It is the second -- it is just the same.

5 On 28th April, if we can go to 10383, please, there  
6 is -- that's 10383 -- we have a Ministry of Home  
7 Affairs' memo. I think it is from Mr McGrath, and that  
8 he is indicating, if I just summarise, because it is  
9 difficult to read, but he is indicating he has had  
10 a telephone conversation with -- a conversation with  
11 BR17, who has claimed to him that he has -- was visiting  
12 and met with men from the Manchester Home Office, and  
13 those men had told BR17 that they grant aid extensions  
14 for voluntary homes. So you will recall a major issue  
15 in the papers we looked at to date is the Ministry  
16 viewing the section as not providing finance for  
17 extensions of voluntary homes and he is indicating,  
18 "Well, I have had these conversations and they do".

19 Now we can -- a letter seems to have been sent to  
20 that -- Mr Early in the Home Office. We can see his  
21 reply at 10386. You can see it seems:

22 "BR17 was visiting in Manchester and inquired about  
23 the availability of government grants in aid of  
24 voluntary children's homes and expressed particular  
25 interest in the grants given to Roman Catholic

1 organisations."

2 Reference is made to the equivalent of our 1950 Act,  
3 which is the Children Act of 1948, and:

4 "He was given examples of convent homes where grants  
5 had been made towards the cost of improving premises.  
6 Neither Mr Woolcock nor I have any recollection of  
7 referring to grants for improvement which provided for  
8 an increase in the number of places available in  
9 a voluntary children's home.

10 I can only think therefore that BR17 may have  
11 misunderstood what was said. The misunderstanding may  
12 have arisen due to the fact that in certain cases quoted  
13 new accommodation for children was made available in  
14 existing premises not with the intention of providing  
15 for an increased number of children, but only to replace  
16 or extend existing accommodation. I am sorry if  
17 anything we said could have left the wrong impression."

18 So it seems that the Home Office have a similar  
19 approach, which is what the Ministry of Home Affairs'  
20 documents has always suggested.

21 On 17th May at 10389, please, we have a memo that  
22 spans two pages. I am just going to summarise it, if I  
23 may, in this way. It is suggesting consideration of  
24 whether to send to the Maconachie Committee the various  
25 plans that have been put forward to date. You can see

1       they are referring to the kitchen, the dining room and  
2       the recreation hall. It seems that the accounts you  
3       will see in the end of the first paragraph, 18th January  
4       '61, that the accounts were submitted as per the request  
5       that had gone out and:

6               "... a decision is now required on whether we should  
7       submit this to the Maconachie Committee."

8       If you just scroll down, please, then background is  
9       provided by Mr Alexander's note of June 1960. I am not  
10      sure that that's a note we actually have. So it is  
11      unclear what might have been referred to, but it may  
12      have been preparing a preliminary draft to go to the  
13      Maconachie Committee. You will see:

14              "The chief difficulty in this case is of" -- and if  
15      we can go to the next page, 10390, please -- "the chief  
16      [problem] is, of course, the new premises proposed by  
17      the trustees smacks of extension as well as being  
18      an improvement, and in company with Home Office we have  
19      so far set our faces against grants for increase in  
20      capacity. In this connection please see the Home Office  
21      letter ...",

22              and there is Home Office letter, which again isn't  
23      a letter that -- it seems to be a letter earlier to that  
24      of the one we looked at from the Manchester Home Office,  
25      but it presumably from the tone of this indicates that

1           their policy was the same as this Ministry's policy.  
2           Paragraph 9 of the memo enclosed with that letter refers  
3           to extra numbers. It is unclear what that document is  
4           and we have not yet found a copy of it. He encloses  
5           a copy of section 46 of the 1948 English Act, which is  
6           exactly the same as section 118 of the Northern Ireland  
7           Act. He says then, if we scroll down, please:

8                     "If reference is made to the committee, it is  
9           reasonable to assume that they will agree that  
10          improvements of the existing cooking, dining and  
11          recreation facilities are necessary and we should be  
12          prepared to receive a recommendation that a grant should  
13          be made. Perhaps they would suggest ...",

14                    and you can see some form of pro rata. It is  
15          envisaged the scheme is for 120. So 71 is the approved  
16          number. So the amount pro rata 71 probably over 120 in  
17          order to work out what the grant figure should be.

18                    Scroll down, please. Then there's reference to the  
19          letter that we did see from -- of 10th May from the Home  
20          Office that we looked at, and that's being annotated  
21          then as indicating that it confirms there has been no  
22          change to the Home Office policy.

23                    Then we see the Governing Board meeting again. If  
24          we can look at 5200, it is meeting on 5th June, and if  
25          we can look -- you can see that by this stage Bishop

1 Mageean is not presiding. He passed away in 1962. So  
2 it may be he was taking a step back from his duties at  
3 that stage, but it is Monsignor Mullally is presiding,  
4 and he -- if we look at the second page at 5201, BR17 is  
5 confirming that -- there we are:

6 "... on the question of proposed extensions that the  
7 plans for the new kitchen and dining hall are ready for  
8 tender. However, it was generally accepted it would be  
9 unwise to proceed with the tender until the final  
10 decision of the Ministry of Home Affairs was made  
11 known."

12 Then they are turning to the question of indoor  
13 recreation.

14 "With the exception of the classroom block there are  
15 no facilities whatever for indoor recreation in wet  
16 weather" -- scroll down, please -- "and during the  
17 winter months."

18 Permission was then granted to alter a number of  
19 coach houses to include recreation rooms, library,  
20 sitting room, television room, games hall, football  
21 house, billiard room and a staff room. So very positive  
22 activity-based facilities being looked at to provide and  
23 those renovations are going to go ahead.

24 Then we can see a memo from Mr Parkes of 8th June --  
25 so just a few days later the Ministry are doing their

1 consideration -- at 10166. Mr Parkes sets out to the  
2 secretary his views:

3 "Rubane is a registered voluntary home for boys. It  
4 was opened some ten years ago. Registered maximum  
5 capacity of 71. Money is to be spent on new buildings.  
6 Three main areas -- three main reasons:

7 The home is overcrowded. There are usually more  
8 than 71 boys there.

9 Some of the premises are depressing and unsuitable  
10 and

11 (c) the Brothers are anxious to establish  
12 an intermediate school, for which they must have  
13 a population of about 120."

14 He makes the point that reasons (a) and (c) are  
15 irrelevant for their purposes.

16 "We can't pay a grant for enlargement of the  
17 capacity of the home. We have to confine ourselves to  
18 (b)."

19 That's the premises are unsuitable.

20 "The task before us is to decide to what extent  
21 existing accommodation is unsuitable and to what extent  
22 the proposed new accommodation represents profitable  
23 replacement of the", I think that's, "inevitable part of  
24 the same maximum numbers. This will, of course, be  
25 a difficult task and the final result cannot be more

1 than guesswork."

2 So the point they are making is about trying to work  
3 out how do you -- so as not to be paying money for  
4 extending, how do you make sure that the portion of  
5 money you are identifying is just to improve for the  
6 number that's already there. He indicates:

7 "Before we begin the task of assessing information  
8 for the Maconachie Committee" -- scroll down, please --  
9 "I think you should have an opportunity of seeing the  
10 papers" -- if we can scroll down, please -- "and perhaps  
11 showing them to the Minister. You are probably familiar  
12 with the situation in Rubane, but a summary of the  
13 situation may be helpful.

