
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at
Banbridge Court House
Banbridge

on Wednesday, 25th March 2015

commencing at 10.00 am

(Day 105)

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

1 Wednesday, 25th March 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (10.30 am)

5 WITNESS NL191 (called)

6 CHAIRMAN: Good morning, everyone. May I just remind
7 everyone that mobile phones must be turned off or placed
8 on "Silent"/"Vibrate" and that no photography or
9 recording is permitted either in the chamber or anywhere
10 else on the premises.

11 Good morning, Ms. Smith.

12 MS SMITH: Good morning, Chairman, Panel Members, ladies and
13 gentlemen. Our first witness today is NL191. She is
14 "NL191". She wishes to take a religious oath and she
15 also wishes to maintain the anonymity afforded by the
16 Inquiry.

17 WITNESS NL191 (sworn)

18 CHAIRMAN: Thank you. Please sit down, NL191.

19 Questions from COUNSEL TO THE INQUIRY

20 MS SMITH: NL191, just before I come to your evidence I just
21 want to let the Panel Members know that NL191 has
22 provided two statements to the Inquiry. They can be
23 found at SNB-6086 to 6091, which includes exhibits, and
24 6143. As I indicated, the statement relating to HIA210
25 can be found at SNB-598 to 604.

1 If we could call NL191's first statement up, please,
2 at 6086. Now, NL191, can I just ask you to scan through
3 this and go to the second page and the bottom of the
4 second page, please, and can you confirm that what is on
5 the screen here is the first statement you provided for
6 the Inquiry and it is dated 26th January 2015?

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

8 Q. You subsequently provided a statement, which can be
9 found at 6143, on 29th January 2005. If we could just
10 briefly look at that, please.

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

12 Q. Thank you. Now, NL191, according to your first
13 statement, going back to 6086, you qualified as a social
14 worker in 1976 after having done your professional
15 social work qualification at UCD in Dublin.

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

17 Q. But before that from 1974 to 1976 you had done a degree,
18 your basic degree in social work, and you had been
19 working as a social worker before getting that
20 professional qualification. Isn't that correct?

21 **A. That's correct, yes. I commenced in 1974 as a basically**
22 **qualified social worker.**

23 Q. Can you just explain to the Panel Members and
24 particularly those who wouldn't have been familiar with
25 Northern Ireland at the time how you came to work as

1 a social worker in 1974 and what the circumstances were?

2 A. How I came to work as a social worker? I had finished
3 my degree in June '74 and I had worked for a period of
4 time in London, and I came back to Northern Ireland, and
5 as I had been basically qualified, I thought I might
6 like to proceed with a career in social work.

7 I went in September '74 to see a lady called
8 , who was the Training Officer for what was the
9 Eastern Board, which was actually based in Dukes Hotel,
10 the headquarters. I was immediately started on
11 a temporary basis. I was actually brought to an office
12 right away and -- I think it was in College Street, and
13 then moved up to Clifton Street, where the Indian centre
14 is, and started as a basically qualified social worker.

15 I was subsequently on a temporary contract until
16 I was formally interviewed several months later and
17 offered a permanent job, but at that stage obviously,
18 working in North and West Belfast at the height of The
19 Troubles, they couldn't recruit staff. So anybody who
20 walked through the door obviously was very welcome with
21 any sort of qualification at that time.

22 So I started and I worked in the -- my area was the
23 Lower Falls area, and we had a sub-office in Divis
24 Flats, where I worked, and Mulholland Terrace.

25 Q. You were saying that essentially you were working by

1 yourself in that sub-office, that --

2 **A. Basically --**

3 **Q. -- the staff resources were such that you were left**
4 **pretty much to carry on on your own?**

5 **A. Yes. We had the sub-office in -- which was the -- what**
6 **is the Indian centre in Clifton Street, and we manned**
7 **a sub-office over in Divis Flats, which was a duty**
8 **system. So I would have spent a considerable amount of**
9 **time over there, taking referrals, people coming in off**
10 **the streets with various referrals and things. So we**
11 **had sort of a sub-office, because the Lower Falls at**
12 **that time was covered by Clifton Street, and people from**
13 **that area would not come over. So we manned that.**

14 **We subsequently six months later moved up to**
15 **Mulholland Terrace, and all the case loads and work from**
16 **that area moved on to the Falls Road. They created**
17 **a bigger office space, because Mulholland Terrace dealt**
18 **with the Upper Belfast area.**

19 **Q. Just I was asking you about what your case load would**
20 **have been like in the mid-'70s.**

21 **A. The mid-'70s. Basically the case load in the mid-'70s**
22 **was -- I mean, really it was very difficult. You had**
23 **a huge case load. When I commenced, I was immediately**
24 **given a case load that had been waiting to be allocated.**
25 **As social workers obviously left and went away and came**

1 back, and as another social worker left, in the interim
2 you were handed another case load maybe of that social
3 worker. At one stage -- you really had substantial case
4 loads.

