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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, 8th October 2014

commencing at 10.00 am

(Day 57)

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

1 Wednesday, 8th October 2014

2 (10.00 am)

3 CHAIRMAN: Morning, ladies and gentlemen. Just before we  
4 start with our witness from Australia can I remind  
5 everyone that mobile phones must be either switched off  
6 or at the very least placed on silent/vibrate and that  
7 photography is not permitted in any form either in the  
8 Inquiry chamber or indeed anywhere on the premises.

9 WITNESS HIA279 (by Livelink)

10 MS SMITH: Thank you, Chairman. Chairman, the witness who  
11 is giving evidence by Livelink this morning is HIA279.  
12 He is "HIA279". He has confirmed to me that he wishes  
13 to maintain the anonymity afforded to him by the Inquiry  
14 and he wishes to take the oath.

15 While we are dealing with the -- what happened in  
16 Rubane in this module, it has been agreed by all parties  
17 that this applicant can nonetheless speak about his time  
18 in Nazareth Lodge, although we won't be technically  
19 dealing with that module until later in our proceedings,  
20 and the Sisters of Nazareth are represented by  
21 Mr Canavan here this morning, Chairman.

22 CHAIRMAN: Mr Canavan.

23 MS SMITH: I have spoken to Mr Canavan, and indeed to  
24 Mr Montague and Ms Walkenshaw, who act -- who are  
25 instructed by Mr Canavan. They will reserve any

1           comments they wish to make about any evidence that is  
2           given about the Belfast homes until the end of Module 4.

3   CHAIRMAN: Well, in the normal way, because it is simply too  
4           difficult to cope otherwise, we compartmentalise the  
5           evidence given by people in relation to each  
6           institution, but there have to be some exceptions, and  
7           it seems sensible to us to deal with HIA279's evidence  
8           as a whole at this time, given all the circumstances.

9   MS SMITH: Thank you, Chairman. Just for the benefit of the  
10           Panel, HIA279's statement can be found at RUB897 to 905.

11  
12           The Order's response statement from the De La Salle  
13           Order can be found at 2081 to 82 and exhibits are 2083  
14           to 2089.

15           We have not received any response from the Health &  
16           Social Care Board in relation to HIA279, and clearly the  
17           Sisters of Nazareth have not either provided a response  
18           statement, but they are aware and will no doubt comment  
19           on the evidence in due course.

20           One further matter -- and I am going to address  
21           HIA279 about this after he takes the oath, Chairman --  
22           but there is some documentation which HIA279 has with  
23           him this morning. We cannot locate our copies of -- I'm  
24           told we have just located our copies, but I don't  
25           believe that they are actually bundled at this point in

1 time. So I don't have the documents to show in the  
2 chamber this morning, but I will talk to HIA279 about  
3 them, and we can get them into the bundle, get them  
4 numbered and get them before the Inquiry Panel later  
5 today hopefully.

6 CHAIRMAN: These presumably relate to forms --

7 MS SMITH: They do.

8 CHAIRMAN: -- concerning migration?

9 MS SMITH: They are documents that HIA279 received from the  
10 Child Welfare Department in Australia relating his  
11 migration to Australia.

12 CHAIRMAN: Of the type we have seen with other applicants?

13 MS SMITH: Indeed, yes, Chairman.

14 CHAIRMAN: HIA279, can you hear me all right?

15 **A. Yes, I can.**

16 CHAIRMAN: Thank you.

17 WITNESS HIA279 (sworn)

18 CHAIRMAN: Thank you very much.

19 Questions from COUNSEL TO THE INQUIRY

20 MS SMITH: Good morning, HIA279. Can I just ask if his  
21 statement could be put up on the screen, please? That's  
22 RUB897. Now, HIA279, can I just confirm with you that  
23 you have a copy of the statement that you provided to  
24 the Inquiry in front of you?

25 **A. Yes.**

1 Q. And can I ask you to go to the last page of that and it  
2 should have a number in the top right-hand corner which  
3 is RUB905?

4 **A. Okay.**

5 Q. And can I ask you, HIA279, is that your signature and is  
6 it dated 5th December 2013?

7 **A. Yes, it is.**

8 Q. And, HIA279, is it the position that you wish the  
9 Inquiry to consider this statement as your evidence  
10 together with anything that you tell us this -- today?

11 **A. Yes.**

12 Q. Thank you, HIA279. Now if we go back to the first  
13 page of your statement, and in the first three  
14 paragraphs of your statement you set out when you were  
15 born and the fact that you were sixth in a family of  
16 eight children, and the difficulties that there were  
17 with your family that led to you and your siblings being  
18 placed with the Sisters of Nazareth in Belfast.

19 **A. Yes.**

20 Q. You, as you say at paragraph 3, were sent to Nazareth  
21 Lodge with your two youngest brothers, whom you name  
22 there, and your four sisters were sent to Nazareth House  
23 in Belfast, and you believe that was the last time you  
24 ever saw your father?

25 **A. Yes.**

1 Q. I'm just going to move on to briefly discuss with you  
2 what you say happened to you while in Nazareth Lodge,  
3 which would have been between 1949 and 1955.

4 **A. Yes.**

5 Q. At paragraph 4 you say that you and your sister -- your  
6 brothers -- your siblings were separated. Your sisters  
7 would have come to mass, but you -- even though they  
8 were in the congregation at mass and you were an altar  
9 boy, you never had any contact with them. Is that  
10 correct?

11 **A. That's true.**

12 Q. Did you have contact with your brothers? They were in  
13 the lodge with you when you were in Nazareth Lodge.

14 **A. Yes.**

15 Q. They were younger than you. Isn't that the case?

16 **A. Yes.**

17 Q. When would --

18 **A. A couple of years, yes. Just a few years' difference.**

19 Q. Sorry, HIA279. With the delay it is quite difficult  
20 sometimes. We end up talking over each other, but can  
21 I~just ask you when would you have seen them when you  
22 were in the lodge? At what times?

23 **A. Well, I suppose I went to school there. I mean, I just  
24 saw them in the playground.**

25 Q. And would you have seen them daily? Can you remember?

1 **A. Well, no, that's going back a bit. It would be too far.**

2 **I can't really honestly answer that.**

3 Q. Well, in paragraph 5, HIA279, you say that you have seen  
4 documents that state that your parents visited you in  
5 Nazareth Lodge. You don't accept that. Isn't that  
6 correct?

7 **A. That's correct, yes. My mother died when I was 4.**

8 Q. And you have no recollection of ever seeing your father  
9 visit?

10 **A. I don't believe I ever saw my father since we left the**  
11 **country down in [REDACTED]**

12 Q. When you were in -- when you say left the country, you  
13 don't mean Northern Ireland; you mean the countryside  
14 where you were living in Northern Ireland. Isn't that  
15 what you mean?

16 **A. Yes. Down in [REDACTED], yes.**

17 Q. Now you have documents before you that you received from  
18 the Child Welfare Department in Perth, and we have --  
19 I promised you this morning we would look to see where  
20 our copies were, and I have managed to find our copies,  
21 and, as I have indicated, we will get these properly  
22 numbered, but if you could look at the one that's headed  
23 "Commonwealth of Australia Child Migration" --

24 **A. Yes, got it.**

25 Q. -- and it says -- your name in full is set out there at

1 the paragraph 1, and section 2 records -- sorry --  
2 paragraph 7 of that section records your -- names of  
3 your brothers and sisters, and it describes your  
4 guardian as the Mother Superior of Nazareth Lodge. It  
5 refers to your educational standard at paragraph 10 and  
6 your intelligence quotient -- quotient -- I can't say  
7 the word this morning -- quotient was 90. Then it says  
8 that -- on the next page there is a signed -- at the top  
9 of that in section B it says:

10 "To be completed by parent or guardian (father, if  
11 living)",

12 and it says that: "I", and it sets out your  
13 father's name, gives an address and says, "father of",  
14 HIA279, **HIA 279** and your surname, and it is given  
15 a date, 5th December 1955. It is signed **██████████** and  
16 the surname, and it is witnessed by someone who gives  
17 an address in County Derry and who is described as  
18 a Catholic priest as a qualification. Can you see that  
19 document all right, HIA279?

20 **A. Yes, I can.**

21 Q. Now when we spoke earlier today, you said, and you have  
22 said in your statement, that you:

23 "... doubt that the signature that appears on these  
24 documents is, in fact, my father's signature."

25 **A. Yes. That was my understanding after meeting with my**



1           **family back in Ireland.**

2       Q.   That's what they told you, having looked at that  
3           document, that they didn't believe that to be your  
4           father's signature.  Is that correct?

5       **A.   That's right.**

6       Q.   Now I -- HIA279, one of the things that the Sisters of  
7           Nazareth would say, they would say that because your  
8           father was living, they did seek his consent to your  
9           emigration, to the emigration of yourself and your  
10          brothers, and that he did sign the form, but you don't  
11          believe that.  Isn't that essentially your position?

12      **A.   Just like I said, when I went back over there for the**  
13      **first time, that's what my family told me.  That is what**  
14      **I believed ever since.**

15      Q.   Well, if we can just set that matter aside and come back  
16          to your statement and what you say about life in  
17          Nazareth Lodge, at paragraph 6 you describe the chores  
18          that the children had to engage in, and you also  
19          remember at paragraph 7 that the sisters would be round  
20          knocking on doors looking for funds and food and they  
21          would always be accompanied by boys from the home.  Were  
22          you one of those boys, HIA279?

23      **A.   I honestly can't remember that.**

24      Q.   You say that it made you feel like beggars looking for  
25          your next meal.  Is that because --

1    **A. Yes, because we knew that -- we knew they were out**  
2    **knocking on doors for funds.**

3    Q. Now in paragraph 8 you say that, having been separated  
4    from your family, you became a bedwetter, and each  
5    morning you were forced to line up with your pants in  
6    your hand ready for inspection by a nun whom you name  
7    there and we have given the designation SR146. You  
8    describe her as a cruel and sadistic woman:

9            "As a punishment for bedwetting she would put boys  
10          over her knee and belt with us a stick. Bedwetters were  
11          then plunged into a cold bath and the older charge boys  
12          were instructed to pour numerous buckets of water --  
13          cold water over our heads."

14          You say that practice continued until you left  
15          Nazareth Lodge and you found that practice humiliating.

16    **A. Yes, I did.**

17    Q. At paragraph 9, which is the final paragraph in relation  
18    to your time in Nazareth Lodge, you say that:

19            "Sexual abuse was rampant and a regular occurrence.  
20          The charge boys were older and bigger and interfered  
21          with the younger boys. I was harassed by them on many  
22          occasions in the form of appropriate groping in the  
23          corridor or in my bed at night."

24          You believe that the Sisters must have been aware  
25          that this was going on, but did not take steps to

1 protect the children. You have a recurrent flashback of  
2 these attacks and you felt that, as you describe it:

3 "The nuns operated in a Medieval vacuum and ignored  
4 the consequences of their actions."

5 Is there anything else that you want to say about  
6 that aspect of your time in Nazareth Lodge, HIA279?

7 **A. Getting back to the bedwetting and the cold baths, etc,**  
8 **I have actually got that on tape, that that actually**  
9 **happened, and also to boys a lot older than me. So that**  
10 **side of it is definitely correct, and that was just --**  
11 **it was just something you just -- you just didn't -- you**  
12 **knew in the morning when you woke up that something --**  
13 **you were going to -- you know, something was going to**  
14 **happen and that just lived with you.**

15 **Q. HIA279, can I ask when you say that you have got that on**  
16 **tape, what do you mean by that?**

17 **A. When I was over in -- when I was back in Ireland, there**  
18 **was an older fellow over there. He is a grown man now,**  
19 **of course. He was at Nazareth Lodge as well. He was**  
20 **16, and it was played out on all our -- for everybody in**  
21 **the lounge that he was 16 and was still being put over**  
22 **SR 146 knee at 16 and beat with a stick, and**  
23 **they are his own words. Only it had happened because of**  
24 **the cold baths myself.**

25 **Q. You spoke to this person when you were back in Ireland?**

1 **A. He came round. He came round to my brother-in-law's**  
2 **place and we had a drink together and a long chat.**

3 Q. Now you were moved from the Lodge in 1955 and taken to  
4 Rubane in Kircubbin, and we are going to move on to  
5 discuss your time there. At paragraph 10 you say that  
6 you were transferred leaving your two younger brothers  
7 behind, and when you were in Rubane, you had no contact  
8 whatever with any of your brothers or your sisters. You  
9 didn't see your father and you didn't know where any of  
10 them were.

11 **A. And to this day I still maintain that, that I had no**  
12 **contact -- I don't even think my sister knew that I had**  
13 **been transferred from what they told me when I was back**  
14 **home.**

15 Q. You describe your time at Rubane House as very difficult  
16 and distressing, and you say in paragraph 11 that you  
17 had tasks to do every day and that you had to work in  
18 the fields picking potatoes.

19 "I also recall doing work for farmers in the area."

20 You were 11 years old and expected to carry  
21 extremely heavy loads, and there was no thought given as  
22 to how that would affect you physically. Was this  
23 something that happened regularly or did -- the potato  
24 picking would have been just once a year presumably?

25 **A. Well, in the submission I got from the De La Salle**

1           **Brothers it appears they say it was only a couple of**  
2           **weeks a year.**

3    Q.    Is that your memory, HIA279?

4    A.    **No. That's to tell you what they wrote. I mean, I used**  
5           **to dread going, I can tell you that, because it was**  
6           **heavy, heavy work. That's to my -- you know, that's**  
7           **what I can remember.**

8    Q.    You --

9    A.    **It might have been only two weeks of the year.**

10   Q.    You were in Rubane from August 1955 until December 1956.  
11           So are you saying that it wasn't just potato working --  
12           potato picking work you did on farms; there was other  
13           farm work that you did during that time?