14 Local authorities are commonly reluctant about  
15 paying their share of grants."

16 So that same issue that we have seen before.

17 "2. While numbers of places in voluntary homes are  
18 essential to the welfare authorities, who, if deprived  
19 of such places, would have to provide more places  
20 themselves at much higher cost, it does not follow that  
21 increases in 'institutional' accommodation provided by  
22 voluntary bodies are desirable. On the contrary,  
23 institutional places are desirable only as a last resort  
24 for children who cannot be boarded out or returned to  
25 their homes. It is said that some voluntary homes,



1 particularly Roman Catholic ones, may tend to keep  
2 children under their care who could well be returned  
3 home or boarded out. It may be said to follow that --  
4 it may be said to follow from this that such homes  
5 should be discouraged from increasing their capacity."

6 If we scroll down, please:

7 "The trustees of Rubane were given to understand  
8 some years ago that we might consider paying grant on an  
9 extension of the home."

10 So that takes you back to the 1954 debate about the  
11 forty Nazareth Lodge boys and then that scheme being  
12 shelved.

13 "The proposal was not proceeded with and I think the  
14 trustees now accept the position."

15 If we move on to 10167, please. If we go back,  
16 please, to 10166. Just scroll down to the bottom for  
17 me. Right. We will have to come back to the second  
18 page of that, what is an important memo setting out the  
19 position. If I can move on for now and return to that,  
20 if I may.

21 On 4th July there is a memo then sent to the  
22 Minister in 1961. That's at 10391.

23 "Mr Parkes ..."

24 This is from Mr Alexander:

25 "Mr Parkes' minute hereunder sets out clearly the

1 problems arising out of the application for a grant for  
2 developments at Rubane voluntary home run by the De La  
3 Salle Brothers.

4           Apart from what is the alleged tendency of the Roman  
5 Catholic Church to keep large numbers of children in  
6 institutions of this kind, there is the fact that nearly  
7 half of the 80 boys in residence at Rubane on  
8 31st December 1960 were placed there by the welfare  
9 authorities and we must assume were boys for whom those  
10 authorities could not find boarding out accommodation.

11           Although it is going to be a difficult task, I think  
12 we must examine the proposals with a view to paying  
13 grant on that portion of the scheme that can reasonably  
14 be regarded as expenditure on improving the premises and  
15 the equipment in relation to the home as it now stands.

16           You might like to discuss this with us."

17           That's at 10391, please. We can then see  
18 an annotation from the Minister on 11th July of 1961, if  
19 we just can scroll down, please. So he has read  
20 Mr Parkes' memo. You have only seen the first page of  
21 it at this point and there's a second page. He then  
22 says -- the Minister then says this:

23           "There is no doubt in my mind that the real aim of  
24 the Brothers is to increase accommodation so as to  
25 justify an intermediate school. I cannot see that we

1 can stand over expenditure where we know that  
2 improvement of" -- and if we can move to 10392, please  
3 -- "the improvement of accommodation is not the primary  
4 object of the exercise.

5 I have gone some distance back on the file and will  
6 discuss whatever you suggest."

7 The Minister at this stage I think is Brian  
8 Faulkner.

9 Now we can see then if we go to 10148, please -- on  
10 2nd August of 1961 you can see from the first sentence  
11 the discussion that's being referred to takes place on  
12 2nd August, and this memo that's being written is on  
13 16th August. So:

14 "The minutes -- the Minister discussed this case  
15 ..."

16 Can you make that bigger for me, please? Thanks.

17 "The Minister discussed this case with the secretary  
18 and myself on 2nd August. He was inclined to favour  
19 a strictly non-committal reference to the Maconachie  
20 Committee, but wished to examine the papers again before  
21 reaching a decision. The file is accordingly submitted  
22 herewith. Immediately below is a draft submission to  
23 the committee. The blank space in the draft will be  
24 filled if the Ministry agrees by a note from our  
25 technical advisers on the proposed improvements and on

1 the flexibility of calculating a grant based solely on  
2 improvements for the existing complement of the home.

3 A copy of the terms of reference of the Maconachie  
4 Committee is opposite."

5 The draft that's referred to then can be found at  
6 10163. I am not going to spend any time on it, but I am  
7 just going to show you the shape of it. It is setting  
8 out the history of the home, the nature of the home, the  
9 cost to build it. If we just scroll down, please, it is  
10 referring back to the 53 proposals to deal with the  
11 forty from Nazareth Lodge that was not being proceeded  
12 with. Developments for the school.

13 Move through to 10164. You can see very --

14 "Since the Ministry's inspectors have reported  
15 unfavourably on the kitchen, dining and recreation  
16 accommodation, criticisms together with the fact the  
17 home has been overcrowded at all stages of its  
18 existence, particularly within the last two years --  
19 there are a number of cases have had to be refused  
20 admission -- have caused the committee to examine the  
21 future development of the home and to come to the  
22 following conclusions."

23 You can see then there is listed out what was being  
24 said. They were seeing a need to build a new kitchen,  
25 dining and recreation hall, but then the Maconachie

1 Committee is being told of the suggestion of building  
2 the cottages. The suggestion coming from the trustees  
3 was to build a cottage that had 20 children with the  
4 existing residence then being for administration. Then  
5 talking about the intermediate school and the secondary  
6 education.

7 If we move on down, please, and move to the next  
8 page, 10165, there it's referring to section 118 and the  
9 context of the 71 boys, and then at the very bottom:

10 "The Maconachie Committee's proper name is The  
11 Children's Home and Training Schools Committee."

12 The matter is being referred for their  
13 recommendation and the suggestion being made to the  
14 committee in this note is that the committee should also  
15 seek the views of the welfare authorities before  
16 reaching a decision, because the point was being made by  
17 Mr Alexander to the Minister that at that point in time  
18 about 50% of the children in the home came from welfare  
19 authorities.

20 On 16th August at 10393 Miss Forrest, who had  
21 obviously been someone in the home on a regular basis,  
22 was asked to prepare material for the Maconachie  
23 Committee on the work required and how the costs might  
24 be segregated from extension costs.

25 In passing -- I don't want us to bring this up, but

1 if I just can ask you to note it, leaving this issue for  
2 a moment just to say on 22nd -- 26th August 1961 there  
3 is a letter from BR17 to St. Vincent de Paul Society,  
4 which appears to suggest that the St. Vincent de Paul  
5 had adopted a number of boys and their various  
6 committees -- that's not the appropriate word for how  
7 they describe their committees -- but their various  
8 locations had taken on the sponsoring of various boys.  
9 So money was coming into the home in that way.

10 On 30th August there is a memo about 71 boys, and  
11 I don't have the reference for this, but I will come  
12 back to you with it, Members of the Panel, if I may, but  
13 what it indicates, someone has looked at the plans in  
14 the Ministry and has expressed the view that the  
15 tentative plan for cottages from BR17 seemed to be  
16 unconsciously trying to ride two horses at once. We  
17 will come to see in much greater detail what that means.  
18 It is proposing a cottage but with 20 boys in it,  
19 creating small institutional-type dorm arrangements but  
20 within a cottage setting.