5 I mean, obviously the emphasis had to be on those
6 childcare cases, those children who were in care,
7 because they had to have a statutory visit monthly. So
8 you had to try and give priority to them, to those
9 children, or children boarded out had to have a
10 statutory visit on a monthly basis. So the case loads
11 were substantial, very substantial.

12 Q. One of the things that you were also explaining was that
13 at the height of The Troubles in the mid-'70s if you
14 needed to go into an area to remove a child from
15 a situation, you really needed the help of the police
16 and the army to do that.

17 A. Yes. That was a frequent occurrence. I mean, if we
18 needed to remove children, we had to use obviously
19 a police escort, and obviously for the police to go into
20 areas they needed an army escort. It was not uncommon
21 for us to use police and army when we were removing
22 children, and particularly in difficult circumstances.
23 Even at night-time when you were on duty on your own and
24 circumstances came up, children were left unattended or
25 whatever, you phoned basically the local police station,

1 told them you were a social worker and you needed
2 assistance, and you went in and removed the children.
3 That was the type of circumstances we were dealing with.

4 We often, you know -- I mean, while people in
5 certain areas did respect the fact that you were
6 so-called The Welfare and you were there to do a job,
7 they stood back and allowed you to do that; on occasions
8 you know, maybe a riot might start and people would
9 start throwing stones or whatever, but, you know,
10 generally we were allowed to -- we were given a by ball
11 sometimes, particularly in the area we worked in in West
12 Belfast. People knew you were there to do a job. They
13 saw that the children maybe needed to be removed and
14 they allowed you to go in and do that, but it was very,
15 very, very difficult circumstances that we were working
16 under in those times -- extreme -- extreme
17 circumstances.

18 Q. You were also describing the fact there was a reluctance
19 for people to work in North and West Belfast, for
20 example, because of the --

21 A. Yes.

22 Q. -- perception of the area.

23 A. Uh-huh. Uh-huh.

24 Q. You were short of staff at that time.

25 A. We were constantly short of staff. I mean, we were

1 short of -- they were continually recruiting. They were
2 continually recruiting for social workers, senior social
3 worker, APSWs. It was just a very, very difficult time.
4 Recruitment -- I mean, turnover of staff was huge.
5 People didn't want to come and work in those areas. It
6 was probably the same in a lot of areas in Northern
7 Ireland at the time, but it was -- it was difficult.
8 I mean, you were doing social work within an environment
9 of other things that were happening within -- within
10 that time. There was so much, you know.

11 Q. We were also talking when we were speaking earlier about
12 the types of processes that were in place --

13 A. Uh-huh.

14 Q. -- at that stage for recording your work and so forth --

15 A. Uh-huh.

16 Q. -- and you were saying to me that over the years as you
17 have been involved in the whole social care scene, as it
18 were, the processes have developed considerably --

19 A. Uh-huh.

20 Q. -- from what they were in the '70s and '80s.

21 A. Yes. I mean, obviously the processes in those days as
22 things happened, a new process or a new policy or
23 something came in, in those days things weren't
24 developed to the extent they are now. I mean, I work
25 within regulated services now and I have worked in

1 regulated services, adult services, from the development
2 of regulation, and I retrospectively, looking back, can
3 see the developments that, you know -- and the supports
4 that are there for staff and the protection for staff
5 and service users and clients within, you know, the
6 structures that we work in within the whole social
7 care/social work structures.

8 In those days they weren't developed. I mean, there
9 was no regulation of staff. Regulation came in with
10 NISCC, the development of NISCC in the early -- I think
11 in the '90s. We didn't have regulation. We didn't have
12 the same procedures, policy developments that were
13 around, you know, now, obviously to protect staff and
14 service users both within childcare and within adult
15 services. If anything, childcare was probably a little
16 bit more developed than adult services. Adult services
17 learned an awful lot with regard to safeguarding from
18 children. So they didn't exist to that extent.