14   A.    **No. I mainly remember the potato picking.**

15   Q.    At paragraph 13 you say that the standard of education  
16           at Rubane House was poor. You don't even remember being  
17           in a classroom during your time there, and you say you  
18           left the home with a poor standard of education and no  
19           qualifications. There was a school on site in Rubane.  
20           Do you remember that, HIA279?

21   A.    **I said I can't -- I cannot remember the classrooms.**

22   Q.    At --

23   A.    **They must have been -- they obviously must have been**  
24           **there, but I cannot -- and I couldn't tell you one name**  
25           **of anyone who taught us over there, to tell you the**

1 **truth.**

2 Q. If I can go on to talk -- you do remember some Brothers  
3 during your time there, and at paragraph 12 you talk  
4 about being physically abused, and you name two Brothers  
5 there and they have been given designations BR53 and  
6 BR17, and in ease of you, HIA279, I am going to use  
7 their names, but those names aren't to be repeated  
8 outside this chamber. BR53, you describe him as BR53,  
9 and BR17, who you describe as BR17. You say:

10 "They were physically abusive, brutal, vindictive  
11 and intimidating. They hit you across the face, on the  
12 back of the head and legs regularly and at times the  
13 force of their blows was so great and the punishment so  
14 excessive that it knocked you off your feet. These two  
15 Brothers often beat the boys in the home in that way for  
16 minor misdemeanours."

17 Can you give an example of what you mean by a minor  
18 misdemeanour, HIA279?

19 **A. I think I said in my statement after a game of hurling  
20 or something we -- two of us, two boys, had a bit of  
21 altercation. I know I was taken by BR53 and given  
22 a real hiding, you know, a real hiding. He was -- he  
23 was actually the worse of the two.**

24 Q. You then go on to talk about another form of abuse that  
25 you suffered in Rubane at paragraph 14. Now you have

1 described a Brother there and you have given a name.  
2 BR10 is the designation we have given to him, but you  
3 have a name in the statement in front of you, and I have  
4 asked you and you are aware that the Order have asked  
5 that we probe with you whether you are sure of that  
6 name, as they have received no other complaint about  
7 this particular Brother, and you have given me an answer  
8 about that, and you actually say in your statement that  
9 you think it might have been this particular Brother,  
10 but you're not sure. Isn't that so?

11 **A. As we spoke earlier in the conference, I said I would**  
12 **not sign that bit of paper from the Police Department,**  
13 **because I wasn't sure, and I have always maintained**  
14 **I wasn't sure who that Brother was.**

15 Q. But you do identify him by a job that he had in the  
16 home. Isn't that correct?

17 **A. This has all come to hand since De La Salle responded**  
18 **with their statement, and like I said to you earlier,**  
19 **the other thing that stuck in my mind was he was the one**  
20 **who fitted the boys out with clothes, and when I was**  
21 **being fitted as I was leaving, he groped me that very**  
22 **day, and that's why I -- you know, I just -- I'm not**  
23 **sure that it was BR10, but it was whoever it was that**  
24 **fitted me out with clothes had to have a little fiddle**  
25 **before he finished dressing me.**

1 Q. And I am not going to open exactly what he did to you,  
2 but it is there in your statement and people in the  
3 chamber can see the abuse that you were subjected to by  
4 this particular Brother.

5 You talk in paragraph 15 of your statement about --  
6 just if I can -- before moving on to that just you talk  
7 about the fact that someone when you were -- there was  
8 no preparation for you going to Australia. There was no  
9 explanation given to you as to why you were going save  
10 for the fact that someone in that room when you were  
11 being kitted out to go said, "Your two Brothers have  
12 been picked to go to Australia, so you might as well go  
13 too."

14 **A. That's what I have always believed and I can almost**  
15 **still hear that person coming and saying that, "You can**  
16 **go too because your brothers have been picked", and**  
17 **that's what I have always believed.**

18 Q. You were 12 at this stage. Isn't that correct?

19 **A. That's right.**

20 Q. And, as you said to me, you turned 13 when you were on  
21 the ship. Just before moving on to that, you say that  
22 you continue to have vivid memories and recurrent  
23 flashbacks of the humiliating, degrading attacks during  
24 your time at Rubane House and you feel that those  
25 experiences have impacted you in later life, and you



1 describe in paragraph 15 the effects of the abuse on you  
2 in later life, and you say you are constantly reminded  
3 of the abuse when you see or read about child abuse in  
4 the media, and that you believe that the De La Salle  
5 Brothers failed in their duty of care towards you. You  
6 were to be educated by them, protected from harm and  
7 prepared for entry to the wider community, but instead  
8 you were sexually, physically and emotionally abused and  
9 scarred for life.

10 Now you went back from Rubane -- for just four days  
11 you went back to Nazareth Lodge and from there you were  
12 sent to Australia on 24th December 1956. You were  
13 almost 13. You met your two youngest brothers and  
14 eleven other boys from Nazareth Lodge, and you were all  
15 taken to have a medical examination, which you don't  
16 remember, but you are just going on the basis of the  
17 paperwork that's before you. Isn't that correct?

18 **A. I certainly don't remember being taken away for**  
19 **a medical examination, but I do have paperwork here that**  
20 **says that somebody has filled out something about my**  
21 **being.**

22 Q. In fact, you -- do you remember staying in Hammersmith  
23 overnight before boarding the ship in Southampton?

24 **A. Yes.**

25 Q. And you were the last group of UK child migrants to be

1 sent to Australia. During the journey you remember that  
2 there were two civilian women sent to look after you,  
3 but that you were extremely hard to control. You didn't  
4 know who they were and later found out that they just  
5 happened to be two women who were travelling and going  
6 on to Melbourne, and they stayed with you until you  
7 arrived in Perth and then they went on to Melbourne. Do  
8 you have any other memories about the journey?

9 **A. Yes. We were pretty hard to control I would imagine.**  
10 **We got extremely sunburnt and probably seasick for about**  
11 **half the trip. Apart from that, those two ladies,**  
12 **whoever they were, when we got to Fremantle, that was**  
13 **it. We were picked up by the Brothers, Christian**  
14 **Brothers.**

15 Q. You talk about this in your statement. You talk about  
16 the arrival in Australia in Fremantle. You were taken  
17 first of all to Castledare Boys' Home in January 1957  
18 and you talk about that home, and you stayed there for  
19 about two weeks until you were moved to Tardun and once  
20 again were separated from your two youngest brothers.  
21 They stayed up in Castledare. Isn't that correct?

22 **A. That's correct.**

23 Q. And you make the point that the reason that you were  
24 actually migrated to Australia was because -- was to  
25 keep you with your brothers, and yet once you arrived

1           there, you were separated off from them.

2   **A. Yes, not only when we got to Australia, but the reason**  
3       **-- the reason my father put us into homes in the first**  
4       **place, he was adamant that we were going to be kept**  
5       **together, kept together, but, as I said to you earlier,**  
6       **I was actually moved five times before I turned 13 and**  
7       **I was always a year or two ahead of my brothers. So the**  
8       **contact, you know, was very little.**

9   **Q.** You had also told me this morning you spoke to  
10       a particular nun who was alive when you returned to  
11       Ireland and you had a conversation with her about you  
12       going out to Australia. Can you tell the Inquiry what  
13       it is she said to you?

14   **A. The Sister in question was Sister Veronica. Sister**  
15       **Veronica was one of the nicest nuns at Nazareth Lodge.**  
16       **She really did look after you in comparison with some of**  
17       **the others, and when we got back there for the first**  
18       **time after 39 years, I did ask her, and she said the**  
19       **nuns knew nothing about it. The decision was made by**  
20       **the Social Services, and I have also got that on tape**  
21       **talking to her.**

22   **Q.** And she made another comment about your family. Isn't  
23       that correct?

24   **A. You said it was a compliment, but she said we were of**  
25       **good stock.**

1 Q. And that was why you were sent?

2 **A. Well, good stock, you know. I suppose Australia needed**  
3 **building up.**

4 Q. Well, you are aware, HIA279, because you have been told,  
5 and we discussed it again this morning, that this  
6 Inquiry cannot deal with what happened to you in homes  
7 in Australia and that's outside our scope, but you talk  
8 about your time in care in Australia in paragraphs 20 to  
9 25 in your statement, and you have indicated that you  
10 were separated from your brothers, and you describe  
11 being sexually abused by the Christian Brothers and by  
12 staff in Tardun and being physically abused by the  
13 Brothers in that home.

14 Then at paragraph 26 you go on to talk about the  
15 time after you left care. You got married and had a son  
16 and a daughter and you have good relationship with your  
17 wife and children. You go on to describe the  
18 difficulties that you had in contacting your siblings  
19 and the effect of the migration that that had on them,  
20 both on your brothers and on your sisters. Your sisters  
21 stayed in Nazareth House [REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED], [REDACTED]  
[REDACTED]

1           You talk in paragraph 31 about meeting with the  
2           media in Northern Ireland and you talk about the  
3           conversation that you had with the nun that you've just  
4           spoken to me about. You talked about your life in  
5           Australia and setting up an old boys' association there,  
6           helping to do that and being on the committee for the  
7           Australia Child Migrant Foundation in 1997.

8           You also talk about the recent diagnosis that you  
9           have had which causes difficulty for you, and you say  
10          you are:

11          "... seeking an explanation as to why my brothers  
12          and I were selected for forced migration, why our  
13          documents were falsified and why our family was split up  
14          and we have never -- and we were never allowed to keep  
15          in contact with relatives in Belfast. I also seek  
16          a meaningful apology from the Northern Ireland  
17          government for our forced migration, the abuse we were  
18          subjected to, our separation from family and extended  
19          family and the pain and anguish I endured over the years  
20          due to my time in care."

21          Just one further matter that I wanted to raise with  
22          you. You met with Sister Brenda from the Sisters of  
23          Nazareth when she was in Australia this summer, our  
24          summer, and you spoke to her in Australia. Isn't that  
25          correct?

1    **A. Yes, I met with Sister Brenda a couple of times**  
2           **and invited her back to our house for a cup of tea and**  
3           **a chat.**

4    Q. And, in fact, she personally apologised to you on behalf  
5       of the Order when she was in Australia. Isn't that  
6       correct?

7    **A. She certainly did that, yes.**

8    Q. And one of the things that I wanted to ask you and  
9       then -- HIA279, is that you have been -- you have  
10       received that personal apology from Sister Brenda. You  
11       have been aware of the apologies that were made by the  
12       British government and by the Australian government.  
13       You have also received compensation from the De La Salle  
14       Order and you have been part of the Redress Scheme in  
15       Western Australia.

16           The Inquiry -- this Inquiry will have to make  
17       recommendations to the Northern Ireland government as to  
18       what should be done in respect of not only child  
19       migrants but in respect of all of those who we are  
20       dealing with who were in institutions and were abused in  
21       institutions here, and they are very interested to  
22       know -- the Inquiry is very interested to know what your  
23       views are about what works. What is beneficial to  
24       people? What do you appreciate? What do you feel is  
25       inappropriate or of no benefit to you? I wonder if you

1        could ask -- answer that question for me, HIA279.

2    A.    Well, going back just a little bit before when we

3        were -- when we left home down in ██████████, that was

4        really the start of everything my father didn't want to

5        happen. I am not complaining that I came to Australia,

6        but I do believe I have missed out on a lot with my

7        family over there back home, and I know this caused

8        a lot of hurt to my sisters, particularly a couple of

9        them. They have now passed on, and that really took its

10       toll on them. What amount of money can fix up what they

11       did to my family? What can fix up anything? It will

12       never come back. We have lost it, and maybe because of

13       a few decisions made by those people in charge with no

14       regard whatsoever and maybe they thought we were never

15       going to grow up. I don't know. Who -- who gives them

16       the power to split up a family, you know? To see your

17       sisters at 7 and go back and see them at 57, do you know

18       what I mean? You just lost the whole growing up thing,

19       you know. I still say that my father is probably

20       turning in his grave as we speak because he did not, did

21       not want us to be split up.

22                So if you are asking for recommendations, I'm sure

23        -- I'm sure this probably won't happen again. I hope it

24        won't happen again, but as far as fixing anything up,

25        what -- you know, I don't know. I do believe

1 compensation should be one of the things that they look  
2 at from the government, because there's a lot of people  
3 out here that are child migrants that we know of and are  
4 struggling still, haven't found family or whatever, and  
5 rely on our groups to look out for them, a bit like our  
6 Old Boys Group, and the numbers that die on their own,  
7 it is unbelievable. We just get a phone call to say,  
8 you know, they just died and nobody even knows who or  
9 where they are. So we -- you know, it's -- it's just --  
10 I don't know how they're going to address the whole  
11 thing, but there's got to be some soul-searching done  
12 there somewhere.

13 Q. HIA279, thank you very much. Is there anything that you  
14 feel that we haven't covered in what we've discussed  
15 this morning either about your time in care, or if  
16 there's anything else you want to say to the Inquiry at  
17 this stage, now is the appropriate time to do so?

18 A. Well, I think we have covered everything, you know,  
19 particularly the -- I am not worried about the times out  
20 here in Western Australia. We have covered the -- my  
21 times over there in the orphanage. I just wanted to get  
22 that off my chest, even though it's been on paper for  
23 a long time.

24 And the other thing I would just like to thank the  
25 HIA for opening this up and giving us the opportunity



1           **both today and out in Australia last year to sit down**  
2           **and have a chat about it. It certainly makes me feel**  
3           **better to know that someone is listening.**

4    Q. Thank you very much, HIA279. I have no further  
5           questions for you. I am just going to hand you over to  
6           the Panel and see if they want to ask you anything.

7                                Questions from THE PANEL

8    CHAIRMAN: HIA279, I'd like to ask you some questions, if I  
9           may, about the process of your going to Australia. From  
10           the documents we have been talking about this morning  
11           there's a reference to your IQ. Do you remember anybody  
12           testing you for that?