21 On 1st September of 1961, if we can look, please, at  
22 10292, you can see:

23 "As a separate note I would add that numbers on the  
24 day of our visit were 86. This was due to the annual  
25 intake from Nazareth Lodge. BR17 had been unable to

1 discharge many boys, has no hope of discharging more  
2 than five between now and Christmas, and meanwhile he  
3 has a group of boys sleeping in the room which was  
4 discussed in the last report as intended for a drying  
5 room and recreation room."

6 Scroll down, please.

7 "This is ..."

8 CHAIRMAN: I think it's 11 boys.

9 MR AIKEN: 11 boys.

10 "This is the kind of place which one would accept as  
11 holiday camp standard but hardly for permanent  
12 occupation."

13 Makes the point then about having no toilets. If we  
14 can move through to the next page, please, at 10293, and  
15 Miss Forrest then says:

16 "These conditions are very unsatisfactory, but I am  
17 afraid I do not know the solution to the problem of what  
18 is to be done with the overflow. This would need to be  
19 discussed further."

20 Now on 4th September Mr Parkes then writes a memo at  
21 10294 and he says:

22 "As regards submission to the Maconachie Committee,  
23 we will clearly have to get more information",

24 and he is wanting measurements to be taken of the  
25 accommodation; meeting the managers of the home to

1 discuss their future plans.

2 "As regards the overcrowding the first thing to note  
3 is to make it quite clear that no more admissions will  
4 be permitted in any circumstances while numbers are at  
5 their present level. It should also be made clear that  
6 any discharges which take place in the next few months  
7 should not be regarded as creating vacancies, but should  
8 be used to run down the numbers to the approved 71. We  
9 should then discuss further possibilities of  
10 accelerating the reduction in numbers."

11 Then on 6th September at 10295 we have a letter  
12 being sent from Mr McGrath again:

13 "I am directed to the Minister -- by the Minister to  
14 say that it has been noted with concern that the number  
15 of boys now accommodated at Rubane House is 86 and to  
16 inform you that no more admissions are to be permitted  
17 in any circumstances while numbers are at their present  
18 level.

19 I am to inform you also that any discharges which  
20 take place in the next few months should not be regarded  
21 as creating vacancies but should be used to [bring] the  
22 figures to the approved figure of 71."

23 Then there is an annotation on the Ministry copy of  
24 the letter:

25 "Spoke to BR17 to soften the blow. Also informed



1 him that Miss Forrest and Mr Wilkinson would visit this  
2 afternoon."

3 That's annotated on 7th September, the following  
4 day.

5 There is -- Mr Wilkinson appears to have been -- it  
6 obviously won't be lost on the Panel -- we have looked  
7 over a number of years now at this growing number of  
8 boys, letters being written, comments being made at  
9 inspections, and essentially nothing changes, although  
10 the numbers continuing to go up.

11 There then is -- and we are not going to look at  
12 this, but I am going to give you the reference -- there  
13 is an indication on this saying that Mr Wilkinson was  
14 going to attend with Miss Forrest. Mr Wilkinson appears  
15 to have been the architect. There is a three-page note  
16 from him at 10288 through to 10290. What he does is he  
17 looks at the accommodation and works out based on Home  
18 Office standards what accommodation there really is and  
19 he comes back out at a maximum of 71.

20 Miss Forrest, however, she does write a memo, and  
21 I~am going to have to come back to you with the  
22 reference for her memo, but I can tell that what you she  
23 does is she talks about the overcrowding and lack of  
24 staff and talks about the ratio of 1:6, possibly  
25 allowing it to creep up to 1:8, and raising issues over

1 the plans, about the need to avoid duplication of  
2 provision of catering and recreation space.

3 That's an issue over the suggestion of building a  
4 new dining hall but then building cottages, which would  
5 have their kitchens, and trying to have it considered,  
6 "Are the boys all going eat together in the dining room?  
7 If that's the case, you don't need kitchens in their  
8 cottages. If you are going to have everyone living in  
9 family group arrangements using the kitchens, you don't  
10 need to build a great dining hall to take 120 people.  
11 So what is your aim? What are you trying to do?"

12 There is from -- I think it is important that I find  
13 this memo and bring it to your attention, but there is  
14 a suggestion from Miss Forrest, which is the only one we  
15 see of this type, that she suggests consideration be  
16 given to seeing Rubane as a residential school for  
17 maladjusted children, because there was no such Catholic  
18 school of that type at present, and she asks the  
19 question if it is possible that Rubane could be  
20 a combined home and residential special school and  
21 suggests a need to talk to the Ministry of Education.  
22 We will see that idea being taken forward a little and  
23 not really going anywhere, because there was  
24 a suggestion that a school of that type was going to be  
25 specifically built in Belfast. Therefore there would

1 have been an over-provision if Rubane was that type of  
2 school as well.

3 On 21st September 1961 you have the Superior General  
4 himself visiting the home along with various other high  
5 level Brothers in the Order. You will find the  
6 reference for that at 11820.

7 CHAIRMAN: Just before you leave Miss Forrest's memo, 10296,  
8 10297.

9 MR AIKEN: I am grateful. If we could bring that up,  
10 please, at 10296. So the mathematics are a little  
11 confused. They are correct, but what's being referred  
12 to is not immediately clear, but the suggestion is being  
13 made that really according to Home Office standards the  
14 accommodation should really be for 53 boys, because with  
15 the staffing -- they are taking into account the  
16 staffing ratio and saying essentially counting 71 is, in  
17 fact, 18 more boys than there should really be. You  
18 will see the reference to the staffing ratio. Normally  
19 1:6.

20 "... 1:6 for the Child Welfare Council. One can  
21 allow a little more, since members of religious orders  
22 don't adhere to normal working hours, but not many more,  
23 since some of them have other duties."

24 If we scroll down, please, and you can see:

25 "We and probably they themselves need to have

1 a clearer idea of what their intentions are. Queries  
2 that occur to me are the size of the cottages. Is it  
3 10? 20? The staffing of cottages -- Brothers or female  
4 staff? The position of cottages in relation to main  
5 house and each other. Method of catering. Central  
6 catering with serverly, snack. Kitchens in the cottages.  
7 Each cottage responsible for its own catering. Mixture  
8 of the two with central catering and cottage dining.

9 It is in the long run a matter for the home  
10 authorities to decide on what lines they shall run it,  
11 subject to our being satisfied that the standard of care  
12 is adequate. We would, however, surely wish to  
13 encourage them to provide on the most homely and least  
14 institutional lines possible and this will be dependent  
15 on what we and they" -- if you can get rid of that for  
16 me, please -- "on what we and they can afford to do, and  
17 if we are to be asked to pay grant, we will have to see  
18 that they avoid extravagance, ie that they do not  
19 duplicate the provision of catering and recreation space  
20 and that they do not plan so haphazardly that they incur  
21 needless expenditure."

22 If we move to the next page, please, 10297:

23 "While the building may have to be spread over  
24 a period of years for economic reasons, it seems to me  
25 that the thinking about the building has to be done

1 now."

2 So there is a favour as we go through this material  
3 of the Ministry having the feeling that the voluntary  
4 organisation, the trustees, had not properly thought  
5 through what are they intending to provide and how are  
6 they intending to provide it and why are they intending  
7 to provide it in that way.