19 I mean, we had guidelines with regard to,
20 I remember, the Eastern Board, I think NAI, the
21 non-accidental injury guidelines. As things developed
22 over the years, you know, you learned to recognise
23 different types of abusive situations. I think our
24 focus was very much on, you know, child abuse, physical
25 child abuse and neglect. I mean, we were dealing with

1 **perhaps as well quite a lot of neglect. Children would**
2 **have been, you know, in those circumstances.**

3 Q. NL191, if I can come back and ask you you were appointed
4 as senior social worker in 1983 in the North and West
5 Belfast area. Isn't that correct?

6 A. **That's correct, yes. I was appointed as senior social**
7 **worker.**

8 Q. You were responsible for a team of social workers, which
9 included a witness who the Inquiry heard from yesterday,
10 NL180.

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

12 Q. You stayed in that role until 1987, when, as you say,
13 you moved on to older people's services.

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

15 Q. So I am just going to deal with obviously prior to 1987.
16 You have given us some useful general information about
17 --

18 A. **Uh-huh.**

19 Q. -- how things changed over the years, but in
20 November 1984 NL180 came to you and informed you that
21 a child for whom he had responsibility had made certain
22 complaints to him --

23 A. **Uh-huh.**

24 Q. -- and you then both interview HIA210 in February 1985.

25 A. **Uh-huh.**

1 Q. Can you say would that have been normal practice in
2 1984/1985, that if a child made a complaint and it was
3 reported to you as a senior social worker, that you
4 would both carry out an interview?

5 A. There was no guidelines. There was no guidelines to say
6 who would carry out an interview with regard to that.
7 NL180 had been working with the child/young adult for
8 some time in trying to sustain a placement and -- with
9 foster parents. There was a lot of difficulties around
10 -- this young person had had a very difficult life
11 obviously in moves to different places in his young
12 life, and he -- we had been trying -- we had hoped at
13 that stage -- the foster parents he had been placed with
14 were absolutely wonderful. The foster father had
15 a great understanding -- he worked in children -- with
16 children and had a great understanding of the trauma
17 that any child would have come through at that stage,
18 and we were trying to ensure, you know, the success of
19 that placement.

20 We didn't know a lot about this boy. He had been
21 brought up and looked after by -- which was the Southern
22 Trust -- which is equivalent of the Southern Trust, and
23 placed with foster parents in our area. So, therefore,
24 we had to take responsibility for the boarding out
25 arrangements, as they were called in those days. So we

1 **had to --**

2 Q. NL191, I hesitate to interrupt. Just to be clear that
3 the Inquiry has the full social work file in respect of
4 HIA210.

5 **A. Uh-huh.**

6 Q. So they are aware of the difficulties that there were --

7 **A. Okay.**

8 Q. -- and how he moved, but I just was wondering -- you
9 certainly interviewed him in February 1985.

10 **A. That's correct.**

11 Q. You then reported the matter further to your principal
12 social worker, who was

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

14 Q. You did that in -- first of all, in March 1985. If we
15 could just look, please, at SNB-31516. Now we were
16 looking at this earlier and you see it is dated
17 6th March. It is from yourself to the principal social
18 worker and it says:

19 "Further to my telephone conversation with you
20 concerning the above named boy ..."

21 So obviously you had contacted him by telephone.

22 **A. Uh-huh.**

23 Q. "... please find enclosed copy of case notes of
24 an interview NL180, social worker, had with HIA210
25 concerning allegations made about the time HIA210 spent

1 in Nazareth Lodge from September '73 to August '81.

2 I recently interviewed HIA210 on 21st February '85
3 with regard to these allegations, and although there
4 were some differences in his memories of instances --
5 incidences -- incidents, generally it appears that
6 HIA210's recent nightmares could be the result of his
7 memories of what he experienced while in Nazareth Lodge.

8 According to HIA210 he appears to have received
9 beatings with instruments and in particular has horrific
10 memories of being locked in a cupboard as a punishment.
11 However, HIA210's brother **NL 204** who also was in
12 Nazareth at the same time, does not remember any such
13 incidents and did not substantiate HIA210's account of
14 their time in Nazareth Lodge. However, perhaps
15 an effort could be made to contact other children who
16 were in the unit then and in particular the injury
17 HIA210 claims **NL 204** sustained the same time as HIA210.

18 According to HIA210 these children were ...",
19 and the names of the other children present are
20 recited there.

21 Then there is another paragraph about a separate
22 complaint that HIA210 made about something that had
23 happened to him while he was in St. Pat's.