13    **A. No.**

14    Q. You said that your belief that it is not your father's  
15           signature on the document purporting to agree to your  
16           going to Australia, that that belief is based on what  
17           members of your family told you when you came back to  
18           meet them in Ireland quite some time ago. What  
19           explanation did they give to you or how did they say to  
20           you that it wasn't your father's signature?

21    **A. Well, I think one of the comments was he couldn't write**  
22           **very well and my own brother-in-law, [REDACTED] --**  
23           **[REDACTED], over there, there's talk about -- he still**  
24           **maintains it is not my father's signature.**

25    Q. Yes. You referred to Nazareth Lodge and you talked

1 about having things on tape. Did you tape the  
2 discussions you had with other people who had been in  
3 Nazareth Lodge? Is that what you mean?

4 **A. There was -- it was actually pure -- pure coincidence**  
5 **because I was over in Ireland. [REDACTED],**  
6 **my sister and brother-in-law, invited this chap up there**  
7 **because he went to the Lodge. He was older than me but**  
8 **he went to the Lodge, and we just got talking and he**  
9 **just let it all out about [REDACTED] SR 146 [REDACTED] You know,**  
10 **I happened -- he was a lot older than me. So it was**  
11 **still happening. [REDACTED] taped everything when I went**  
12 **back to Ireland. Everywhere we went it was on tape.**  
13 **Hence the Sister Veronica thing as well. So that's how**  
14 **the tapes came up.**

15 **Q. Do you still have the tapes?**

16 **A. I do. I do.**

17 **Q. Well, if we asked you could you get them copied and send**  
18 **them to us? They might be useful to us. They might**  
19 **reveal other things that we would need to check up on.**  
20 **In other words, get them put on a CD or something like**  
21 **that and post them or send them electronically. Perhaps**  
22 **you would like to think about that. I don't expect**  
23 **a definite answer at this moment.**

24 **A. Well, actually I could contact my brother-in-law, [REDACTED]**  
25 **[REDACTED], over in Belfast and I'm sure he's still got**

1       copies, and if he has, I'll tell him particular ones  
2       that we went back, you know. If he has still got them,  
3       I may ask ██████ to just do a CD for you or DVD.

4    Q. That would be very helpful. Thank you very much.

5       I appreciate there may be other things on the tapes that  
6       are not relevant to what we are doing. So if you can  
7       speak to your brother-in-law, if he can help us, that  
8       would be very helpful.

9           Just one more thing wasn't to ask you about, because  
10       you have mentioned yourself you feel that there should  
11       be compensation from the government for the reasons that  
12       you have described. The De La Salle Order say that they  
13       paid you £7,000 sterling. Is that right?

14    A. That's correct.

15    Q. Yes. They believe for whatever reason that the Sisters  
16       of Nazareth also paid you something. Did they, or did  
17       they make some other form of payment such as paying for  
18       you to fly back to Ireland or something like that?

19    A. For whatever reason the De La Salle Brothers thought  
20       they had to bring it up. I don't know. I didn't think  
21       it was any of their business and I did sign  
22       a confidentiality form. Yes, the Sisters did -- we went  
23       through towards getting with the system and I did  
24       receive not compensation according to them but an ex  
25       gratia payment.

1 Q. I see. Well, we will take that up with them, and you  
2 mentioned that you had received something under the  
3 Western Australian Government Redress Scheme -- is that  
4 right -- for what happened to you in Australia?

5 **A. Yes, for my time in the orphanage out here we did**  
6 **receive from Redress.**

7 Q. Yes. It's just quite a number of those who have been in  
8 touch with us have said that they received money for  
9 their time in Australia. That's just to identify you as  
10 another one who has been paid by the Australians.

11 Can I just say one more thing about Australia,  
12 because you have described in your statement how you  
13 have been very active with your fellow child migrants.  
14 We are anxious to encourage anybody in Australia who  
15 hasn't contacted the Royal Commission to discuss their  
16 time in Australia to do so and I would just ask you on  
17 this occasion to use your influence with anybody you  
18 know who may have had experiences in Australia but  
19 haven't spoken about them to contact the Royal  
20 Commission.

21 **A. I've actually spoken to quite a few and pointed them in**  
22 **the right direction, some that weren't too keen to go,**  
23 **but quite a few have taken up the offer.**

24 Q. Yes. I am very glad to hear that. Thank you. My  
25 colleagues may have one or two questions to ask you as

1 well.

2 MS DOHERTY: Thank you. Hello, HIA279. Thanks for your  
3 testimony. Can I just ask it is clear in Nazareth House  
4 you had difficulties with older boys bullying you and  
5 with sexual interference. Was that a problem for you in  
6 Rubane as well? Was there any issue of bullying or ...?

7 **A. With the older boys or with the Brothers?**

8 Q. Yes. No, with the older boys. I realise with the  
9 Brothers from your statement, but with the older boys?

10 **A. No. I don't recall any of the older boys over there.**

11 Q. Okay. Thank you very much.

12 MR LANE: Thank you for your evidence. My question is  
13 somewhat similar. In paragraph 9 you say how you  
14 thought the Sisters were aware of the older boys  
15 bullying you and groping and so on. I was just  
16 wondering whether you remember anything to support that,  
17 whether you told the Sisters, or whether you thought  
18 they had seen something happening, or how they would  
19 have known.

20 **A. I don't exactly remember anybody going up to them and  
21 telling it, but it was fairly common knowledge what was  
22 going on.**

23 Q. Were they in a position where they would have seen  
24 things happening?

25 **A. Possibly, possibly, but I couldn't give you any one**

1 **incident.**

2 Q. Okay. Thank you very much.

3 **A. You are welcome.**

4 CHAIRMAN: Well, HIA279, thank you very much for speaking to  
5 us today. We very much appreciate that, and the  
6 documents you have given us and reminded us about will  
7 be very helpful indeed. It just remains for me to say  
8 to you that that's all we need to ask you today and to  
9 thank you very much for speaking to us.

10 I want to take this opportunity before the link with  
11 Perth is cut to thank all of the people in Perth who  
12 have helped us to organise these Livelink connections,  
13 because I think that we are not going to have any more  
14 people speaking to us from Perth, but we are very  
15 grateful to everyone in Perth for what they have done to  
16 help us in this respect, and if I may somewhat  
17 invidiously pick out two people, Scott and Suzanne, who  
18 have been I understand very helpful indeed on the  
19 practical end of things. We are very grateful to them  
20 as well as to you, HIA279, for what you have done for  
21 us. Thank you very much.

22 MS SMITH: Thank you, HIA279. As good as my word. Before  
23 6 o'clock I understand there. So you are now free to  
24 get home.

25 **A. Thank you, and just once again to thank the people that**



1           happened is that it may have been with the Australian  
2           module papers, but certainly we have put it into the  
3           Rubane bundle now. It is RUB8090 to 8091. I apologise  
4           publicly to the Health & Social Care Board for any  
5           misleading information that I provided to the Inquiry.

6   CHAIRMAN: I am sure they are very relieved. Yes.

7                               WITNESS HIA247 (called)

8   MR AIKEN: I see a broad smile from Ms Smyth, so that's  
9           positive.

10           Chairman, Members of the Panel, good morning. The  
11           second witness today is HIA247, "HIA247". He is aware,  
12           Chairman, you are going to ask him to take the oath or  
13           affirm.

14   CHAIRMAN: Does he wish to maintain his anonymity?

15   MR AIKEN: He will, and I will deal with it shortly with  
16           him.

17   CHAIRMAN: Now, <sup>HIA 247</sup> do you wish to take a religious oath  
18           or make an affirmation, a solemn promise? The two have  
19           the same legal effect. It is entirely a matter for your  
20           choice.

21   **A. I will take the religious oath.**

22   CHAIRMAN: Very well.

23                               WITNESS HIA247 (sworn)

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

25



1 Questions from COUNSEL TO THE INQUIRY

2 MR AIKEN: If we can bring, please, on the screen 818.

3 HIA247, you can see hopefully appearing on the screen in  
4 front of you a copy of your witness statement, but the  
5 difference between the hard copy that you've got and the  
6 one you see on the screen is the black marks. So can I  
7 just ask you to check, first of all, that this first  
8 page, apart from the black marks, looks just like your  
9 hard copy of your statement that you have with you?

10 **A. Yes.**

11 Q. And if we move to 823, please, and, HIA247, if you would  
12 turn to the last page of your hard copy statement, and  
13 you will have with you also the one that doesn't have  
14 the black marks, and I am just going to ask you to  
15 confirm that -- the one on the screen has a signature  
16 box and on top of it is a black mark, but can I ask you  
17 just to confirm in your own hard copy of the statement  
18 that you have signed your statement --

19 **A. Yes.**

20 Q. -- in March of 2014?

21 **A. Yes.**

22 Q. And that you want to adopt the contents of your  
23 statement as your evidence before the Inquiry?

24 **A. Yes.**

25 Q. Now, as we discussed before you came in, the other

1 reason for the black marks is the Inquiry anonymity  
2 policy, and so that anyone reading this statement on the  
3 website can understand the experience of the person, but  
4 not be aware of their identity, and you wish to keep  
5 your anonymity. Is that right?

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

7 Q. The other issue that I want to make the Panel aware of  
8 that you have a hearing difficulty with tinnitus.

9 **A. Yes, in both ears.**

10 Q. So if you have any difficulty hearing me or anyone else  
11 who address you at any stage, just say, and if you  
12 don't -- haven't properly heard what has been asked of  
13 you, don't answer it until you do hear it clearly.

14 **A. Yes.**

15 Q. Can you hear me clearly at the moment?

16 **A. Yes, quite clear, yes.**

17 Q. That's good. In addition, HIA247, to your witness  
18 statement the Inquiry also has -- and I am just going to  
19 give the Panel the references -- a replying statement  
20 from the De La Salle Order, which we will look at for  
21 various purposes as we go, and that's at 2114 and 5 in  
22 the bundle, and we also have an HSCB statement, and  
23 that's at 8058 and 9.

24 Now, HIA247, you were born on ?

25 **A. That's correct.**

1 Q. And have now reached 67 years of age?

2 **A. Yes.**

3 Q. And you have travelled over to give your evidence and  
4 are accompanied by your wife?

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

6 Q. Do you want to say how many years you and her have been  
7 together?

8 **A. Well, we have been married 45 years and been together  
9 47 years.**

10 Q. So a considerable period of time?

11 **A. Yes.**

12 Q. And the Panel is aware from your statement that you  
13 entered Nazareth Lodge originally as a result of the  
14 size of your family and your mum had a number of  
15 children in a home in Birmingham that wasn't big enough,  
16 three of you volunteering to come back, and then  
17 an uncle had moved in with your grandfather, and  
18 arrangements were made for you and your younger brother,

19 NL 64 --

20 **A. NL 64 , yes.**

21 Q. -- who is -- again his identity shouldn't be used beyond  
22 the chamber -- to go into Nazareth Lodge, and your  
23 sister, the third of the three who came back from  
24 Birmingham, went to live with another member of the  
25 family?

1 **A. Yes.**

2 Q. And you then moved to Rubane on 15th August 1959, aged  
3 12, and you lived in Rubane for essentially a year until  
4 27th August 1960, by which time you were 13. Just to  
5 square this, because most boys lived there for longer,  
6 at 13 you left and ultimately via your grandfather's  
7 house again travelled back with him on the boat to  
8 Birmingham and then lived with your mother thereafter  
9 and went to school in Birmingham?

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

11 Q. And just for the record if I indicate to the Panel that  
12 the admission record that the Order keeps is at RUB2117  
13 that records the dates of entry and leaving.

14 HIA247, as we discussed, I want to cover a series of  
15 issues with you in a thematic way, and the first that  
16 I~am going to ask you about is the physical abuse that  
17 you describe. If we can look, please, at paragraph 12  
18 of your statement at 820, you say BR17 -- and that's  
19 BR17. He was the head of the home when you arrived?

20 **A. That's right.**

21 Q. And he was the principal of the school that you attended  
22 on the site adjacent to the main building?

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

24 Q. And you describe him assaulting you. You were caught  
25 talking to one of your friends. You were punished. You

1 were taken out of class into an office where he told you  
2 to drop your trousers and your underpants and then he  
3 beat you across the backside?

4 **A. That's correct.**

5 Q. Can you describe the severity of that? Was it six  
6 strikes with a cane? Was it more than that? How would  
7 you describe it?

8 **A. It was about six strikes with a -- with like a belt type  
9 of thing. You know the straps that the Brothers used to  
10 wear. It was -- well, I was crying afterwards. So it  
11 was quite painful.**

12 Q. And was that type of occurrence -- and you are  
13 describing what happened to you -- were you aware of  
14 that happening to other boys?

15 **A. I don't -- I don't recall, but I don't know really. Not  
16 for definite, but there was punishments.**

17 Q. Now we were speaking to you beforehand. You were  
18 relating something else of this ilk that's not in your  
19 statement and that's about a tuning fork. You were in  
20 the choir?

21 **A. Yes.**

22 Q. And BR17 was -- operated the choir?

23 **A. Yes.**

24 Q. And -- do you want to describe your experience in the  
25 choir?

1 A. Basically it was -- well, there was a group of boys  
2 obviously in the choir, and when he -- when we start to  
3 sing, he had this like a tuning thing. It is like  
4 a fork thing, and to get the high pitch noise of where  
5 he wanted you -- that highness he wanted you to sing and  
6 then you'd go up and down, he used to ding it like that,  
7 and if you were not paying attention, he would come  
8 along and ding it on your head. It didn't hurt, like,  
9 but he would do that sort of thing. That was -- that's  
10 what the tuning fork was.

11 Q. And you described it -- we are obviously going to come  
12 on to some other matters concerning him in terms of  
13 sexual abuse --

14 A. Yes.

15 Q. -- but you mentioned the term "Jekyll and Hyde" in  
16 relation to BR17 when you were speaking to me. Can you  
17 explain to the Panel what you mean by that?