8 "BR60 will argue that removal of all 71 boys to  
9 cottages is an improvement within the meaning of the Act  
10 on the institutional type of care provided at present.  
11 This is true, but may be a more sweeping demand than we  
12 could countenance. It may be that some compromise could  
13 be reached between his idea of grant on complete  
14 reprovision in cottages and our idea of grant on making  
15 good the deficiencies, for example, by grant aid related  
16 to the number of boys in local authority care."

17 You can see where the dilemma is arriving. There is  
18 the suggestion that BR60 wants to build effectively ten  
19 cottages or whatever number, seven cottages to take 110  
20 children, and because that is an improvement, he should  
21 have grant for all of that, and the Ministry trying to  
22 say, "We have got this policy issue that we have to  
23 grapple with, which is over we don't want to be  
24 extending numbers and therefore we don't want to be  
25 funding the entire project".

1           Then -- and this is the suggestion I wanted you to  
2           see:

3           "The final suggestion is this. There is a need  
4           I believe for residential schools for maladjusted  
5           children and so far as I know there is no provision for  
6           a Catholic school of this kind. Is it possible that  
7           Rubane could be a combined home and residential special  
8           school? Many of the voluntary cases and some of the  
9           Welfare Authority cases could be classified as  
10          maladjusted. This is purely an idea in my own mind at  
11          the moment, but I think it would be worth discussing  
12          with the Ministry of Education perhaps in the first  
13          instance. One can foresee administrative problems, but  
14          these could surely be ironed out if the idea itself were  
15          thought worth pursuing."

16          So this is someone in the Ministry -- we have seen  
17          Miss Forrest over a decade now involved with Rubane. We  
18          are aware of her from the first module. She is flagging  
19          up an alternative way of approving what's at Rubane.

20       MS DOHERTY: (Inaudible) written:

21                 "Second thoughts. I have doubts about the  
22                 provider."

23                 Is that ...?

24       MR AIKEN: That seems to be her hand... -- if you are asking  
25                 me to --

1 CHAIRMAN: I think it is. If you look back to the --

2 MS DOHERTY: Handwritten.

3 CHAIRMAN: -- memo which she prepared, which we looked at  
4 a day or two ago, and we looked at in Rubane, there are  
5 similar handwritten --

6 MR AIKEN: Yes.

7 CHAIRMAN: -- additions to it. I'm pretty sure it is the  
8 same handwriting.

9 MR AIKEN: As you will know, Chairman, counsel tends to shy  
10 away from making the assumption, but if someone were to  
11 ask me, yes, it looks to be her own annotation, because  
12 the flow of her handwriting seems to mirror lots of  
13 previous documents we have from her.

14 I think what it does show you might consider is that  
15 there wasn't simply a regimented approach of, "Well,  
16 this is what they have brought. We will just rule on  
17 that". This was someone within the Ministry of Home  
18 Affairs trying to -- identifying the problems that were  
19 being proposed with what the trustees were suggesting  
20 might be done, but at the same time thinking outside the  
21 box and coming up with, "Well, how could we try and  
22 remedy this situation that's existing as we stand now?"

23 We then move into 1962, and on 8th January BR17  
24 sends in his application for a grant for this project.

25 We can see that at 10395:

1 "Dear, Mr Parkes,

2 I am enclosing a copy of the proposed application  
3 for grant aid for your perusal, also a plan of the main  
4 dwelling.

5 Please let me know what you think of it. I shall be  
6 quite willing to travel to Stormont to talk about it."

7 Now he might not quite have meant Mr Parkes to say  
8 what he really thought, but that is what happened at  
9 10396. and you can see:

10 "We are prepared to consider paying grant. The  
11 grant will have to be related to improvements ... 71 ...  
12 subject to the Maconachie Committee.

13 In order the amount of expenditure to rank for grant  
14 can be estimated we'll need to know exactly what their  
15 plans are for improvement and extensions",

16 referring to the full plans, and then if we look at  
17 the 16th January memo, please, at 11310, you can see --  
18 see the application form from BR17:

19 "Special circumstances at Rubane. An enrollment of  
20 100 is sufficient to justify the establishment of  
21 a secondary school",

22 and noting the suggestion of 120 boys, and then:

23 "The proposals put forward are far from complete and  
24 do not even cover the requirements of 100 boys."

25 If we just scroll down, please, and an analysis is



1 then conducted of what's being suggested. You will see:

2 "Three dormitories left vacant by provision of three  
3 chalets."

4 Just scroll down. You can see at the bottom:

5 "This submission leaves an awful lot of questions in  
6 the air. The principal ones that occurred to me are:

7 A new dining room and kitchen to accommodate how  
8 many? Is catering to be centralised? Are any meals to  
9 be taken in the chalets?"

10 If we can move through, please, to 11311:

11 "The recreation hall. Is this really necessary?

12 What about using the assembly room in the new school  
13 for badminton, table tennis, basketball, concerts,  
14 plays, etc?

15 Any objection to use one or two classrooms for  
16 reading, chess, etc?

17 I think most school premises are used quite a bit by  
18 the pupils for after-school activities.

19 What's to become of the recreation rooms recently  
20 provided in the outbuildings?

21 Chalets. There are at present 85 boys in Rubane.  
22 According to Home Office standards there is sleeping  
23 accommodation for only 53. The provision of three  
24 chalets with 10 boys per chalet will therefore only  
25 solve the present overcrowding. Allowing for a little

1 overcrowding in the main building and steward's house,  
2 it would take four chalets to provide accommodation for  
3 100 boys. Is 10 the most economical number per chalet  
4 both from the point of view of building costs and  
5 staffing?

6 Each chalet is to have a sitting room and  
7 a playroom. With all the other recreational facilities  
8 to be provided is a playroom in each chalet necessary?

9 Staffing. What are staff proposals for chalets?

10 Teaching staff. How many and where will they be  
11 accommodated?

12 Main building. Will the main building ultimately  
13 be used as an admin block? As the Brothers' residence?  
14 What condition are the above two buildings in? Do the  
15 figures given by BR17 include the cost of furniture,  
16 carpets, curtains, beds, equipment, etc?"

17 So you can see that a serious issue is being raised  
18 about the plans.

19 The following day Mr Parkes then sets out at 10151:

20 "Our difficulty in meeting an application for grant  
21 on this proposal would have been three chalets would  
22 admittedly raise to a decent standard of comfortable  
23 accommodation for the approved number of 71 boys, but,  
24 in fact, BR17 openly admits that when the chalets are  
25 built, he proposes to accommodate 100 boys. The place

1 would, therefore, still be overcrowded. We should find  
2 it difficult to justify the new recreation hall, and  
3 it's also proposed to provide a new dining hall, and the  
4 assembly hall and the new school will be also available  
5 for recreational purposes."

6 Scroll down, please. He analyses the kitchen.  
7 Difficulty of the fact of eating in chalets.

8 "If this proposal is completed, the home will be a  
9 peculiarly hybrid institution with 30 boys in chalets  
10 and 70 boys living in a still unsatisfactory central  
11 block. The extra staff needed for the school will lead  
12 to further overcrowding, and the institution as a whole  
13 will be difficult to administrate -- administer  
14 satisfactorily from the point of view of both cost and  
15 the boys' welfare. All these difficulties stem from the  
16 partial nature of the proposed conversion and the  
17 incompatibility of this short-term proposal with the  
18 long-term plan of complete conversion to a group of  
19 cottage homes."