24 You had -- it would appear from this that you had
25 phoned , told him about the complaint that you

1 had investigated with NL180. It seems to be here that
2 someone has certainly spoken to NL 204 at that stage,
3 but we know that from the next document, which is at
4 31519, and I know you have exhibited it to your
5 statement at 6089 -- the Panel looked at this yesterday.
6 This is a memo of two interviews dated 11th April 1985.
7 You have signed this here. You relate what was said on
8 21st February '85 during the interview with HIA210, and
9 then if we can scroll on down, please, you then on 3rd
10 April '85 interviewed HIA210's brother, NL 204

11 I am presuming, NL191 -- and maybe you don't
12 remember -- but I am presuming that then asked
13 you after you had reported to him on 6th March -- he
14 then asked you or directed you to go and speak to NL 204
15 yourself?

16 **A. I think he must have, because I did see HIA210 --**
17 **NL 204 NL 204 wasn't my responsibility. I can't --**
18 **I don't know which team or which social workers.**

19 **Q. It would appear from the documents that the Inquiry have**
20 **received that he was boarded out in another area.**

21 **A. So I don't even know where we spoke to him, but we**
22 **obviously -- I spoke to him and obviously I have**
23 **reported that there.**

24 **Q. Yes.**

25 **A. So ...**

1 Q. Well, in paragraph 6 of your statement to the Inquiry
2 you say that you believe there was credibility to
3 HIA210's complaint. I was asking you can you say why
4 you felt that HIA210's complaint was credible?

5 A. I felt that -- I mean, when he first -- when NL180 first
6 started to talk to HIA210 and to try and understand some
7 of the things that was happening in HIA210's life, he
8 had continually gone back to these nightmares and things
9 that he's experiencing. When I spoke to HIA210, it was
10 very difficult, because HIA210's memories and things,
11 but things that he was saying, I felt that there was
12 some reason for what was happening to HIA210 and there
13 was some reason for the nightmares, and they could have
14 been related to some experiences that he had. Obviously
15 any child in care has experiences, but, you know, there
16 was something that I felt that really needed further
17 investigation, if not only just to clarify with regard
18 to -- because he had named certain members of staff and
19 I felt that that was significant.

20 Even with regard to the practices that seemed to be
21 -- you know, the way that children were, you know,
22 treated with regard to if they misbehaved or whatever,
23 it seemed that it wasn't, you know, correct, I mean, if
24 it was right that these things happened. You know,
25 somebody needed to look at the whole way that, you know,

1 children were being treated with regard to -- I mean,
2 obviously it is very difficult within an institution to
3 -- you know, if a child misbehaved or whatever, to how
4 staff handled that. So, you know -- but I felt that
5 there needed to be something. I mean, there was some
6 substance to what HIA210 was saying. You know, even
7 with regard to how those things were handled and whether
8 it was an appropriate response to a child's behaviour,
9 I felt that, you know, something --

10 Q. That's essentially why you elevated the matter and you
11 put it to the principal social worker?

12 A. I felt -- yes, I felt -- I also felt that really it was
13 serious. I mean, I felt that what HIA210 was saying was
14 serious and needed to be looked at and investigated
15 further.

16 Q. Well, we know that you reported to _____, and the
17 Inquiry is aware of what happened next, but were you
18 ever kept informed about what happened next?

19 A. No. I mean, in those days, I mean, inquiries or
20 investigations -- I mean, at my level I reported it up,
21 but I never saw any outcome. I never saw any report.
22 I was never interviewed by anybody, you know, other than
23 _____ and the Board, who I spoke to. I was never
24 interviewed by the Department. Obviously the Department
25 regulated children's homes in those days, but, you know,

1 I was never party to anybody coming saying, you know,
2 "You elevated this up", asking about it. I don't know
3 if there was any investigation even with the children.
4 I wasn't aware of those processes in those days. Nobody
5 came back to me and said, "This is what the outcome ..."
6 -- I have no memory of anybody saying, you know, what
7 happened, what the outcome was.

8 Q. So once -- once you had effectively reported to
9 he took it on and you really didn't know what
10 happened after that?

11 A. I don't know what the outcome was.

12 Q. Well, you -- sorry.

13 CHAIRMAN: Can you look at 6065? There is a further -- can
14 we have that brought up, please?

15 MS SMITH: 6065, please. Yes. This is a letter from
16 to SR 143

17 CHAIRMAN: You see, it seems -- if you look at that, NL191,
18 you will see that what appears to have happened, just to
19 put you in the picture, is it went up the DHSS, who said
20 it should be looked at locally. and
21 yourselves then seem to have interviewed --

22 A. Yes. Uh-huh.

23 CHAIRMAN: -- HIA210 on Friday, 21st January.

24 A. Uh-huh.

25 CHAIRMAN: This letter is 27th. The writer of the letter,

1 who is is reporting or saying to the Mother
2 Superior what it is.