18 A. Well, I was in BR17's class. See, he was my teacher  
19 like, and BR17 could be smiling and joking one minute  
20 and the next minute he was a completely different  
21 person. He would be throwing dusters at you and things  
22 like that.

23 Q. So you now relate that to the story of Jekyll and Hyde  
24 in terms of --

25 A. No, I didn't at the time, but obviously thinking about

1           it now, that's the type of person that he was. He could  
2           be -- he could be normal one minute and the next minute  
3           he'd go into a rage type of thing.

4 CHAIRMAN: I suppose those of us who were brought up in the  
5           day before whiteboards know what you mean, a solid  
6           wooden thing that was used to brush the chalk off the  
7           board.

8 **A. Yes, the duster, yes. Yes, the duster, yes.**

9 Q. It was thrown at you? It was a missile?

10 **A. Not just me, but he would throw it at any -- whoever he**  
11 **thought was -- I don't know for any reason -- what**  
12 **reason he did it. He was well calm one minute and then**  
13 **the next minute you got a duster flying at you.**

14 MR AIKEN: And what I want to do then, please, is move on to  
15           look at the sexual abuse you describe. Just as do I  
16           that, HIA247, the Inquiry has heard of other Brothers,  
17           principally BR15 and BR14, who were there at the same  
18           time who were physically abusive to boys. Those are  
19           allegations that others have brought to the Inquiry.  
20           You had no difficulty with either of those Brothers?

21 **A. I didn't have any experience like that with BR15 or**  
22 **BR14.**

23 Q. We will come back to look at BR14, and you had a good  
24           relationship. You were keen on sports?

25 **A. Well, I used to play all of the Gaelic football and the**

1           hurling, and BR14 used to take us down on to the main  
2           fields, you know, where the pitches were, and we got on  
3           quite well, and I don't know anything -- I've never  
4           heard of anything about BR14. He never did anything to  
5           me anyway.

6       Q.    Yes. We will come back to talk about him in the context  
7           of your sporting activity --

8       **A.   Yes.**

9       Q.    -- but if we look then at paragraph 13 of your  
10           statement, you describe how BR17 at night-time used to  
11           watch television at one end of the dining room. Now  
12           this is in the main house?

13       **A.   That's in the main house.**

14       Q.    And it is down in what I am going call the basement  
15           level --

16       **A.   Yes, in the basement.**

17       Q.    -- where you had your food?

18       **A.   It was the dining room, yes.**

19       Q.    But you also had a screen or a television?

20       **A.   There was a -- there was a -- if I can describe it, it  
21           was like say that's the room and there was a tiny  
22           television on the stand up here and the dining room area  
23           and the small telly, television there.**

24       Q.    And you describe here how you were told by him, BR17, to  
25           sit beside him at the back of the room.



1 **A. That's correct.**

2 Q. And you say:

3 "It was a big room and dark and he started to  
4 interfere with me."

5 What do you mean? Was he -- were you sitting on his  
6 knee or was he touching you?

7 **A. I was sitting next to him down at the back end of the  
8 room. He always sat at the back end of the room, and I  
9 sat in the next seat to him and, like I say, it was  
10 dark, and when you've got -- you imagine in 1959 or 8 or  
11 whatever it was, they had them very small televisions,  
12 and that's when he interfered with me, yes.**

13 Q. And were you aware of -- you were obviously there for  
14 a year. Each night you watched TV was it always you he  
15 asked to sit beside him or are you aware of this same  
16 arrangement with other boys?

17 **A. There was different boys at different times and I also  
18 at different times was in that seat.**

19 Q. It happened a number of times. You don't remember now  
20 just how many times he did that to you?

21 **A. No, I don't remember how many times, but it was more  
22 than one occasion.**

23 Q. Was there ever any discussion amongst the boys about  
24 what he was doing to you and what you presume he was  
25 doing therefore to others?

1    **A. I never had any discussion with any of the boys and I**  
2       **never told any of the -- I never described to anybody**  
3       **what happened to me.**

4    Q. We will come -- it is only now as part of this process  
5       that you have even been able to speak to your wife about  
6       it, but can I ask you -- you mentioned that there was  
7       a priest on -- who lived in the premises. Were you able  
8       to talk to him about it?

9    **A. I never even spoke to the priest about it. I was in**  
10       **fear of speaking to anybody about it.**

11   Q. Can you explain to the Panel where that fear comes from?  
12       What was it that made you feel afraid to say what this  
13       man was doing to you?

14   **A. Well, I was in fear of BR17 in general, you know,**  
15       **frightened to cross him type of thing. I mean, if I**  
16       **started talking about what happened to me and it got**  
17       **back to him, which it would have done obviously --**  
18       **I just didn't -- I wouldn't talk about it.**

19   Q. HIA247, you arrived in Rubane in the summer of '59. The  
20       Panel has received material showing allegations being  
21       made against BR17 in the summer of '58 and the  
22       Provincial from Dublin coming up in September of '58 to  
23       investigate those matters. Did you ever hear from any  
24       of the other boys reference to that having occurred and  
25       BR17 --

1 **A. I've never heard of that.**

2 Q. Now, as I explained to you this morning, the De La Salle  
3 Order accept that BR17 did sexually abuse boys, and if  
4 we can bring up, please, 2114, in paragraph 4 of the  
5 Order's replying statement the Order indicates it made  
6 concessions about BR17 and they accept the abuse  
7 describing may have occurred.

8 I want to then look, HIA247, if we can, at  
9 paragraph 14 of your statement, 820 and then moving on  
10 to 821. You describe being:

11 "During the night in the dormitory when it was  
12 completely dark I was woken up on occasions by people  
13 having their hands inside my bed interfering with me."

14 If we just scroll on down:

15 "It happened during the hours of darkness so you  
16 could never see who was doing this to you."

17 Then you say:

18 "I slept in an annex away from the main building."

19 I described that to you as the steward's house, but  
20 you understood it as the farmhouse down on the farm?

21 **A. Away from the main building, yes, yes.**

22 Q. Can you remember at your stage were there one or two  
23 dorms of boys?

24 **A. I was in one dormitory. I don't know exactly how many**  
25 **dormitories there was, but I was in one of them. There**

1           **were more than one.**

2       Q.   And do you remember at this remove who the -- it seems  
3           there was probably two Brothers who lived in that or  
4           slept in that steward's house or farm building with you.  
5           You don't remember who those were?

6       A.   **I don't. I remember BR66. He used to march us down of**  
7           **an evening to go to our dormitory. I don't recall**  
8           **knowing BR66 actually slept there himself or the other**  
9           **Brother, but it was BR66 that used to take us down --**

10      Q.   Take you down at night-time?

11      A.   **-- to our -- to our dormitory, yes.**

12      Q.   He appears to have been a Brother who was there for  
13           about a year during your period of stay?

14      A.   **I was actually there when BR66 come I think.**

15      Q.   So he arrived shortly after you arrived?

16      A.   **Shortly after I went off to Rubane House.**

17      Q.   And you had never any difficulty with him?

18      A.   **BR66? No.**

19      Q.   And you describe in this paragraph the -- this sexual  
20           contact always sticks in your mind, and you say other  
21           boys were being interfered with. The Order suggested  
22           that one of the reasons why Brothers might have been  
23           feeling in the bed was to deal with bedwetting to check  
24           whether the bed had been wet by boys. Is that something  
25           that you can relate to what happened to you?

1    **A.** Well, I find that hard to believe that they were  
2       checking for the beds to be -- being wet, because I was  
3       12 years of age or 13 years of age. I didn't wet the  
4       bed, and what they were doing inside the bed wasn't  
5       checking the sheets were wet. They were trying to  
6       interfere with you, but because it was so dark there and  
7       you were being woke up in the middle of the night and  
8       within seconds of being disturbed and just sort of  
9       looking round, whoever was doing this had gone.

10   **Q.** And you can't be sure whether that was a Brother was  
11       doing that or other boys who were doing that?

12   **A.** I don't know.

13   **Q.** The -- just for the Panel's record it is at paragraph 5  
14       of the replying statement, 2114, the suggestion about  
15       checking to do with bedwetting.

16       Can you remember how bedwetting -- was that an issue  
17       that -- perhaps not for you or in your dorm -- but can  
18       you remember how bedwetting was dealt with for those who  
19       did have that difficulty?

20   **A.** Only my brother, my younger brother, but that wasn't in  
21       Kircubbin. That was in Nazareth Lodge.

22   **Q.** So you don't remember anything to do with bedwetting in  
23       Rubane?

24   **A.** Not in Kircubbin, no.

25   **Q.** You describe then in paragraph 16, HIA247, if we scroll

1 down, please, bullying, older boys bullying younger  
2 boys. I just want to get this in context. You are not  
3 describing anything different from what everyone might  
4 understand as the school bully, somebody in school or  
5 around you slightly older, trying to take advantage of  
6 you.

7 **A. Yes.**

8 Q. It wasn't a major problem. Is that right?

9 **A. Not a major problem, no.**

10 Q. And you had an individual who you identify who looked  
11 out for you and that kept you safe from the people who  
12 would be trying to bully you?

13 **A. He did help.**

14 Q. And it is not a case where there weren't -- there wasn't  
15 supervision happening and Brothers weren't around. It  
16 is -- the point you made to me was you couldn't have  
17 Brothers there all the time whenever these type of  
18 things might occur.

19 **A. I mean, there was Brothers obviously in the areas where**  
20 **we played and things like that. We played football out**  
21 **in the yard and we went swimming in the swimming pool,**  
22 **but, I mean, you'd need a hell of a lot of Brothers to**  
23 **cover them all the time sort of thing, but there was**  
24 **bullying that went on then.**

25 Q. Now you describe in paragraph 15 a particular incident

1           where you were sent to do the tea errand. Was that you  
2           had to bring the kettle for the serving of tea that  
3           particular meal time?

4     **A. Uh-huh.**

5     Q. And your hand slipped and tea spilled over your legs,  
6           burning your skin, and that required you to be taken to  
7           hospital?

8     **A. Uh-huh.**

9     Q. And you were taken to hospital. BR15 took you?

10    **A. Yes.**

11    Q. And then you describe how when you came back -- while  
12           you say doctors or outsiders never usually came to  
13           Rubane, you did see a doctor in BR17's room after your  
14           discharge from hospital?

15    **A. The situation with the tea urn, when we were in the**  
16           **dining room, we were asked to go and fetch the tea urn**  
17           **from the kitchen, and it was probably about that big.**  
18           **You know what the tea urn looks like. Then this other**  
19           **boy would get this tea urn and the part that I had**  
20           **slipped and of course it went from just underneath my**  
21           **knees all the way down and I was taken -- rushed to the**  
22           **hospital, yes.**

23    Q. And you also describe at paragraph 18 of your statement  
24           working on farms.

25    **A. Yes.**

1 Q. And you say you didn't have to go to school if you were  
2 working in the fields. So is that potato picking time?  
3 Over about a month you -- do you want to just explain to  
4 the Panel in your own words how you were transported to  
5 where you went and what you did?

6 A. Yes. They -- they would pick up us at the Rubane House  
7 in lorries and we'd go on the back of the lorries, and  
8 they would take us out to the farms, and we'd be picking  
9 potatoes pretty much all day. I remember it was  
10 back-breaking work, because you got a tractor turning  
11 the potatoes and we were going along with baskets and  
12 putting the potatoes in the baskets, and when we would  
13 get so many baskets, we would then put them into sacks  
14 and we would do that most of the day. At dinner time we  
15 used to get a piece of -- pieces of bread and jam and  
16 a cup of tea in a metal can, but --

17 Q. And you earned some money from it that you describe?

18 A. Yes. Well, I -- there was talk about the home got 15  
19 shillings a week, but I got a shilling a week out of  
20 that money allocated to me, and I remember getting my  
21 first pair of football boots with the money that I got.

22 Q. I mentioned to you that the Order suggested you would  
23 have been a long time getting a pair of football boots  
24 on just getting one shilling a week.

25 A. Yes.



1 Q. But can you remember back to how much the football boots  
2 might have cost back at the time you are talking about?

3 A. I would -- I would say it was probably about 7 or 8  
4 shillings or something like that that I'd get a pair of  
5 football boots for.

6 Q. The way the management of the money worked -- you might  
7 not remember his name now -- the Brother kept the money  
8 for you and then it was utilised when you had enough to  
9 get the football boots?

10 A. Yes, they kept -- they kept the money. We didn't --  
11 they didn't give us a shilling every week and you saved  
12 it. They kept the money, and when I had enough money,  
13 I wanted -- I always made it clear that I wanted a new  
14 pair of football boots.

15 Q. And --

16 A. But we also had films. Sometimes we'd have a film which  
17 came out of the proceeds of the money for picking the  
18 potatoes.

19 Q. So the Order has pointed out that the greater money, as  
20 it were, the money didn't necessarily go straight to  
21 you, but it was used for treats and films and so on, and  
22 you recall films being shown then in the basement dining  
23 area?

24 A. Well, I don't know about the treats, but we used to get  
25 the films every now and again.

1 Q. Now before I leave and move on to you returning to your  
2 mum there's a couple of matters that I want to deal with  
3 that aren't in your statement but that you raised with  
4 me.

5 The first is over correspondence that you remember  
6 in Rubane writing to your mum and getting letters back  
7 from your mum.

8 **A. Uh-huh.**

9 Q. Can you remember now how you got the stamps for the post  
10 to go?

11 **A. Well, some of the boys, well, we would volunteer. We**  
12 **would go down into Kircubbin and get stamps and bring**  
13 **them back to the home. I am not saying just for my**  
14 **letter, but we used to go down. It was just great to**  
15 **get out of the home for a ride down on the bicycle down**  
16 **into the village.**

17 Q. And were you given some money to take and buy the stamps  
18 out of the post office?

19 **A. I can't really remember that bit, but obviously we must**  
20 **have had some money off the Brothers to get that.**

21 Q. But you definitely recall you were able to write letters  
22 and receive letters?

23 **A. I did write -- I did write to my mother and receive**  
24 **letters from my mother, yes.**

25 Q. Right. We touched on earlier for a different purpose,

1 but I want to bring it up with you again, you were very  
2 into sports?