20 If we can look, please, at the next page 10152:

21 "The alternative which suggests itself is complete  
22 conversion to cottage houses, ie provision of 10 cottage  
23 houses -- homes forthwith. If this is done, there will  
24 be no need at all for the proposed kitchen and dining  
25 room. In the interests of the welfare of the boys this

1 will be a much more attractive proposition. While the  
2 immediate cost to the managers will be much higher, the  
3 eventual cost of complete conversion and the amount on  
4 which we may have to pay grant will be appreciably  
5 lower."

6 Then he sets out the comparative cost of this --  
7 doing this in a partial way of three homes -- three  
8 cottages and then building more and what that would cost  
9 compared to simply taking now the construction of the  
10 ten chalets for the 70 children or 100 children.

11 You can see:

12 "In the long run therefore the new proposal involves  
13 a saving of 25,000 and therefore a saving of potential  
14 grant."

15 So you can see immediately the plans have come in  
16 and the Ministry has a serious problem with what is  
17 envisaged.

18 On 5th February at 10398 Mr Parkes provides a memo  
19 indicating a conversation with BR60:

20 "BR60 spoke to me again about the proposal mentioned  
21 immediately below last Saturday. It is apparent that he  
22 is unwilling to entertain the idea of complete and  
23 prompt conversion to a cottage type institution, giving  
24 as his reasons that the necessary funds could not be  
25 raised and (b) that the staffing of the cottages would

1 present considerable difficulties. I told him that his  
2 new plan could, of course, be considered as a possible  
3 source of grant aid, but that we should prefer to see  
4 three cottages rather than two. I told him that in the  
5 long run his proposal would not be any cheaper and that  
6 it could still involve an expenditure which would prove  
7 unnecessary if he completed all his three stages."

8 Then he says this:

9 "My impression is that BR60, BR17 and  
10 **BR 46**" -- he was by this stage I think Treasurer or  
11 involved in finances in St. Pat's -- "all have their own  
12 ideas about what is good for Rubane and we shall have to  
13 sit and wait until they can produce a scheme on which  
14 they all agree. Meanwhile the present unsatisfactory  
15 conditions at this home will continue to be a problem.  
16 We should leave no opportunity of reminding those  
17 concerned that something must be done."

18 Now just a few days before that on 30th January the  
19 Ministry of Education gave approval for recognising the  
20 intermediate school if 100 children could be  
21 accommodated at Rubane. I just give you the reference.  
22 That's at 11301.

23 In fairness to the stenographer, Mr Chairman,  
24 I wonder should we take a few minutes to allow her  
25 a break?

1 CHAIRMAN: Yes. Sit again at 4.05.

2 (4.00 pm)

3 (Short break)

4 (4.05 pm)

5 MR AIKEN: Mr Chairman, Members of the Panel, obviously we  
6 are later in the day. What I want to do now is try and  
7 move quite swiftly through some of the material.

8 Obviously the core participants have the material in the  
9 bundle, but there is a certain point I want to get to,  
10 given that we have one more day, tomorrow, to deal with  
11 many other matters.

12 We had looked at the dilemma that's now arising over  
13 the proposal that's being made, and in March of '62 at  
14 5202 you can see another Board meeting taking place with  
15 Monsignor Mullally presiding, and in summary BR17 brings  
16 back that, "The Ministry want ten chalets. They will  
17 only grant aid three of ours", and the Board telling or  
18 agreeing that the Ministry would need to be informed  
19 that such proposals were far beyond the means and no  
20 progress could be made until a far more favourable  
21 scheme was evolved. I am not sure where that  
22 interpretation from BR17 necessarily comes from from the  
23 papers we have seen, but that's the message, that that  
24 wouldn't be something that could be done.

25 A meeting takes place then on 13th April 1962

1 between BR60 and BR17 and the Ministry and they explain  
2 at that stage to the Ministry of Home Affairs at 10399  
3 that the 100 place school was nearly approved and that  
4 they were told again grant couldn't be paid on the cost  
5 of increasing the number of places, but what that memo  
6 does tell us, if we can see 10399, that -- it will be on  
7 the next page, please -- that they are going to provide  
8 plans now for three cottages, each holding ten. Just  
9 move to the next page, please, 10400. Just enlarge that  
10 for us, please. Yes. You can see:

11 "The Brothers expressed their appreciation of the  
12 situation and agree to formulate the proposals for  
13 extension and improvement to enable the Ministry to  
14 consider -- approve the home for accommodating 100 boys  
15 to be effected by construction of 3 x 10 cottages, and  
16 the question of a grant be considered based on the  
17 numbers of 71."

18 So we are now having a situation where there is  
19 going to be three cottages with ten boys per cottage.

20 Just for your reference there is a Governing Board  
21 meeting on 20th June '62 at 5203. There was no quorum,  
22 so the meeting didn't proceed.

23 On 1st August 1962 -- we talked about this in  
24 a different context earlier -- BR17 moves to  
25 Downpatrick. That's at 11821. He is replaced by BR6,

1 who is -- again his name shouldn't be used beyond the  
2 chamber. BR6 becomes the new Superior of the community  
3 and will remain in that position for a number of years.

4 For your record -- I am not going to bring it up --  
5 on 27th August there is a letter from BR17 to the  
6 Ministry about the overcrowding and indicating that's  
7 going to be resolved by building these three chalets to  
8 house ten boys bringing the home up to 100 boys and  
9 ultimately with a future aim of ten chalets. Then there  
10 is an appeal for grant aid.

11 He gets a letter back on 30th August asking him for  
12 the plans so that the Ministry can consider the grant  
13 aid.

14 You can see on 1st October then, if we can look,  
15 please, at 10300, Mr Parkes has met with BR6, the new  
16 Superior, and what he records I am just going to give  
17 you in summary, BR6 saying the intermediate school is  
18 less pressing and new dining hall and three cottages are  
19 now envisaged without increasing the numbers. You can  
20 see he is also disposed to consider providing the new  
21 dining room and three cottages now as an improvement of  
22 the existing premises and postponing altogether the  
23 extension of the building of the school until these  
24 improvements have been completed. So what was being  
25 envisaged now is, "We will provide the three cottages",



1 but that was more going to be for better accommodation  
2 of the 71 than to bring the numbers higher.

3 You will see that:

4 "BR6 was also in some doubt as to the desirability  
5 of the cottage system in general as opposed to the  
6 dormitory system, and we suggest that he might resolve  
7 these doubts by visiting some comparable institutions in  
8 England and we offered to find names and addresses of  
9 suitable institutions for him."

10 Then they talk about the need for plans to be  
11 submitted and costs and accounts. There is  
12 an annotation looking at the list of homes to give him  
13 that he could choose to go and visit.

14 There is then an inspection that takes place by  
15 Miss Forrest and Miss Hill in November of '62. That's a  
16 26th November report on an inspection of 14th. If we  
17 can look at that briefly at 11869, you will see that  
18 they describe acute overcrowding in dormitories. There  
19 are 83 beds in total. The main house there is 52 and in  
20 the steward's house there is 31, and what's described  
21 here is, in the third paragraph:

22 "Each dormitory presents a picture of  
23 a regimentation of beds placed end to end and leaving  
24 inadequate floor space. The only mitigating factor as  
25 far as space is concerned is the ceilings are high,

1 making the rooms airy but also cold. The dining room is  
2 in need of repair",

3 and make the comment about the place being cold and  
4 that washing would be an endurance. They do say that:

5 "The boys looked healthy, but pinched and cold, with  
6 the clothes in very bad order."