3 **A. Uh-huh.**

4 MS SMITH: It may be, Chairman, that that line is open to
5 interpretation, because he mentions that both he and
6 NL191 had interviewed HIA210. Whether he mentioned that
7 to her on Friday, 21st June or whether they had
8 interviewed HIA210 on --

9 CHAIRMAN: Well, he says expressly --

10 MS SMITH: Yes.

11 CHAIRMAN: -- that he and you, NL191, interviewed HIA210 on
12 21st June. Have you any recollection of that?

13 **A. It does say that. I don't recollect, but we must have**
14 **subsequently inter... -- because it says in the**
15 **Andersonstown office we interviewed HIA210. So we must**
16 **have interviewed HIA210 again on 21.6.85. I don't**
17 **honestly recollect that, but, I mean, obviously it must**
18 **have happened, because I know that -- you**
19 **know, we did have discussions about this up to that**
20 **point. So we must have subsequently interviewed HIA210**
21 **again when I highlighted it to .**

22 MS SMITH: Certainly I haven't --

23 CHAIRMAN: What we don't seem to have are any documents --

24 MS SMITH: Relating to --

25 CHAIRMAN: -- relating to what happened after 27th June.

1 MS SMITH: Well, there are documents. Chairman, I will be
2 drawing that to the attention of the Panel in due
3 course.

4 CHAIRMAN: Yes.

5 MS SMITH: There are further documents about developments
6 after that.

7 CHAIRMAN: Right.

8 MS SMITH: Certainly I haven't -- I will double check
9 through the papers I have been looking through in
10 relation to the whole complaint about HIA210, but just
11 to be clear, I have not seen a note of 21st June about
12 an interview with HIA210 that you have prepared
13 certainly, NL191.

14 **A. Uh-huh.**

15 **Q.** So I will double check that.

16 Certainly you have no recollection of seeing HIA210
17 a third time -- sorry -- a second time?

18 **A. I honestly don't. I have seen that there, that I met --**
19 **I must have met with him and and obviously**
20 **we -- and that was after I had -- he had asked me to see**
21 **his brother. So we must have met HIA210 again, and**
22 **HIA210 was obviously saying the same things that he had**
23 **said to me. So maybe wanted to come back and**
24 **see HIA210 himself, which obviously he did, and to meet**
25 **with him personally.**

1 Q. We will revisit this in the Inquiry but not obviously
2 with yourself, NL191, but if we do need --

3 CHAIRMAN: Just scroll down. The copy we have is very poor.

4 MS SMITH: Scroll on down, please. There is a better copy
5 in the bundle, Chairman --

6 CHAIRMAN: Yes.

7 MS SMITH: -- which is in the 3000s in the bundle. You will
8 see there that it says:

9 "We believe that whilst there is a possibility there
10 may be some exaggeration, nevertheless HIA210's
11 allegation must be taken seriously."

12 So it seems that you and must have had
13 a discussion about your view of HIA210's allegations in
14 any event.

15 **A. Uh-huh.**

16 Q. Coming back to generally some other matters, you
17 weren't -- there seems to have been some involvement in
18 June 1985, but after that you don't have any
19 recollection?

20 **A. I have no recollection of any outcome or anybody**
21 **interviewing me. Certainly nobody -- I -- when I looked**
22 **at that, I know that nobody came back to me and**
23 **interviewed me. Nobody from the Department spoke to me.**
24 **There was no inquiry that either NL180 or myself were**
25 **further involved once we had highlighted our concerns.**

1 **There was no process. We had no follow-up with regard**
2 **to that.**

3 Q. Coming back to your statement to the Inquiry, you say in
4 the second statement that you had no contact yourself
5 personally, no knowledge of Nazareth Lodge. I was
6 wondering whether you had contact with other children's
7 homes during your time as a social worker.

8 A. **Yes. I was never in Nazareth Lodge, but I would have**
9 **had contact with other children's homes, basically the**
10 **children's homes within the -- what -- which was the**
11 **North and West Community Unit of Management. We had**
12 **Williamson House and -- oh, gosh!**

13 Q. The names that you gave me -- and correct me if I have
14 got these wrong: Williamson House, which was on the
15 Antrim Road.