3 **A. Yes, yes.**

4 Q. And one of the positive memories that you have is over  
5 your -- the various recreational activities that you got  
6 to engage in. You talked about Gaelic football. You  
7 have mentioned the swimming pool which was constructed  
8 and you recall the jumping in, making use of that. You  
9 also indicated that it was -- the swimming pool was  
10 a great help coming back from your day potato picking.  
11 You could get in and get cooled off.

12 But you recall playing hurling --

13 **A. Yes.**

14 Q. -- and matches against Downpatrick and St. Galls. Can  
15 I just ask you to explain to the Panel? You mentioned  
16 to me when playing against St. Galls in Belfast  
17 an arrangement in respect of the person who was marking  
18 you.

19 **A. We -- they took us -- they brought us into Belfast to**  
20 **play. We played a game of Gaelic football and then we**  
21 **played a game of hurling, and the person that was**  
22 **marking you, they would take you back to their house and**  
23 **we had a bit of a treat like of a sandwich and maybe**  
24 **a cake or something like that, and it was a bit of**  
25 **a treat.**

1 Q. And you have kept that on, that love of sport, on into  
2 your adult life?

3 **A. Yes.**

4 Q. You talked about golf and bowls?

5 **A. Yes.**

6 Q. And the Panel is obviously tasked with identifying  
7 systemic failings.

8 **A. Sorry?**

9 Q. The Panel is tasked with identifying systems problems  
10 that occurred and one of those, you tell me that you  
11 began to support Manchester United from your time in  
12 Rubane.

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

14 Q. As part of your sporting activity -- and we have touched  
15 on it, because the Inquiry has heard other material  
16 about BR14 -- you recall a positive relationship of two  
17 people who liked sport a lot?

18 **A. I got a -- what I recall of BR14, I mean, it was all to  
19 do with the sport side of it, and I had a friend --  
20 I think his name was                    or something like that --  
21 and he was quite good at Gaelic football and hurling,  
22 and we -- I don't know whether BR14 thought more of us  
23 because we were sports minded. I don't really know, but  
24 I never had any bad -- anything bad to say about BR14  
25 really.**

1 Q. Now, HIA247, what I want to deal with now is you left  
2 Rubane as a result of -- I summarised it at the start --  
3 going back essentially to your mum and to Birmingham and  
4 then going to school in Birmingham, and the admission  
5 record does suggest, if we just look at it, please, at  
6 2117 -- now in the bottom right corner, if we can look  
7 at it, please, it says:

8 "On 27th August 1960 care of Belfast Welfare went to  
9 live with mother, , Birmingham."

10 You appear to have been what the Inquiry has heard  
11 of as a private placement. You were brought to Nazareth  
12 Lodge by your family and the statement that the Inquiry  
13 has received from the Health & Social Care Board simply  
14 looks at -- they can't find a file relating to you  
15 unfortunately, and they simply look at this record and  
16 acknowledge it makes reference to Belfast Welfare, but  
17 in fairness to the Health & Social Care Board you don't  
18 have a recollection of ever having a children's officer  
19 or social worker type person taking you out of Rubane  
20 and returning you to your grandfather?

21 A. I don't -- I've got a feeling it was -- it might have  
22 been BR15 took me back into Belfast to my grandfather's  
23 house when I was released from there. I remember BR17  
24 calling me in and telling me that I was going home, and  
25 to be honest with you, it wasn't long after I come out

1 of hospital that this happened. I was dropped off at my  
2 grandfather's house and then I went to Birmingham within  
3 the next couple of weeks.

4 Q. Do you have any recollection with your mum of whether it  
5 was because of what happened with the tea incident and  
6 you ending up in hospital that she took you back out?  
7 Was there ever a conversation about that?

8 A. She -- when I did get back to Birmingham, she was aware  
9 of it and, as I explained to you, I was getting -- when  
10 I stood for a long time, I was getting like pins and  
11 needles in my legs and that lasted for quite a while,  
12 and she was aware that this had happened in the home,  
13 and it wasn't long after that happened that I went back  
14 to Birmingham.

15 Q. And you don't recall at any stage during your time in  
16 Rubane a welfare officer or a children's officer  
17 visiting you?

18 A. No.

19 Q. No. There's just a couple of remaining matters I want  
20 to deal with, HIA247, if I may. The first is if we go  
21 to paragraph 21 of your statement, please, at 822, and  
22 essentially, HIA247, if I can summarise it this way, you  
23 never felt able to talk about what happened to you in  
24 terms of the sexual abuse in Rubane until you engaged  
25 with the Acknowledgment Forum at the start of this

1 Inquiry process, and you have been married to your wife,  
2 who is with you today, for 47 years and had never  
3 mentioned it to her.

4 **A. That's correct, yes. I -- my wife didn't find out about**  
5 **this until after I come back from the Acknowledgment**  
6 **Forum. I had never told her. I hadn't told -- I hadn't**  
7 **told nobody, none of my family.**

8 Q. And you had never -- I appreciate someone from the  
9 police contacted you after your engagement with the  
10 Inquiry process --

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

12 Q. -- but you had never spoken to the police about it --

13 **A. No.**

14 Q. -- or never pursued a civil claim? You just locked this  
15 away in terms of --

16 **A. Yes.**

17 Q. -- the memory as to what happened?

18 **A. I mean, over the years people asked me questions about**  
19 **the home and things like that. We used to talk about**  
20 **things, the tough of the home, things like that, but**  
21 **I never ever mentioned to anyone about the sexual abuse.**

22 Q. And you are aware I was asking you earlier whether the  
23 engagement that you have had, difficult no doubt,  
24 whether ultimately that has been positive to be able to  
25 talk about this and have help there?

1 **A. Yes. That's correct, yes.**

2 Q. You mention -- and I just want to whenever you are here  
3 today, because you have raised it in your statement --  
4 at paragraph 20 you make reference to your brother.

5 **A. Uh-huh.**

6 Q. And he remained in Nazareth Lodge and he did not fare as  
7 well as you in terms of building a life beyond care, and  
8 I am simply acknowledging that, because it is something  
9 you have talked about in your statement that obviously  
10 was very important to you.

11 **A. Things were a lot tougher for my brother, obviously**  
12 **being younger than me. He was three years I think**  
13 **younger than me. In Nazareth Lodge NL 64 used to wet**  
14 **the bed and he got punished for that, and it was hurtful**  
15 **to watch him being punished for doing something that**  
16 **I don't think he could help doing anyway.**

17 Q. I explained, HIA247, as you are aware, that the Inquiry  
18 will look at Nazareth Lodge in due course and then we  
19 will be able to look at what you have had to say,  
20 because you also resided there, and we will be able to  
21 look at that in some more detail --

22 **A. Uh-huh.**

23 Q. -- but you have made your brother's position clear to  
24 the Panel.

25 **A. Yes.**



1 Q. There is two last matters, HIA247, that I want to raise  
2 with you.

3 **A. Yes.**

4 Q. The first is that at the end of this process the Panel  
5 are required by their terms of reference to make  
6 recommendations to the Northern Ireland Executive, and  
7 the terms of reference frame those as potentially some  
8 form of apology, or some form of memorial, or some other  
9 means of redress, and we ask each person who comes to  
10 the Inquiry whether they have any view that they'd like  
11 the Panel to take into account about what  
12 recommendations the Panel might consider making. Some  
13 do. Some don't, but have you any view that you'd like  
14 to express to the Panel?

15 **A. Well, first of all, the apology, which was -- we have**  
16 **already -- there has already been apologies given out**  
17 **for what happened in Rubane House, and I'll just --**  
18 **whatever the Panel decide to do, I'll leave it at that.**

19 Q. And the last question, HIA247, that we ask each witness  
20 is -- I appreciate we may have to hear from you again in  
21 relation to Nazareth Lodge, but I am going to ask you in  
22 the context of Rubane whether there is -- this is your  
23 opportunity -- you have come forward to explain to the  
24 Panel what happened to you -- whether there's anything  
25 else that you want to say. Perhaps I haven't covered or

1 haven't covered in enough detail or perhaps something  
2 not contained in the material that we have dealt with.  
3 Now is your opportunity to say whatever you want to say  
4 to the Inquiry Panel.

5 **A. Well, basically I'm pleased now that I have got all this**  
6 **out in the open, and I appreciate what the -- you**  
7 **allowing me to come here to tell the story, and although**  
8 **it wasn't a great experience, that part of my life,**  
9 **I have got it out in the open now and I'm happy with it.**

10 **Q.** HIA247, I don't want to ask you anything else. If you  
11 just remain where you are for a moment or two, the Panel  
12 Members may want to ask you something.

13 **A. Thank you.**

14 **Questions from THE PANEL**

15 **CHAIRMAN:** HIA247, just one small question about the matches  
16 you used to play in Belfast. You say that the boy who  
17 marked you in whether it was the hurling or the Gaelic  
18 football match, the member of the team would go back to  
19 that boy's house who had been their marker, each boy to  
20 the different house, have something to eat, and  
21 presumably this was all organised and approved by the  
22 Brothers with whoever was the organiser of the team?

23 **A. Uh-huh. I think it was -- well, the Brothers were with**  
24 **us when we went there, and I remember the person that**  
25 **I was marked -- that marked me, we went back to -- he**

1           lived off the Falls Road. So we were off the Falls  
2           Road, and we had a piece of cake and cup of tea and  
3           that. We went back on the bus anyway with the Brothers.

4    Q. So presumably everybody dispersed to the different  
5           houses and then came back to the appointed meeting  
6           place, got the bus and so on?

7    A. Yes, yes.

8    Q. Thank you very much.

9    MS DOHERTY: Thanks very much for your testimony. Can I  
10           just check? One of the things we have heard from some  
11           other people have been about boxing matches being  
12           organised by the Brothers for the boys. Do you have any  
13           memory of that?

14   A. What? Sorry.

15   Q. Boxing matches.

16   A. Boxing matches. No, we didn't have -- oh, we used to do  
17           a bit of boxing in Kircubbin, not against other homes or  
18           anything like that, but we did do boxing, because  
19           you're -- sometimes you were put in a position if you  
20           had a bit of a dispute with somebody, the Brothers would  
21           say, "We'll get" -- when -- in the evening or something  
22           like that after dinner there was a ring there and you go  
23           in and sort it out in the ring.

24   Q. Right. Can I just clarify? You say about being in the  
25           fields quite often, but was that just about picking

1 potatoes? You weren't picking any other product or ...?

2 **A. No, no. Just potatoes.**

3 Q. Just potatoes. Thank you.

4 MR LANE: You mentioned about buying the football boots.

5 Where did you go to buy them?

6 **A. I didn't. I didn't go. The Brothers -- it might have**  
7 **been BR14 actually, because he was -- he seemed to do**  
8 **a lot with the sports thing.**

9 Q. You mentioned cycling into the village to buy stamps and  
10 things like that. Were boys allowed off the premises  
11 quite a bit or was it a rarity?

12 **A. I don't think people were going off regular. I know**  
13 **there was one -- there was one chap there that I think**  
14 **he used to go to college in Downpatrick or something**  
15 **like that and he was allowed. He obviously went outside**  
16 **the home, because he was quite a clever guy, and he went**  
17 **to one of the high schools in Downpatrick, but we**  
18 **weren't -- we were not allowed out regular, like, but if**  
19 **they needed some errands or something like that, they**  
20 **would ask you to go into the village, into Kircubbin.**

21 Q. Thanks.

22 CHAIRMAN: Well, HIA247, thank you very much for coming to  
23 speak to us today. We know you've come a little  
24 distance, rather more than some but not as far as  
25 others, but we are very grateful to you and for your

1 wife accompanying you.

2 It is something perhaps that you have reminded us  
3 about, that there are others out there who know of our  
4 existence but for different reasons, such as the reason  
5 you have described your brother having, they don't feel  
6 they can come to speak to us. We quite understand that,  
7 but thank you for coming, because we know it is not  
8 easy. Thank you very much.

9 **A. Thank you.**

10 (Witness withdrew)

11 MR AIKEN: Chairman, Members of the Panel, Ms Smith is  
12 taking the next witness. I am not sure whether -- I see  
13 it is 12 o'clock. It may be --

14 CHAIRMAN: Well, the next witness is scheduled for this  
15 afternoon.

16 MR AIKEN: Yes.

17 CHAIRMAN: It is probably simpler just to stick to the plan.  
18 If we start at 1.45, if we can do that. There is one  
19 witness who may not be physically present. Isn't that  
20 right?

21 MR AIKEN: Yes.

22 (12.03 pm)

23 (Lunch break)

24 (1.45 pm)

25

1 STATEMENT AND DOCUMENTS OF WITNESS HIA388 READ

2 MS SMITH: Good afternoon, Chairman, Panel Members. The  
3 first witness who was due to give evidence this  
4 afternoon is HIA388. The Inquiry has received a medical  
5 report in respect of this applicant to the Inquiry,  
6 which can be found at RUB20106, Chairman, and subject to  
7 the Panel's view and any objection from any of the core  
8 participants, I would intend to go through the witness  
9 statement provided by this witness and deal with any  
10 response that has been made by either the Order or the  
11 Health & Social Care Board.

12 CHAIRMAN: Yes. I take it that since he deals with Nazareth  
13 Lodge -- he doesn't have much to say about that.

14 MS SMITH: No. I would propose to deal with --

15 CHAIRMAN: Just with Rubane?

16 MS SMITH: I would propose to deal with both, given that the  
17 medical does not give an indication as to whether he  
18 would be fit to come to give evidence and, as you say,  
19 Chairman, he does deal in short form with Nazareth  
20 Lodge, and Mr Canavan is here representing the  
21 congregation. So it might be appropriate just to deal  
22 with both.