7 Then they say this:

8 "The general appearance of the boys and of parts of  
9 the premises indicate a serious need for more adequate  
10 staffing and more womanly care."

11 If we just scroll down, please, and you can see:

12 "It is clear from conversations with BR6 on this and  
13 previous occasions that he is very fearful of the  
14 cottage system, the chief problem mentioned being the  
15 difficulty of recruiting enough of the right type of  
16 housemothers. It seems to us, however, that whatever  
17 system is used, they need to recruit more of the right  
18 type of housemothers."

19 Reference is made to the ratio and how that's not  
20 adequate.

21 Then there is a comment. You will see the  
22 annotation at the bottom that:

23 "Miss Ewart, who was visiting the premises on the  
24 same day" -- she appears to have been a Welfare  
25 Authority perhaps social worker -- "was pleased with her

1 boys' progress and they appeared natural and cheerful,  
2 and this was passed on."

3 There is then a letter -- I am not going to bring it  
4 up, but for your reference at 10122 on 14th November  
5 there is a letter from BP1 to BR6 on the merit of  
6 introducing the cottage system.

7 Then in November at 10157 there is BR6 and BR60  
8 being invited by the Ministry of Home Affairs to attend  
9 a meeting where they are informed about the need for  
10 improvements and the serious deficiencies in the number  
11 of staff. You can see this memo begins by recounting  
12 the history. I am not going to go through it now. It  
13 is something the Panel can consider, but if we scroll  
14 down to the bottom, the planned summary is being set  
15 out.

16 If we move to the next page, please, at 10158, it is  
17 quite difficult to read because of the duo, but you can  
18 see they put these points to BR6 and that has been  
19 recorded in the memo.

20 On 11th December Mr Alexander from the Ministry of  
21 Home Affairs then writes to the Ministry of Education  
22 about the problems over numbers. I am not going to  
23 bring it up, but that's at 11313, and the problem of  
24 increasing numbers just to get a school, the  
25 overcrowding, the inadequate staff and asking that the

1 education issue be solved without increasing the  
2 capacity of the home to 100.

3 Now then what the Panel may regard as a very  
4 important document in its work. On 20th December 1962,  
5 if we can see 10594, please, this is at three-page memo  
6 between the Ministry of Home Affairs and the welfare  
7 officers from each of the areas that were sending  
8 children to Rubane. So the Ministry has -- brings  
9 together these various officials and ask them about what  
10 they see as the future for Rubane in terms of their use.

11 If we go to the conclusions for now, and I will  
12 leave the Panel to read that memo in full, but if we can  
13 move through to 10596:

14 "The Ministry's aim is to make Rubane as little akin  
15 to a training school as possible. We recognise the  
16 advantages of sending the boys to suitable schools -- to  
17 outside schools, but if this is not found possible, we  
18 shall try to compensate by the provision of a closer  
19 approach ..."

20 CHAIRMAN: "... to home life."

21 MR AIKEN: "... to home life. It appears that all welfare  
22 authorities find Rubane useful, particularly for problem  
23 boys, and all think that Rubane does a good job with  
24 limitations. It also appears that nobody is keen to see  
25 Rubane increase in size and that now if the welfare

1 authorities sees any prospect of using Rubane to -- that  
2 none" --sorry -- "none of the welfare authorities sees  
3 any prospect of using Rubane to a greater extent than at  
4 present.

5 As to grant, the Ministry will not help with any  
6 extension, but an application in respect of improvement  
7 of the existing kitchen, etc" -- I am not sure whether  
8 that's "kitchen" or it's something else -- "will be  
9 viewed favourably. Similarly a grant would be available  
10 in aid of conversion of existing accommodation to  
11 a cottage system."

12 So you can see this meeting has been had. The views  
13 have been aired as to the various uses that are made by  
14 the welfare authorities and the approach that comes out  
15 of that meeting.

16 Then it seems that -- you will recall when this  
17 issue of the intermediate school began, the number was  
18 120 and then it had been reduced to 100 to facilitate  
19 Rubane. In fact, then the next step is it is reduced  
20 further to 80. On 19th February at 10123 we have  
21 a letter from Mr Parkes to BR6 saying that he is writing  
22 to say:

23 "It is now understood the Ministry of Education will  
24 be prepared to authorise proposals for an intermediate  
25 school at Rubane for a minimum number of 80 instead of

1 100 boys, and I am to confirm that on receipt of  
2 suitable evidence that approved new building and  
3 alteration is to be carried out, this Ministry will be  
4 prepared to recognise Rubane as a voluntary home for 80  
5 boys."

6 Then reference is made to relieving the present  
7 overcrowding, providing the additional nine places --  
8 because we are still in a case where the home is only  
9 certified for 71 -- by erecting three cottages, each  
10 accommodating 11 boys and houseparent, and by suitable  
11 modifications and adaptations of the existing premises.  
12 Then recognising the long-term plans eventually to move  
13 to a situation where there are cottages with  
14 houseparents for all of the 80 children.

15 So a significant shift has been occasioned by the  
16 Ministry of Education dropping their number down to 80  
17 and the Ministry is signalling, "And we will step up  
18 with the grant to assist this move to certainly in the  
19 first instance these three cottages".

20 Now that then -- we have a Governing Board meeting  
21 on 20th February 1963, if we can look, please, at 5204.  
22 This is an important document for the Inquiry. Bishop  
23 Philbin is now the Bishop of Down & Connor and he is  
24 chairing the meeting that takes place on 28th February.  
25 BR6 is now attending as the person in charge. This is

1 his first Governing Board meeting. There is a vote of  
2 thanks on the first page for BR17.

3 If we look at the second page at 5205, what  
4 the minutes record is -- 5205, please:

5 "A long discussion took place on the future  
6 development of the home as envisaged in the architect's  
7 submitted plans. The respective merits of the proposed  
8 new cottage system as against the present institutional  
9 one was lengthily debated. The financial outlay was  
10 seen to be excessive and grave doubts were expressed as  
11 to whether the new scheme would meet our worries as  
12 regards the supervision of the boys" -- scroll down,  
13 please -- "and the procuring of suitable housemothers."

14 So you can see that there is a -- over many years  
15 now there's been discussions with the Ministry about the  
16 building of cottage homes. On a number of occasions  
17 there is BR60 stepping forward to say -- agreeing to  
18 build the cottage homes, and then this meeting takes  
19 place, when a major problem arises. We will see the  
20 outworking of that now:

21 "It is eventually decided that a subcommittee should  
22 be formed to discuss with the Ministry of Home Affairs  
23 the future development of the home."

24 You can see who is appointed to that, and at the top  
25 is Monsignor Mullally and we will see his involvement

1           shortly.

2           On 22nd February then in advance of a meeting that's  
3 going to take place on 23rd February there are notes on  
4 the history of the proposed extension. You can see  
5 those at 10157. 10157, please. There is a long  
6 summary, which we are not going to go into now, of the  
7 various development proposals that there have been. We  
8 looked at this document for a different purpose earlier  
9 and I leave the Panel to read that because of its  
10 detail.