16 A. **Yes.**

17 Q. Somerton Road Children's Home.

18 A. **Somerton Road Children's Home.**

19 Q. Middletown --

20 A. **Yes, Middletown --**

21 Q. -- and Kircubbin.

22 A. **-- and Kircubbin Boys' Home, yes.**

23 Q. You say when you started as a social worker in the 1970s
24 there were a lot of boys in your case load who were in
25 Kircubbin.

1 A. Yes, I would have had children in Kircubbin in the '70s.

2 Q. One of the things that you mentioned to me is that when
3 you went to visit those children in Kircubbin, you used
4 to take them to the gym and play with them in the gym.

5 A. That's correct, yes. I mean, the boys -- I mean,
6 I would have had so many boys I think at one stage that
7 to see them we would have gone to the gym and played
8 basketball and set up teams, I mean, and interacted with
9 them. I think that was maybe more productive than, you
10 know, sitting in with the children, but we used to --
11 I used to take them. We would have gone over and, you
12 know, played games and sports in the hall and tried to
13 interact. I liked sports in those days, but, you know
14 -- so --

15 Q. I was asking you earlier just what your impressions of
16 Rubane were and what you remember about it.

17 A. Rubane was -- I mean, the only way I can describe Rubane
18 is as a boys' boarding school. You know, that was the
19 impression you got. Obviously there was a Brother --
20 I think there was a BR2 in charge and I vaguely remember
21 BR2. There were lay teachers there and, you know, the
22 boys -- I mean, at the time I was there the boys -- none
23 of the boys ever that I was involved -- and I really
24 honestly can't remember any of their names. If I saw
25 a file, it may prompt me to remember a name for the

1 period that I had boys in there.

2 We did try to get boys in and out very quickly.

3 I mean, often we used Rubane as a holding place, you
4 know, if we needed to remove a child quickly, until we
5 could maybe get sort of a kinship or a family placement
6 for them. We tried to remove children very, very,
7 quickly, that they wouldn't spend time obviously
8 anywhere, you know, but for that period of time if we
9 needed to remove a child under a Place of Safety, you
10 know, and it was a boy, sometimes we would have used
11 that for older boys, but I have no memories of it and
12 the boys never raised any issues with regard to their
13 care there, with regard to, you know, anything that --
14 their experiences there. So I'm sorry. I don't
15 remember.

16 Q. You were saying earlier that during 1979 you yourself
17 were ill and you have a recollection of someone saying
18 to you --

19 A. Uh-huh.

20 Q. -- that there was some sort of investigation going on
21 into Rubane at that time.

22 A. That's correct. Yes, yes, yes, yes, yes.

23 Q. But you yourself were never spoken to about it?

24 A. No, I was never spoken to. I know from colleagues of my
25 and from my line manager at the time that

1 an investigation had started. I don't even know --
2 I presume it was the Department or somebody, and that
3 there was issues being raised, but I was never called to
4 give evidence or I had never any children actually
5 identified that were involved in that process, but I was
6 aware that there was something -- sort of investigation,
7 but I didn't know any of the details. I didn't know
8 anything.

9 Q. Can I just ask a couple of general questions, NL191,
10 about when the -- in your experience Social Services or
11 social workers on the ground would have been aware of
12 the issue of peer abuse? When would you have become
13 aware of that?

14 A. It was not something -- particularly in institutional
15 peer abuse, it was not something that you were aware of
16 that came up regularly. The only way that, you know, it
17 would have come up maybe if a child was -- felt they
18 were being bullied by another child or there was
19 a disagreement or whatever, and I can't give any
20 specific examples, but we would have had, you know,
21 reviews at that time, where you met with the child, the
22 carers and, you know, you would have discussed the
23 progress, six-monthly review, how the child was doing,
24 and if there was incidents with another child from the
25 point of view of another child was bullying him, is this

1 an appropriate placement if these two children are
2 together, you know, but it was more, you know, physical
3 abuse from the point of -- bullying as opposed to any
4 other sort of abuse, but I have no instances of it that
5 I can sort of tell you about. So probably it was not
6 very much on the radar then. If it came up, it was
7 something we probably dealt with, but I can't remember
8 it being, you know --

9 Q. You don't certainly remember any specific training about
10 how to deal with the issue of bullying?

11 A. No specific training and it was not something that you
12 were specifically trained in with regard to peer abuse.
13 I mean, in those days it wasn't.