23 CHAIRMAN: Are you content with that, Mr Canavan?

24 MR CANAVAN: Yes. Counsel spoke to me about that yesterday  
25 and I indicated I have no difficulty having that matter

1 proceed today.

2 CHAIRMAN: Thank you very much. That's very helpful.

3 Anything you want to say, Mr Rooney?

4 MR ROONEY: No.

5 CHAIRMAN: It is perhaps appropriate, since there are new  
6 parties who have not been at earlier sessions of the  
7 Inquiry where this issue has arisen, to just explain  
8 very briefly what the Inquiry's attitude is. As I have  
9 repeated even at the beginning of this module, our very  
10 strong preference is that witnesses come to give their  
11 account, but we recognise from the beginning that there  
12 are some who might find it not possible to do so because  
13 of poor health, sadly a number of people have died, or  
14 in some instances they simply find the prospect of  
15 coming to give evidence too much. In a sense we have  
16 had an illustration of that this morning when HIA247  
17 explained that his brother hadn't felt able to engage  
18 with the Inquiry at all, not even with the  
19 Acknowledgment Forum, and the strains which recounting  
20 these matters can create for people is something we very  
21 much recognise and try and minimise as far as possible,  
22 but when someone gives an explanation as to why he can't  
23 come, or, as today, we have a medical examination --  
24 I am sorry -- medical report, then we take that into  
25 account, and if we agree to read the statement, then the

1 full statement will normally be placed on the website,  
2 appropriately redacted, of course, and then, as with the  
3 witness if they were here in person, counsel will  
4 summarise the tenor of the account, will draw our  
5 attention to any relevant documents that may be  
6 necessary and, of course, also remind us of any points  
7 made on behalf of the institution concerned, and then  
8 when we come to assess the weight which we give to the  
9 account given by the individual concerned, we take all  
10 of those matters into account.

11 So in the circumstances, having seen the medical  
12 report in relation to HIA388, I am content we should  
13 read it.

14 MS SMITH: Thank you, Chairman. Chairman, the witness  
15 statement can be found at RUB838 to 843. I have  
16 indicated where you can find the medical report. The  
17 Order's response is found at RUB2125 to 2127 and the  
18 exhibits are 2128 to 2129.

19 There is a short statement from the Health & Social  
20 Care Board at RUB20107, which indicates they have no  
21 records in respect of this applicant.

22 I should also say that the Inquiry have received  
23 material from the police. This applicant made  
24 a statement to the police in 1995. That can be found at  
25 RUB61387 to 61388, and he again spoke to them in 2012.



1 That's at RUB66546 to 66551. I will refer to that  
2 material in due course.

3 If we could just go to the witness statement,  
4 though, which is RUB838, please, and the first  
5 paragraph sets out the personal details of this  
6 applicant and indicates he was one of a large family,  
7 half of which ended up in homes, in children's homes.

8 He talks of his time in Nazareth Lodge, and if I may  
9 summarise, he talks about this in paragraphs 2 through  
10 to 6, and if I may summarise what he says about his time  
11 there, he describes his life. He says:

12 "Life wasn't too bad."

13 He complains he was hungry at times. He also said  
14 that he had Christmas presents taken off him by the  
15 Sisters when he got back from a party at City Hall. He  
16 also says that he was told by a nun that he was from the  
17 back streets of Belfast, but said that he had never  
18 heard that expression before and didn't know what she  
19 meant by it.

20 He also makes a somewhat curious complaint about  
21 receiving treatment at somewhere in East Bridge Street  
22 called Sand Quays, where he was covered in white  
23 ointment, and that his father told us -- told him that  
24 that was somewhere where homeless people got treated for  
25 lice. So whether the two are connected, without asking

1 him it is hard to tell exactly what that paragraph  
2 relates to, Chairman.

3 He then goes on to discuss his time in Rubane, and  
4 he was there from August 1961, when he was aged 11. He  
5 was taken there by minibus and he thinks it was driven  
6 by one of the Brothers from Kircubbin.

7 At paragraph 7 he complains that he was given  
8 a number, and the Inquiry will be aware that the Order's  
9 response to that is numbers were used for the purposes  
10 of dealing with laundry, but the boys were called by  
11 their names.

12 Paragraph 8 he describes the sleeping arrangements.  
13 He says that there were -- Brothers had cells in the  
14 dormitories to stop boys messing about. The Order would  
15 say the Brothers slept in separate rooms and not in  
16 cells and there would have been two Brothers in the  
17 farmhouse dormitories, which is where this boy would  
18 have been.

19 He describes in paragraph 9 bullying by an older boy  
20 whom he names, and the Order has confirmed that that boy  
21 was present in the home at the same time as this  
22 applicant.

23 He makes a complaint in paragraph 10 about the food  
24 that was provided, describing it as being "stinking".  
25 The Order have responded in their response statement at

1 paragraph 5 of that statement and in particular in  
2 relation to this indication about what happened in the  
3 winter of '61/'62. He said that:

4 "We generally didn't have to wash our own dishes,  
5 but during the big freeze in the winter of '61/'62 the  
6 water was off, so we were made to clean the plates by  
7 licking them. We didn't keep our own plates, so we  
8 would have been eating off a plate that someone else had  
9 licked clean."

10 The Order make the point that while there was a big  
11 freeze in 1963, the records don't make mention of any  
12 undue hardship being experienced by the home, and they  
13 found this allegation of being made to lick plates  
14 somewhat bizarre.

15 He talks about having mass after breakfast. The  
16 Order would say that mass was always before breakfast.

17 He also talks in paragraph 13 about the Brothers  
18 having the best of food. He used to go to their dining  
19 hall to help clean up. So he saw the leftovers and  
20 fancy dining hall. Again the Order would say that the  
21 food was the same for both boys and Brothers, although  
22 they do accept that to a child the dining room may have  
23 seemed to be a fancy room, as it was a room in the main  
24 building.

25 At paragraph 12 he talks about how a Brother whom he

1 names there, BR6 -- and he talks about how that Brother  
2 broke the news to another child whom he names that that  
3 child's mother had died. Now the Order would say that  
4 the child named there was present in the home at the  
5 same time as this witness, and they say that if this  
6 allegation is true, then it was certainly hard-hearted  
7 treatment of the child, but they would say it doesn't  
8 accord with the others who are still alive, of their  
9 recollection of this particular Brother.

10 He describes in paragraph 14 that Kircubbin was like  
11 a workhouse. He describes being hired out to farmers,  
12 and he said that there would be one Brother would go  
13 with each group and each group would go to a different  
14 farm. He said he thought there used to be four groups.  
15 The Order would say there would have been three. He  
16 said:

17 "It was a long day. We had to stay out even in cold  
18 and wet and were paid 30 pence a week for the work, 2/6  
19 in those days. We all went in the Brothers' sweetie  
20 shop and spent the money, so they got the money back.  
21 Your 2/6 never left the place."

22 This is clearly consistent with what you have heard  
23 from other people about working on the farm and  
24 receiving payment to be used in the tuck shop for that  
25 work.

1           The Order would say that the groupings were -- the  
2           Order would say in their statement that the boys did  
3           pick potatoes, but that only happened two weeks of the  
4           year. There were three boys -- three groups of older  
5           boys. The youngest boys weren't sent to work. They say  
6           the boys got two shillings every day, not half a Crown  
7           every week. If they did go out -- they didn't go out if  
8           it was cold, and if it rained, they returned to the  
9           home. The Brother who was in charge of a group for four  
10          years in the home recollected that the boys enjoyed  
11          getting off school to go to do the potato picking.

12           In respect of paragraph -- sorry. If I move on then  
13          just to talk about -- he also complained when his mother  
14          came to visit him in paragraph 16 that -- she came down  
15          to see him a couple of times:

16           "We were put in a shed type place for our meeting."

17           The Order would dispute that's where meetings took  
18          place. The child might have taken his mother there, but  
19          certainly if parental -- parents came to visit, they  
20          were taken to a reception room in the bad -- in the big  
21          house, the main house, and that is -- you will recall  
22          there was a witness previously this week who has said  
23          that's where he saw his parent.

24           The Order would also say that, contrary to what this  
25          applicant says, that the Brothers would not have --

1 would have made his mother walk the two miles to the bus  
2 stop. They say that if the weather was bad, the Brother  
3 would have offered to drive the parent to the bus stop.

4 At paragraph 17 he describes sexual abuse by BR6.  
5 He describes being -- remembering one time:

6 "I had the 'flu and I was in sick bay. This Brother  
7 came up to see me."

8 I pause there to remind the Inquiry that you will  
9 recall that yesterday a witness spoke about boys having  
10 the 'flu and being put into a dorm in the main house:

11 "He asked me how old I was. I think I was 13 at the  
12 time. He exposed himself and asked me to rub his penis.  
13 He asked me if any of the boys had ever rubbed me. I  
14 refused to touch him. He was touching himself while he  
15 was talking to me and the next thing he ejaculated all  
16 over the blankets."

17 The Order do not accept the veracity of this  
18 account. They say this particular Brother may have  
19 asked this child about behaviour between other boys, but  
20 they do not accept the allegation of abuse by this  
21 Brother. I will come back to that when I deal with the  
22 police material.

23 He also speaks at paragraph 19 of the violence in  
24 Kircubbin, describing it as bad. He said:

25 "The Brothers whipped us with things like hurley

1 bats. There was one lad who ended up in bed for three  
2 months. I think they broke his arm. They wouldn't take  
3 us to the hospital if we were badly beaten. One time  
4 I saw BR4 holding down one of the wee lads and another  
5 Brother beating him with hurley sticks. I don't  
6 remember who the second Brother was. I remember the wee  
7 lad was called "...", and he gives his name and he gives  
8 his nickname. "I think he was beaten because they had  
9 caught him smoking."

10 He -- the Order would say they are unaware of such  
11 an incident taking place in the home.

12 He goes on to complain that he himself was hit by  
13 BR14 with a hurley bat while he was waiting to go play  
14 hurley with some of the other boys. He was kicking  
15 a ball with a boy whom he names, and this Brother came  
16 round the corner, saw what they were doing and hit them  
17 both with the hurley bat.

18 "I was hit on the arm and shoulder."

19 He relates this in the context of not being allowed  
20 to play soccer. It would appear this kicking of the  
21 ball was seen by this particular Brother as falling into  
22 that category of game.

23 "We could only play Gaelic football."

24 That is a common complaint that at the time  
25 certainly this child was in the home that soccer was

1 frowned upon, to put it in a neutral fashion, and Gaelic  
2 football and hurling were the preferred sports.

3 The Order would say that is a common theme, but they  
4 say that certainly soccer was permitted from the  
5 mid-'60s onwards in the home.

6 He complains about being forced to swim in the  
7 outdoor pool even in winter. The Order say the pool  
8 would have been drained in winter, but they would accept  
9 it was an unheated pool and would have been cold.

10 He talks about being whipped with an electric lead  
11 outside the dining hall by BR15. He says:

12 "One time the boys were all waiting in a room  
13 outside the dining hall to go in for dinner. We were  
14 all taking. BR15 came in. He had an electric lead and  
15 started to use it as a whip, swinging it widely. He hit  
16 me across the neck. It made me bleed. I didn't receive  
17 any treatment."

18 He makes a further complaint about the same Brother  
19 at paragraph 24, when he complains he was effectively  
20 kneed in the ribs by that Brother, and that he -- it  
21 caused him to have breathing problems, and later in life  
22 he was told he must have had some broken ribs when he  
23 was young.

24 He says that the Brothers watched boys in the shower  
25 for their own sexual gratification. The Order would say



1 the boys wore swimming shorts and that showers were not  
2 taken outside normal hours, as is suggested in  
3 paragraph 25 of the statement. The Order would say that  
4 it was necessary that the Brothers supervised showers.

5 He goes on then to say that he didn't receive any  
6 medical treatment in the home, but does remember  
7 a dentist visiting. He does remember a Welfare Officer  
8 called and he gives his name, **NL 40**. He said  
9 that man used to ask him how he was:

10 "... but I couldn't tell I was being beaten. He  
11 wouldn't have listened. We didn't see him very often.  
12 He used to go upstairs to the Brothers and eat with  
13 them."

14 It would appear this man was a member of the  
15 Nazareth Lodge Aftercare Committee rather than someone  
16 who was attached to the Social Services and to the  
17 Welfare Committees at that time.

18 He does say one Brother, whom he names, was good to  
19 them. If we just scroll on down:

20 "Not all the Brothers were bad. BR13 was good to  
21 us. He took us out on summer days and he gave us money  
22 on St. Patrick's Day."

23 He then goes on to describe his life after care in  
24 paragraphs 29 through to 31, and I don't propose to open  
25 that, but it is clear that he has suffered from

1 depression through -- in his adult life. He does say  
2 that he was ill prepared for the outside world in  
3 paragraph 29:

4 "When I turned 18, I was left to manage on my own  
5 and I had no preparation for the outside world at all."

6 If I can turn then to say -- to explain what we have  
7 seen in the two police statements that he has made. The  
8 first of those, as I have indicated, was in 1995 when he  
9 would have been approached by police who were carrying  
10 out investigations into Rubane at that time. He says at  
11 RUB61387, if we just go to that page, please -- thank  
12 you -- you will see at the top of the page he says that:

13 "During my time ..."

14 about five lines down, at the end of that line:

15 "During my time in both homes I was never physically  
16 or sexually abused by any of the staff, nuns, brothers  
17 or other persons in the homes."

18 He then goes on to relate an incident involving one  
19 Brother in 1963 and alleges that that Brother was  
20 abusing a child at that time, and it is true to say that  
21 he does not relate this incident in the statement which  
22 he has made to the Inquiry.