11           That document is written the day before a meeting  
12 takes place between the Ministry of Home Affairs and the  
13 various representatives from the Diocese of Down &  
14 Connor. If we can look at that minute, please, at  
15 10124. So you can see who is attending, including BR60.  
16 I think that might be BR13 actually is attending along  
17 with Monsignor Mullally, Father MacNamara and Father  
18 White and the various representatives. You have  
19 Mr Alexander, Mr Parkes, Miss Forrest and Mr McGrath.

20           "Monsignor Mullally explains he sought this meeting  
21 because the trustees objected to the proposals put  
22 forward recently by Brother ..."

23           I think "BR15" may be a designation that has been  
24 given to BR60. I will check the correct name. It is  
25 BR60. So it is BR60. So:



1            "... because the trustees objected to the proposals  
2            put forward -- put before them recently by BR60 for  
3            improvement and extension of sleeping accommodation in  
4            the form of chalets staffed by houseparents and  
5            incorporating small bedrooms. He understands that the  
6            Ministry favours the proposals and, while the trustees  
7            appreciate that chalets would provide a close approach  
8            to normal home surroundings, they consider that this  
9            form of sleeping accommodation presents a real danger in  
10           that boys who have been deprived of normal home life  
11           will have opportunity for undesirable practices. In  
12           addition, the introduction of houseparents would reduce  
13           the functions of the De La Salle Brothers and the Order  
14           would object to this. In putting forward the idea that  
15           any new sleeping accommodation should be in the form of  
16           a block dormitory, Monsignor Mullally emphasised that  
17           financial considerations had no bearing on the trustees'  
18           views.

19           Miss Forrest observed that the trustees appeared to  
20           be making a negative approach to the question of moral  
21           training. Her view is that kindness and consideration  
22           for the feelings of others are basic essentials, and to  
23           get children to develop these, they must have a close  
24           and continuing personal relationship with adults. She  
25           has long been troubled by the fact that boys cared for

1 in institutions do not get a chance to form such  
2 relationships. The Ministry is confident that the  
3 introduction of chalet houseparents is the answer.

4 Monsignor Mullally could not agree that children  
5 passing through, say, the several departments of  
6 Nazareth Lodge do not form satisfactory relationships  
7 with the staff sisters. In fact, his feeling is that  
8 relationships are established within the groups to which  
9 boys are attached. He foresees great difficulty in  
10 recruiting the rather special type of person to act as  
11 houseparents, particularly because of the geographical  
12 situation of Rubane House.

13 Miss Forrest replied that the Ministry's desire is  
14 to have houseparents introduced for the reasons already  
15 given by her, and she is reasonably confident, having  
16 regard to the Welfare Authority experiences in County  
17 Down, that suitable persons can be recruited. She is  
18 unable to see that the danger of undesirable practices  
19 is any greater in small bedrooms. As she sees it, the  
20 real risk is from one boy starting this sort of thing,  
21 and that risk is the same in large or small rooms and is  
22 not necessarily confined to bedrooms."

23 If we scroll down, please:

24 "Mr Alexander asked why it was felt that large  
25 dormitories reduced the risk. BR60 said that the

1       problem was acute at the old Milltown Training School,  
2       but there had been no such problem at St. Patrick's  
3       Training School, which was designed deliberately to  
4       remove the privacy under which bad practices could take  
5       place.

6             Mr Parkes pointed out that the subject of discussion  
7       is a home for boys, not a training school, and that,  
8       therefore, consideration must be given to more than  
9       physical circumstances. For instance, if boys are  
10      unhappy and insecure and have no adult to whom to turn  
11      for affection, it is reasonable to conclude that the  
12      danger of malpractice is increased.

13            Monsignor Mullally admitted that the modern trend in  
14      childcare is towards small units, but he thinks that  
15      reaction against large dormitories has gone too far. He  
16      feels there is nothing penal in the sharing of  
17      a dormitory by, say, 20 boys. This is, in fact, the  
18      situation in many boarding schools and is not regarded  
19      as a throw-back to workhouse days.

20            If we move to the next page, please, 10126:

21            "Miss Forrest ..."

22            Maybe -- sorry. 10125. Yes.

23            "Miss Forrest said, however, that there is a big  
24      difference in that boys at boarding school are based in  
25      normal families -- on normal families.

1 Monsignor Mullally replied that Rubane boys are  
2 a hazard, because they have no such base. He feels that  
3 the Rubane boys replace the lack of family relationships  
4 by establishing a relationship with the group of which  
5 they are a unit.

6 Monsignor Mullally and Father MacNamara made it  
7 clear that in their view the superiors of the De La  
8 Salle Order will not agree to the use of the Brothers at  
9 Rubane simply as teachers, and the diocesan authorities  
10 will object if there is to be any lessening of the  
11 influence of the Brothers.

12 Mr Parkes expressed surprise at the sudden hardening  
13 of opinion against chalets. The Ministry had been under  
14 the impression for some eight years that any  
15 improvements at Rubane would be on the cottage system.  
16 Preference for chalets shows no sudden change of heart  
17 by the Ministry.

18 BR60 explained that it was only within the past few  
19 weeks that the prospects of final agreement on the  
20 proposed development had improved and therefore the  
21 proposals were being viewed in a more critical light.

22 Father MacNamara asked for an explanation of the  
23 difference in financial treatment of boys in training  
24 schools and boys in voluntary schools.

25 In reply Mr Alexander, Mr Parkes and Miss Forrest

1 made these points:

2 The Ministry has power to help voluntary  
3 organisations who have been prepared to go on working  
4 after the setting up of the statutory childcare bodies.

5 This power to assist is tied to the adherence to  
6 certain standards and is limited to the improvement of  
7 existing homes. Since childcare is the statutory duty  
8 of welfare authorities, no help can be given in the  
9 establishment of new homes or for the extension of  
10 existing ones.

11 Training schools must accept all children committed  
12 by the courts. Voluntary homes can choose whom they  
13 admit. A greater degree of financial assistance would  
14 remove the power of choice.

15 If voluntary organisations feel that they are not  
16 being paid adequately for welfare authority children in  
17 their care, the remedy is in their own hands. At the  
18 passing of the Children & Young Persons Act 1950 the  
19 voluntary organisations agreed among themselves to  
20 charge less than the full cost of maintenance.  
21 Presumably this was in furtherance of their independence  
22 and charitable objectives. The decision was not forced  
23 on them by the welfare authorities and need not be  
24 adhered to.

25 Father MacNamara then asked would the Ministry be

1 prepared to grant aid a block development as  
2 an alternative to chalets at Rubane. Monsignor Mullally  
3 added that the church feels genuine concern in the  
4 method of dormitory provision, and while he recognises  
5 the force of the Ministry's arguments in favour of  
6 chalets, he cannot agree to them where problem boys are  
7 concerned.

8 Mr Alexander explained that while the Ministry  
9 representatives present have not the last word in the  
10 matter, it appears to him that, because of the present  
11 trend towards small house units, there could be  
12 difficulty in securing approval to pay grant on  
13 a development along the lines the Ministry considers  
14 wrong. Further, he is doubtful if the Ministry would be  
15 justified in continuing to include in the register of  
16 voluntary homes one which is staffed so inadequately at  
17 present."