14 Q. The other issue was about sexual abuse of children
15 generally.

16 A. Uh-huh.

17 Q. When we were talking earlier, you were saying that
18 effectively the focus during your time in childcare was
19 more on non-accidental injury and, as you've said,
20 neglect or the emotional abuse of children --

21 A. Yes. That's right. Uh-huh.

22 Q. -- rather than -- you were saying it was really incest
23 that was the issue about sexual abuse, first of all --

24 A. Yes. Uh-huh.

25 Q. -- before things came to wider attention.

1 A. Yes. Uh-huh.

2 Q. That would have been you would say really related to
3 what happened in the mid-'80s and the investigations
4 that went on then.

5 A. That's correct. I mean, the focus of our work was very
6 much on non-accidental injury, I mean, if a child was,
7 you know, being physically abused or neglect, which also
8 was a big issue, and, I mean, there was always a debate,
9 you know, with regard to children who were neglected and
10 children who were being physically abused, you know.
11 However, the guidelines in those days were very much
12 with regard to, you know, physical abuse, neglect of
13 children. I mean, it was only in the mid-'80s that
14 then, you know, you had -- you even talked about
15 emotional abuse.

16 I mean, it was the same with the area I work in,
17 older people's services now and adult protection.
18 I mean, those categories with regard to, you know,
19 sexual abuse and abuse like that, they weren't
20 a category at that stage. I mean, obviously as things
21 happened and developments, these were areas that then
22 social workers were tuned in to sort of look at, but
23 very much in those days the emphasis was very much on
24 physical abuse of children. I think, you know, that
25 even guidelines -- if a child was brought to a hospital

1 with regard to abuse, it was the physical abuse that
2 doctors in A&E were actually asked to focus on. Nobody
3 asked questions, you know, "Are you being sexually
4 abused or has anybody interfered or touched you?" You
5 know, those questions weren't asked in those days,
6 I mean, until, you know, guidelines started to be
7 developed, and obviously I left childcare in '87. So
8 the developments and the things that were around and
9 obviously are in existence now, they -- they weren't
10 there, those -- it didn't exist. Well, I am not saying
11 it didn't exist, but it wasn't something that, you know,
12 I experienced as a social worker that I could, you know
13 -- I think if I had experienced it again, I probably
14 would have done the same thing that I have done.
15 I would have made a note of it and escalated it up to
16 who I saw were the appropriate people that should deal
17 with this at a bigger level within, you know, the
18 organisations that I worked for and I would have done
19 the same thing.

20 Q. Well, NL191, thank you very much. You will be relieved
21 to know I have no further questions for you. The Panel
22 Members may have some things they want to ask you.

23 A. Thank you.

24 **Questions from THE PANEL**

25 MS DOHERTY: Thanks very much. That was very helpful. Can

1 I just clarify my understanding? Were you saying if
2 another board placed a child in a foster placement in
3 your area, you would be responsible because you were
4 engaging with foster parents, but you wouldn't get
5 information about the boy? You wouldn't --

6 **A. The file would have been -- a file would have been**
7 **transferred. A file would have been transferred to**
8 **which was a community unit of management, and because**
9 **the child was boarded out in your area, then our**
10 **community unit of management took responsibility for**
11 **that child. So there was a transfer. You would get --**

12 Q. You were saying you didn't know very much about him.
13 You would get some information?

14 **A. You would get a file. You would get the background file**
15 **with regard to his papers and, you know, the background**
16 **on his family and things, but you didn't -- I mean, it**
17 **was documentation with regard to the processes that had**
18 **taken place in his life, you know, but --**

19 Q. Yes. You were meeting him for the first time.

20 **A. Yes, I met HIA210 for the first time, yes. At that**
21 **stage I met HIA201, yes.**

22 Q. Lovely. Thanks very much.

23 MR LANE: A couple of points. One in relation to

24 Was he actually your line manager or was he
25 a principal social worker with specific

1 responsibilities?