23 There is a further statement -- I should say  
24 allegations against BR15. There is a further police  
25 statement made in April 2012. If we could go to that,

1 please. It is RUB66546. This is a much more detailed  
2 statement. He makes no complaint in that statement  
3 about Nazareth Lodge, but does make a number of detailed  
4 complaints alleging physical abuse by Brothers.

5 If we can just scan down through this and highlight  
6 that he -- if I can summarise, Brother BR6 I think it is  
7 he alleges punched him on the jaw with a fist. This  
8 Brother and another Brother whom he names -- he and  
9 another child were hit with the hurley bat by  
10 a particular Brother, which caused him a badly bruised  
11 leg. That would appear to be consistent with what he  
12 said to the Inquiry. That would have been the incident  
13 relating to the kicking of the ball while they were  
14 waiting to play hurling.

15 He complains about BR15 I think it is hitting about  
16 60 to 70 boys with what he describes as a bunch of  
17 electric cables, using it like a whip and causing his  
18 neck to bleed. He also alleges that BR6 beat a child  
19 with hurley sticks.

20 He complains about the sexual abuse that he alleged  
21 by BR6 on himself and he gives more and slightly  
22 different details to what he said in his Inquiry  
23 statement about that.

24 He also says that he told his brother, and he said  
25 he saw a boy being sexually abused by BR15 while

1 watching television and he told another boy. That would  
2 seem to be the same allegation that he makes in the  
3 earlier police station.

4 He said at the end of that statement, if we could  
5 just scroll down to the final page, please -- you will  
6 see that this statement consists of a total of six  
7 pages and it is quite detailed. In explanation for not  
8 saying anything sooner he said that:

9 "I left Rubane in 1965 and tried to forget about all  
10 the abuse I had suffered there and get on with my life.  
11 I was approached by the police in the mid 1990s to make  
12 a statement about my time at Rubane, but I only gave  
13 them the briefest of details then, because to be fair  
14 I just wanted to get on with my life back then."

15 That would appear to be the explanation as to why he  
16 did not disclose any abuse in the earlier police  
17 statement.

18 Now hopefully I have summarised all of the material  
19 that the Inquiry will and highlighted those pages that  
20 you will have to look at when considering the evidence  
21 of this witness and unless there is anything further  
22 that you wish to ask me about the material, Chairman,  
23 I think that essentially covers the evidence.

24 CHAIRMAN: No. All participants, and particularly your  
25 clients, Mr Rooney, will have the opportunity at the end

1 of the module to make submissions and you can draw our  
2 attention at that point to any particular matter you  
3 wish to remind us about or highlight.

4 MS SMITH: Chairman, the next witness' evidence is due to  
5 commence -- I understand it is to be read to the Inquiry  
6 by Mr Aiken at 2 o'clock.

7 CHAIRMAN: I understand representatives of the deceased wish  
8 to be present.

9 MS SMITH: I understand they have not been able to travel to  
10 be present, Chairman. So it may be if his legal  
11 representative is here earlier, we could maybe start at  
12 1.45, but I am not sure she will make it for that time.

13 CHAIRMAN: Well, if we say not before 1.45 and any time  
14 thereafter that is convenient.

15 MS SMITH: Thank you.

16 (1.02 pm)

17 (Lunch break)

18 (1.45 pm)

19 STATEMENT AND DOCUMENTS OF WITNESS HIA427 READ

20 CHAIRMAN: Yes.

21 MR AIKEN: Chairman, Members of the Panel, this afternoon  
22 I am going to deal with the material relating to HIA427,  
23 who is "HIA427". HIA427 died of cancer on [REDACTED]  
24 this year, 2014, aged 69, but before his death had  
25 wanted to and did engage in the Inquiry process, and we

1 have his witness statement that we are going to look at  
2 shortly. He has next of kin who are not family members  
3 but friends of his who are not able to be here today,  
4 but his solicitor, Rosemary Connolly Solicitor, from  
5 Warrenpoint, is present in the chamber, and she acted  
6 for HIA427, but also just from speaking to her in  
7 conversation was able to indicate to me that he was  
8 someone well-known and well loved in the Warrenpoint  
9 community and in his later life was known as "HIA427"  
10 and had become something of an [REDACTED] in the  
11 community that he lived. So Miss Connolly as a matter  
12 of respect has wanted to and has attended today while we  
13 go through his material.

14 His witness --

15 CHAIRMAN: We see from the material we have been given that  
16 Miss Connolly acted for him and acts presumably for his  
17 estate in proceedings.

18 MR AIKEN: Yes.

19 CHAIRMAN: I must say that none of us had heard of the  
20 [REDACTED] before we read HIA427's documents, and  
21 I think would be helpful if somebody could give us a  
22 brief, and I do mean brief, half page or something like  
23 that, indication of the nature of the Order. We suspect  
24 they possibly may have been seen as dealing with  
25 individuals who required special care, but it is not

1 something we are familiar with, and just to fill in  
2 a blank in our understanding it would be very helpful if  
3 even Miss Connolly or Mr Napier could just point us in  
4 the direction we'd learn more about them.

5 MR AIKEN: Yes. Indeed, Miss Connolly has given me some  
6 background to their involvement in Warrenpoint and we  
7 can look into that a little further after today's  
8 hearing.

9 The witness statement for HIA427 can be found at  
10 RUB745, please, and that's dated 18th February of 2014.  
11 I have discussed with Miss Connolly that HIA427's  
12 anonymity should remain and in the publication of this  
13 material by the Inquiry it will be by way of designation  
14 and not disclosing his personal information.

15 As the Panel is aware, there are a number of other  
16 documents of a core nature that the Panel will have and  
17 will consider. There is the replying statement from the  
18 Order of 12th June 2014 and that can be found at 2034  
19 and 2035. There is a replying statement from the Health  
20 & Social Care Board, which is at 8062 and 8063, and  
21 I will be looking briefly at both of those, and in  
22 addition as a result of the proceedings that Miss  
23 Connolly acted for HIA427 in there is a psychiatric  
24 report that's available to the Panel and that's to be  
25 found at 50432 through to 50441.

1           As part of the civil process HIA427 also swore  
2           an affidavit with Miss Connolly and that's of  
3           31st January of 2014. That document is available to the  
4           Inquiry and can be found at 20000 to 20003, so 20000 to  
5           20003.

6   CHAIRMAN: Yes. There is quite a lot in HIA427's statement  
7           to the Inquiry about his life in Nazareth Lodge.  
8           I don't think we need turn to that today, but just to  
9           assure Miss Connolly and those of his wider family  
10          circle who may be interested that that will be read at  
11          the appropriate point next year, and I hope we will be  
12          able to notify her of the dates if somebody wishes to  
13          come on his behalf, but we would not see it as necessary  
14          from our point of view. That, of course, is not  
15          determinative, because they may feel they should be  
16          there for that when they were not here for today, but we  
17          will notify you, Miss Connolly.

18   MR AIKEN: HIA427 was born on [REDACTED]. As his initial  
19          paragraphs of his statement explain, and I summarise it  
20          in this way, he as a baby went to St. Joseph's Babies  
21          Home or Fox Lodge and thereafter he moved to Nazareth  
22          Lodge, which we will come to look at in the next part of  
23          our work.

24                 Then on 21st August 1956 he moved to Rubane as part  
25          of the Inquiry is aware a pattern of generally between



1 ten and twenty boys moving from Nazareth Lodge each year  
2 in and around the end of August to Rubane at age 12 to  
3 begin a new life in Kircubbin.

4 HIA427 remain in Rubane until 24th July 1963 and  
5 that was to the age of 19. Members of the Panel will be  
6 aware that's an unusual age to remain in Rubane, as most  
7 boys left between 15 and 16, and I will shortly look at  
8 some documents that might assist in explaining that.

9 It appears from the material that's available that  
10 HIA427 was a private placement in the Nazareth homes and  
11 then in Rubane, but if we can look, please, at 2037, and  
12 unfortunately we don't have all of the documents that  
13 allow a full understanding of this, but you can see on  
14 the admission record from the home an indication:

15 "Came to Rubane from Nazareth Lodge."

16 I have indicated that was in 1956, but then you have  
17 this entry:

18 "Was taken under the care of the Special Care  
19 Management Committee on 24th July 1958."

20 So that is suggesting that some two years into his  
21 stay, when he would have been 14, that an alternative  
22 arrangement in terms of he remained in Rubane, but now  
23 there was the involvement of a different body with him  
24 as opposed to simply the private care of the De La Salle  
25 Order.

1           We can get some further information about that,  
2           please, if we turn to 20009. So that's 20009. If you  
3           just maximise that for me, please. You can see this is  
4           described as a Northern Ireland Hospitals document under  
5           the Mental Health Act (Northern Ireland) 1948 and it is  
6           described as a Form of Consent to Special Care and it  
7           has HIA427's name and address as Rubane House. Then you  
8           will see if we scroll down, please, that it is BR17, who  
9           at that point in 1958 was the head of the home and  
10          principal of the school, who appears to be signing as  
11          guardian of HIA427 when he is being made subject to this  
12          Special Care Management Committee.

13           We get an indication of what was involved in that if  
14          --

15   CHAIRMAN: Perhaps we can just look at that page. If we see  
16          where BR17 signs it, it is obviously a pro forma, but it  
17          says:

18           "Being the guardian of the above named in respect of  
19          whom a report has been made to the Northern Ireland  
20          Hospitals Authority",

21           which might imply that the Order had him assessed  
22          in some way or other and then reported that to the  
23          appropriate authority or, of course, that the authority  
24          had some reason to look at the boy and then take him  
25          into their care, but ...

1 MR AIKEN: The Panel --

2 CHAIRMAN: It could be either I suppose.

3 MR AIKEN: The Panel will be familiar from the opening of  
4 the -- what was described as the quarterly medical  
5 inspection that was taking place and various references  
6 in the History of the Home document and the Events of  
7 Importance log we see references to in connection with  
8 that visit IQ testing being done, and it may be where it  
9 is indicating the Northern Ireland Hospitals Authority  
10 by one of their medical officers. It is not clear from  
11 the material we have whether it was at the instigation  
12 of the home or --

13 CHAIRMAN: Well, the formal part of the process appears to  
14 have been initiated by the medical officer assessing  
15 HIA427 --

16 MR AIKEN: Yes.

17 CHAIRMAN: -- but presumably before that something happened  
18 to trigger that process.

19 MR AIKEN: Yes.

20 CHAIRMAN: I think there is correspondence we have seen  
21 somewhere else, not perhaps in this bundle, which shows  
22 that there were from time to time -- a report is  
23 possibly the wrong word -- a letter from the De La Salle  
24 Brothers listing individuals who had either come to them  
25 having had IQ tests or who they then tested at various

1 stages and as a result identified that they needed some  
2 form of special care.

3 MR AIKEN: Yes. If we look at the next page at 20010, we  
4 get a greater understanding of what this arrangement was  
5 going to involve. You can see it is headed "The Special  
6 Care Management Committee", and paragraph 2:

7 "HIA427 will continue to reside in your care and  
8 supervision in this connection, but it will mean the  
9 periodical visiting of the person concerned by a medical  
10 officer, social worker or other officer several times  
11 per year."

12 As I indicated, the records in the home indicate a  
13 regular type of cycle of visits from what are described  
14 as medical officers. Whether that is an indication of  
15 this being executed or on a more general basis which  
16 included HIA427 that's not clear from the material that  
17 we have.

18 CHAIRMAN: There could be various types of medical  
19 inspection. There could be the general practitioner for  
20 the home coming on a regular basis or on an occasional  
21 basis for an emergency. It could be that the medical  
22 officer who was part of the joint inspection team coming  
23 or it could be a specialist visit by someone, whether  
24 medical officer, social worker or simply another  
25 officer, coming several times a year, and certainly what

1 we have seen wouldn't always reveal which category the  
2 person was in.

3 MR AIKEN: Yes.

4 CHAIRMAN: Sometimes it does, but sometimes it doesn't.

5 MR AIKEN: Yes. If we just scroll a bit further down,  
6 please. So it is a set of instructions that are being  
7 given about interacting with this Special Care  
8 Management Committee and signed off by the secretary of  
9 the committee.

10 On occasions it is possible to marry up this type of  
11 engagement by looking at the Events of Importance log or  
12 the History of the Home, and at this particular point in  
13 time the first secretary, Brother BR56, was changing to  
14 a new secretary, and there is no specific reference to  
15 HIA427 or the Special Care Management Committee in  
16 either the History of Importance -- the History of the  
17 Home or Events of Importance log. For the reference  
18 that's 101012. That might be one digit too many, so I  
19 will check that reference and give it to you again, but  
20 in looking at the log there's no specific reference in  
21 it.

22 What I'd like to do now is look at the statement  
23 that HIA427 provided to the Inquiry and in my normal  
24 fashion break it into themes that the statement  
25 addresses.

1           The first I want to look at is the physical abuse  
2           that he describes. If we can look, please, at 748 and  
3           paragraph 17 of the statement, he says:

4           "I was sent to Rubane when I was 11 years old.  
5           I stayed there until I was about 18 or 19. The home was  
6           managed by the De La Salle Brothers. I think BR17 was  
7           in charge at the time. It was a cruel place."

8   CHAIRMAN: Yes.

9   MR AIKEN: "The Brothers would beat you and kick you. They  
10           would give you a good beating if you gave them any back  
11           cheek or did not do what you were told."

12           Then he describes this in paragraph 19:

13           "I stayed in a large dormitory. I had to work in  
14           the mornings and I would be hit on the legs with a stick  
15           if I did not get up on time. I had to go outside in  
16           winter when it was freezing cold. You had to get up  
17           during the cold mornings and they made you work for  
18           nothing."