18 Now I will pause there. You will note that this is  
19 perhaps the first occasion that the Inquiry has seen the  
20 potential use of the deregistration as a means of  
21 dealing with the problem.

22 "There is also the point that welfare authorities  
23 might object to bearing their share of the cost of  
24 improving a home which is not being developed on  
25 accepted lines. Indeed, they might refuse to continue

1 to use Rubane."

2 If we move through to 10126, please:

3 "Mr Parkes added that the Ministry has persuaded the  
4 Ministry of Education to consider concessions in regard  
5 to the proposed intermediate school."

6 So you can see the suggestion is that the Ministry  
7 has endeavoured to get the number from 120 to 100 to 80.

8 "It is possible that the Ministry of Education will  
9 think again about this if the developments proposed are  
10 not approved by the Ministry of Home Affairs.

11 Monsignor Mullally said that the financial  
12 implications of the trustees' proposals are a surprise,  
13 but on their behalf he and his colleagues have put  
14 forward conscientiously held views on how Rubane should  
15 be developed. He expressed the hope that the Ministry,  
16 recognising the good work being done for children, will  
17 agree to this invention of the proposed development on  
18 the block system. An earnest (sic) of the good  
19 intentions of the trustees is the amount of money spent  
20 so far on the acquisition and maintenance of Rubane."

21 They say the current debt is at 69,000 pounds.

22 "In spite of this burden they are prepared to  
23 improve the home and to bear their share of the cost of  
24 the intermediate school. There is no lack of will on  
25 the part of the trustees to make the home a good place

1 and he is confident that it will be a better place if it  
2 is developed as proposed."

3 Then:

4 "Father MacNamara enquired whether 11-place  
5 dormitories in the chalets would be acceptable to the  
6 Ministry."

7 Mr Alexander suggested that both sides should take  
8 some time for reconsideration in an attempt to find  
9 a compromise on these matters of principle.

10 You will see:

11 "Mr Parkes supported the exploration of a compromise  
12 and added that the Ministry has no lack of will to help.  
13 Indeed, help has been forthcoming at every turn,  
14 particularly in the acceptance of a degree of  
15 overcrowding at Rubane and seeking concessions from the  
16 Ministry of Education. For the first time we have  
17 really heard each other's views and the next useful step  
18 appears to be a further but smaller meeting at a date to  
19 be arranged."

20 So you can see a substantial difficulty arising now  
21 between the government policy on residential homes for  
22 children and certainly these members in any event of the  
23 Governing Board from the Diocese of Down & Connor.

24 There then follows over the next number of months  
25 a series of exchanges that result in plans being put



1 forward in September '63 by BR60 and BR6 for two -- this  
2 is the compromise that's arrived at -- two cottages,  
3 each with 20 boys in two dormitories. I am not going to  
4 bring it up. The reference is at 10306, and the plan  
5 allowed for essentially 62 boys, 40 in cottages and 22  
6 in the main house. So there was a planned reduction in  
7 the numbers, and the indication -- and this touches on  
8 the suggestion put forward by Miss Forrest that  
9 I described as thinking outside the box -- the meeting  
10 indicates BR60 and BR6 expecting numbers to be reduced  
11 in Rubane when their proposed new special residential  
12 school in Belfast opens.

13 Now that then takes us to the memo we looked at  
14 during the overview that I gave Monday, Mr Parkes' memo  
15 at 10307 of September '63, and the concern that what was  
16 being put forward to him -- if we just bring it up  
17 briefly, please, 10307 -- that what was being suggested  
18 appeared to him to be along workhouse lines, and the  
19 fourth point, if we scroll down, the establishment would  
20 end up looking more like an out-of-date training school  
21 than a children's home.

22 He writes then -- and we will not bring it up -- but  
23 in October '63 he writes to BR6 saying -- questioning  
24 whether really the trustees and Governing Board have  
25 given sufficient thought to these fundamental questions

1 about long-term policies and methods of care, and  
2 indicating that simply the plans as put forward could  
3 not be approved by the Ministry of Home Affairs.

4 There is a response from BR60 in November of 1963  
5 and I will give you the reference for that at 10159.

6 In January of '64 Mr Parkes writes to Mr McClure in  
7 the Ministry of Education. Now we are at the 80 boys  
8 mark for the intermediate school, and indicating that if  
9 proper plans are brought forward, the Ministry of Home  
10 Affairs will approve the home for 80 boys. That's at  
11 11305. He is suggesting that -- he is pointing out  
12 that:

13 "For a long time we were to have the cottage system.  
14 The Bishop was not prepared to countenance the provision  
15 of new accommodation on a family group system with boys  
16 in small bedrooms. He wanted dorms, and we are now  
17 faced with a compromise of cottages with dorms. The  
18 Ministry is not keen. It may be better than the present  
19 state of affairs."

20 That's where the matter sat. I will just give you  
21 the reference for -- the Governing Board met on 19th  
22 February 1964 at 5206, and they on the second page at  
23 5207 want more discussion with the Ministry of Education  
24 and Home Affairs over the secondary school instead of  
25 the primary school.

1           That takes us to 1st September 1964, when BR14, who  
2 we will talk about in detail tomorrow morning, is  
3 recorded as having moved to Castletown. He is the  
4 Brother who features in the 1964 investigation that we  
5 will look at.

6           The matter really continues in a similar vein over  
7 the next number of years until eventually there is  
8 a change in the approach of the Governing Board, but  
9 there is an important letter that I will refer you to  
10 now on 18th November 1964 at 11309, and it gives hint to  
11 what we are going to look at in the morning in terms of  
12 BR14, but it is carrying on in a similar vein:

13           "I need hardly point out how unfavourably the  
14 staff/children ratio at Rubane compares with this  
15 recommendation. Recent events have given added point to  
16 our feeling that where such a small staff has so much to  
17 do for so many children, the development of  
18 a satisfactory relationship of trust and confidence  
19 between individual children and members of staff is  
20 virtually impossible."

21           Perhaps if I can ask you to mark that in the context  
22 of what we will look at tomorrow morning.

23           On 29th November 1964 -- I give you the reference at  
24 10130 -- BR6 writes back and he acknowledges that the  
25 staff ratio at the moment is not appropriate. Just

1 bring that up, please. 10130. Just maximise that,  
2 please.

3 "We realise that in light of the Child Welfare  
4 Council's suggestions our staff ratio at the moment is  
5 not appropriate",

6 but he also points out then that it is caught up  
7 with this issue over providing accommodation.

8 What I propose to do, Mr Chairman, there is  
9 a similar progress through 1965, and if we leave matters  
10 there today, I will highlight one or two of the most  
11 important features first thing in the morning before  
12 I deal with the 1964 incident.

13 CHAIRMAN: Yes. I think, to jump forward, it rather seems  
14 that in or around 1965 agreement was at last reached  
15 which resulted in some form of cottage system being  
16 accepted by the De La Salle --

17 MR AIKEN: Yes.

18 CHAIRMAN: -- and the diocese.

19 MR AIKEN: Yes. They end up constructed in 1969 on the  
20 premises.

21 CHAIRMAN: Yes. Very well. 10 o'clock then tomorrow.

22 (4.50 pm)

23 (Hearing adjourned until 10 o'clock tomorrow morning)

24 --ooOoo--

25