19           He talks about working outside in his bare feet  
20           cleaning shoes:

21           "... or I got a smack on the face or I would have  
22           been caned on the hand and to the tips of my fingers.  
23           I also had my trousers pulled down on occasion and was  
24           held down by older boys and got caned on my backside.  
25           My head was hit against a board and I had my ears pulled

1 many times."

2 Now the Panel will be familiar with, whatever about  
3 the Brothers' rules, corporal punishment was taking  
4 place in the home and some -- like other witnesses, some  
5 of what's described might be characterised as some form  
6 of corporal punishment. Some of it obviously goes  
7 beyond what might be so described.

8 In paragraph 20 then HIA427 identifies three  
9 Brothers in particular who were very cruel and these  
10 will be names now familiar to the Inquiry: BR17, who was  
11 the head of the home, that's BR17, then BR15, BR15, and  
12 BR14, BR14. He says:

13 "BR17 was the Brother in charge and if I fell asleep  
14 at mass, he hit me on the back of my head with his  
15 knuckles. After mass I had to clean the dormitory. You  
16 were made to sweep and scrub the floor and you also had  
17 to clean the classroom. I was very afraid of BR17. He  
18 would bring some of the residents to his office at  
19 night-time and he would ask, 'Did any of the Brothers  
20 touch you?' I thought at the time he might be trying to  
21 trick me, so I never said a word."

22 Then at paragraph 21 HIA427 describes:

23 "BR14 would hit me on the head or slap my face. He  
24 trained me for football, but I gave up football in the  
25 end."

1           You will recall the evidence this morning describing  
2           on the contrary having a good relationship with BR14  
3           over football, but this is HIA427's experience that he's  
4           describing.

5           At paragraph 23 then, if we scroll down, please, in  
6           relation to BR15:

7           "He was also a very cruel man. He would roll up  
8           wiring for an electric fence and hit me hard with it,  
9           which made me feel dizzy. On one occasion he made me  
10          kneel down with my hands above my head with no pyjamas  
11          on for an hour as a form of punishment. I was 13 years  
12          old at the time. BR15 was in charge of the group of  
13          boys I belonged to and I recall he would buy me clothes,  
14          then kiss me and put his tongue into my mouth."

15          We will return to that. In paragraph 24 he names  
16          two other Brothers who visited during the summer months  
17          and felt they were also cruel. One used a hurley stick  
18          to assault him.

19          In paragraph 25 he recalls being in the changing  
20          rooms and they would be told to keep quiet and they  
21          didn't:

22          "... and then one of the Brothers would shout or  
23          give us a beating."

24          He recalls BR15 coming down to the changing rooms  
25          and asking, 'Who was doing all the shouting?' and we



1 would have no choice but to take our trousers down and  
2 get a beating. They would also beat you when you wet  
3 the bed.

4 Then in paragraph 29, please, at 750 there is one  
5 boy who he describes running away:

6 "... and when he returned to the home, BR17 gave me  
7 a beating for not telling on him."

8 Now in relation to that the Order have said -- if we  
9 can look at 2034, please, and paragraph 2, the Order  
10 have said it accepts with sorrow and regret that BR17,  
11 BR15 and BR14 were capable of being overly physical with  
12 the residents. They say then it is difficult for them  
13 to comment further without specific detail. So there is  
14 an acknowledgment that the behaviour of those three  
15 individuals went beyond corporal punishment on  
16 occasions.

17 Then I want to turn to two instances of sexual abuse  
18 that HIA427 discloses in his statement. The first is at  
19 paragraph 22. If we can look, please, at 749. Now in  
20 paragraph 22, BR13 is BR13, and you will recall various  
21 positive descriptions of him by witnesses who have given  
22 evidence already. HIA427 says:

23 "BR13 told me stories and gave me sweets but then he  
24 would put his hand on my legs."

25 Now to that the Order has said, if we look, please,

1 at 2034, paragraph 6, and -- paragraph 6, please, in  
2 respect of what we have just looked at:

3 "In respect of paragraph 22 the Order does not  
4 accept any implication that BR13 putting his hand on  
5 HIA427's leg was abuse or was conducted with sexual  
6 purpose."

7 They say:

8 "Save for one other disputed allegation, accounts  
9 about BR13 are positive and these equate with surviving  
10 Brothers' memories of him."

11 Now HIA427 does not put the matter any higher than  
12 that which we have looked at and that will be a matter  
13 for the Panel to reflect on, given the totality of the  
14 evidence that they receive, as to whether what might  
15 have been implied was what HIA427 was meaning.

16 Then we saw it in passing. If we can look, please  
17 at 749, paragraph 23, the second half of paragraph 23,  
18 HIA427 discloses what BR15 did to him, buying him  
19 clothes, kiss him and put his tongue into his mouth.

20 As to that the Order have said, please, at 2035,  
21 paragraph 7 that in respect of --

22 "The Order note the repetition of the allegations  
23 against BR15. They point out in relation to physical  
24 matters surviving Brothers do not recall an electric  
25 fence, but they do point out the Order does now accept

1 that BR15 had a propensity to sexually abuse boys."

2 There is a reference I am going to characterise as  
3 an emotional point. If we look, please, at 749,  
4 paragraph 26, HIA427 says this:

5 "I recall the Brothers telling you that you were  
6 mental and that you would never get anywhere in life.  
7 No-one ever encouraged you or helped or cared for you  
8 and it was painful never to have anyone take an interest  
9 in your development."

10 Now the Order responding to that says at 2035 and  
11 paragraph 9 that it is, they say, impossible for the  
12 Order to comment further without details or the identity  
13 of those Brothers who allegedly made those comments.

14 If we look at paragraph 31 at 750, we can see HIA427  
15 then describing:

16 "When I was about [REDACTED] years old, I was moved to stay  
17 with the [REDACTED] in Warrenpoint. I initially  
18 stayed only a week as I missed my routine at Rubane  
19 House and I missed my friends. BR13 told me that if I  
20 did not return to the [REDACTED], I would be sent  
21 to Muckamore Abbey Hospital. He tried to tell me that  
22 I was mental. They would always threaten me with being  
23 sent to Muckamore Abbey and they often told me that if I  
24 was sent there, I would never get out. I returned to  
25 the [REDACTED] where I remained for twenty years.

1 My experiences there were better than in Nazareth Lodge  
2 or with the De La Salle Order."

3 It is difficult. There may be some accuracy to the  
4 communication as to where HIA427 might have had to  
5 reside if the [REDACTED] was not a suitable place,  
6 and the Panel is aware of other boys and their  
7 involvement with Muckamore Abbey. So whether there's  
8 been unintended communication of what was a factual  
9 position that has been perceived as being derogatory or  
10 whether it was derogatory it is not possible to say and  
11 the Order makes that point.

12 At paragraph 28 HIA427 deals with the issue of  
13 supervision. He says, 749, paragraph 28:

14 "The older boys at Rubane House helped the Brothers.  
15 They were often put in charge of the younger boys and  
16 they were called prefects. They were the Brothers'  
17 favourites and they allowed them to be in charge of  
18 everyone. They often did things that the Brothers knew  
19 they should not be doing, but the Brothers did not stop  
20 them. I called them the Brothers' pets and they were  
21 really privileged."

22 Now as to that the Order has said, 2035 at  
23 paragraph 11, that:

24 "The Order disputes and denies the implication that  
25 older boys were put in charge of younger boys. To the

1 best of the Order's knowledge this system was never  
2 adopted in Rubane."

3 The Panel is aware this was a system that  
4 potentially operated in some other homes we have looked  
5 at or will be looking at, but they point out the  
6 prefects in Rubane were, in fact, Brothers who were in  
7 charge of discipline and supervision.

8 As I indicated, HIA427 left Rubane when he was [REDACTED]  
9 which was a later leaving date than is normally the  
10 case. The admission record records him going to the  
11 [REDACTED] at their [REDACTED] in Warrenpoint on  
12 24th July 1963.

13 The Order does point out in paragraph 3, please, if  
14 we just go up to 2034, the point that I have made to the  
15 Panel, that this was unusual, in fact, described as  
16 "very unusual", and it may be as a result of trying to  
17 find an appropriate place for HIA427 that it took longer  
18 than might otherwise have been the case for other boys.

19 They say then at paragraph 14, please, 2035, that:

20 "The Order notes HIA427's reluctance to move to the  
21 [REDACTED] in Warrenpoint",

22 and then say:

23 "A number of Rubane residents from this area moved  
24 -- from this era moved to the [REDACTED] and  
25 worked [REDACTED] there. It is possible that

1 employment with the [REDACTED] was favoured  
2 because of HIA427's educational achievements and that  
3 inability to find him work elsewhere or fears about his  
4 ability to adapt to life outside a structured regime may  
5 have delayed his discharge from Rubane."

6 Speaking to Miss Connolly, the [REDACTED] did  
7 provide both what might be described as an [REDACTED]  
8 [REDACTED] but also a place for people to live and work and  
9 that's maybe something we can find a little bit more  
10 detail out about and I will make that aware to the  
11 Panel.

12 The consequences for HIA427. He describes them at  
13 750, please, paragraph 33 of his statement. He says:

14 "Throughout my lifetime I have suffered episodes of  
15 trauma in the form of intrusive memories, flashbacks and  
16 nightmares. Many of these have been of a distressing  
17 nature associated with incidents where I was subjected  
18 to physical assaults, which in turn led to disturbed  
19 sleep patterns. I have felt anxiety combined with a low  
20 and irritable mood."

21 He describes suffering from depression and anxiety  
22 and feels his inability to learn was due to the  
23 crippling fear he had through his time in care.

24 That being said, the -- he describes then living  
25 independently, and Miss Connolly has brought some warmth

1 to his involvement with the Warrenpoint community and  
2 his interest in music [REDACTED].

3 He describes in paragraph 35 at 751 on one occasion  
4 he says he went back to Rubane with a friend. He says  
5 he was delighted when he heard that it had been closed  
6 down:

7 "I blame the people around us and those in the  
8 community who allowed the abuse to continue",  
9 and says:

10 "No-one cared about me or about my life."

11 He describes, as you will see in paragraph 36,  
12 working with a psychologist in later years. You, the  
13 Panel, obviously have his report that was obtained for  
14 the purposes of an ongoing civil claim that will no  
15 doubt continue through his estate.

16 Unless there is anything further, Chairman, Members  
17 of the Panel, I don't propose to say anything more at  
18 this stage.

19 CHAIRMAN: Well, I think there are a few things I would like  
20 to say at this point, perhaps three, the first relating  
21 specifically to HIA427. He is sadly now deceased but  
22 his anonymity remains. So unless his family wish his  
23 name to be given -- that will be a matter for them -- he  
24 should not be referred to by name in any reports.

25 The next matter is that, as it happens, today has

1           been a day when it has been the case we have dealt with  
2           or been told about three of the perhaps four categories  
3           of people with whom the Inquiry has to engage. Some  
4           sadly, like HIA427, have died, and there was another  
5           instance of that yesterday I think it was, but it shows  
6           that we are anxious to gather reliable evidence  
7           irrespective of the person being still alive.

8           Secondly, earlier today we heard from HIA247, who  
9           did come but who told us that his brother had not felt  
10          able to engage with the Inquiry at all, not even with  
11          the Acknowledgment Forum, and we are well aware from  
12          occasional comments like that that there are others  
13          outside the ambit of the Inquiry who have found it too  
14          difficult a prospect to come and speak to us. We know  
15          that not just from remarks by occasional applicants such  
16          as 247, but from the civil claims which Mr Aiken  
17          referred to in his opening. So there are clearly more  
18          people out there who have something that they might wish  
19          to say if they felt able to do so.

20          The other type of case which we had to deal with  
21          earlier just before lunch was a witness who was not able  
22          to attend, HIA388, due to ill health.

23          I mention these matters so that it is appreciated  
24          that we do not merely confine the receipt of evidence to  
25          those who are well enough to come to speak to us, but,



1 of course, we value the evidence of those who can come  
2 to speak to us very much, because it adds another  
3 dimension to the evidence which we receive.

4 A related but quite different matter I think I would  
5 like to raise with you, Ms Smyth, in the first instance.  
6 Looking at the documents we have here from the Special  
7 Care Management Committee, as it is described, RUB20010,  
8 the pro forma letter sent to Rubane on HIA427's being  
9 taken into special care refers at paragraph 2 to:

10 "... periodical visiting of the person concerned by  
11 medical officer, social worker or other officers several  
12 times per year."

13 Now that letter was from the Special Care Management  
14 Committee, which appears to have been a component part  
15 of the then Northern Ireland Hospitals Authority.

16 I don't pretend to be able to remember where in the  
17 subsequent reorganisation in 1973 those particular  
18 specialist parts of the Health Service went. Perhaps  
19 you can discuss that with Mr O'Reilly, but the reason  
20 I raise this is one might think there may be records of  
21 such visits which may be held somewhere which didn't  
22 occur when -- didn't occur to the -- to your clients,  
23 who have said there aren't any records in relation to  
24 him, but there might be records in some other place that  
25 haven't yet been looked at. So perhaps your clients

1           might consider revisiting that.

2   MS SMYTH:   We will, Chairman.

3   CHAIRMAN:   If there are records relating not just to HIA427  
4           but to any other applicants to the Inquiry, particularly  
5           those in Rubane, I think we would be quite keen to see  
6           them.  There may be -- and I simply say "may be" without  
7           putting it any further -- one or two others who were in  
8           Rubane who were treated in the same way, because it is  
9           not, as I said to Mr Aiken, always easy to determine  
10          from the information we have got in which capacity  
11          a doctor came to Rubane.  Perhaps your clients would  
12          revisit that and see what can be done about it, if  
13          anything.

14                Unless there is anything arising out of that, that  
15                brings us to the end of today, and we will complete this  
16                module, or this portion, I should say, this week's  
17                evidence tomorrow.  Thank you very much.

18   (2.37 pm)

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

20                               --ooOoo--

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