2 **A. He would have been the principal social worker**
3 **responsible for the childcare and would have been**
4 **the principal.**

5 Q. As a specialist rather than your line manager in the
6 area?

7 **A. No. I would have had a line manager at the time and**
8 **I can't remember -- I honestly don't know.**

9 Q. Sort of an area officer or whatever?

10 **A. Yes. I would have had -- well, I'd probably**
11 **an assistant principal social worker --**

12 Q. Yes.

13 **A. -- who managed the office, and -- but the principal**
14 **social worker responsible was , yes --**

15 Q. Right. Okay.

16 **A. -- and I would have discussed -- I mightn't probably --**
17 **but I would have related directly to with regard to**
18 **the issues that I raised, yes, through -- yes.**

19 Q. When you needed particular advice on this area?

20 **A. Yes, yes.**

21 Q. The other question I had is by the time you had the
22 second interview with HIA210 that you don't recall --

23 **A. Yes, yes.**

24 Q. -- that was, it seems to me, about seven months after he
25 had first talked about this.

1 A. Uh-huh.

2 Q. Would you normally expect that sort of inquiry to last
3 that long?

4 A. There was no inquiry. There wasn't an inquiry. This
5 was a process that we were going through with HIA210,
6 because when HIA210 first raised it with NL180, there
7 was a lot of issues around his placement and, you know,
8 what was happening in HIA210's life, and NL180 did
9 an awful lot of work with HIA210. NL180 had
10 an excellent relationship with HIA210. He worked very
11 well with HIA210 for HIA210 to confide a lot of things
12 in him and, you know, he was gradually telling NL180
13 things about his life and NL180 was establishing
14 a relationship with HIA210, and, I mean, I -- NL180
15 would have been relating to me, telling me about the
16 processes that were happening and how he was trying to
17 get, you know -- get an understanding of HIA210 and what
18 was happening in HIA210's life and what he could do to
19 help him, you know, with regard to any sort of
20 professional supports or anything that was around for
21 HIA210. So that took time as well, and, I mean,
22 information was coming out, you know, as NL180 was
23 meeting with HIA210 and, you know, as HIA210 was
24 relating information to his foster parents. So there
25 was like a circle. So, I mean, we -- you know, we tried

1 to get the information. I mean, when I --
2 I subsequently then had what I felt was, yes,
3 information. I didn't carry out an investigation. This
4 was not an investigation process, because I wasn't
5 dealing with it. I was highlighting concerns that I
6 felt that should, you know, go somewhere, and -- because
7 of the overview it wasn't just HIA210, because -- and my
8 concerns was that HIA210 was quoting other children's
9 experiences, and I felt I could not deal with that.
10 I felt, you know, there needed to be other people to
11 look at this as an overview. This was bigger than just
12 HIA210. This was something that needed somebody to
13 carry out an investigation. So, I mean -- and
14 would have been very thorough, particularly with
15 regard -- very experienced in childcare, excellent with
16 regard to directions and things that we needed and
17 within -- working within the policies and procedures
18 that he had as a principal social worker. So -- and
19 was very good in coming to support the staff,
20 you know, and even the very fact to come and obviously
21 he interviewed HIA210 subsequently with me. So he
22 wanted to make sure that what HIA210 was telling me
23 obviously and from what I have seen and that it mirrored
24 exactly the same things. He was consistent in what he
25 told NL180, what he told me and then what he told

1 **jointly and myself. So there was a**
2 **consistency there.**

3 Q. But, as I understand it, the two interviews you had with
4 HIA210 weren't specifically part of HIA210's casework so
5 much as seeing whether there were the broader issues
6 that might have implications for the care of other
7 children.

8 A. **No. It was about HIA210. When I saw HIA210 --**

9 Q. Right.

10 A. -- it was very much about HIA210 and my focus was not
11 about at that stage -- my focus was what HIA210 was
12 saying, but because, you know, I mean, there were --
13 HIA210 had mentioned other children's names, I felt,
14 "Well, you know, somebody needs to see these other
15 children". It wouldn't be me. I wasn't their social
16 worker or NL180 wasn't their social worker, but somebody
17 needed to, because some of these other children, I'm not
18 even sure if they were in our community unit of
19 management. These children would have been placed from
20 other -- other community units of management. I mean,
21 he named children. These wouldn't have been children
22 within North and West Belfast's responsibility. These
23 were maybe the responsibility of the Southern Trust or
24 other trusts or whatever they were, community units of
25 management in those days, to place children in that. So

1 they weren't even within -- you know, they were children
2 that, you know, our community unit had no responsibility
3 for. So, I mean, I had no authority to go and see
4 children or even contact their social workers or
5 whatever. So the process needed to take place.
6 I didn't know who these children were or who they were
7 the responsibility of, you know. I wouldn't have been
8 party to that information. That's why I had to pass it
9 up to the principal social worker, who liaised with
10 their equivalents in be it the Southern Community Unit
11 of Management or whatever. So that was the processes,
12 you know, took place.

13 Q. Thank you very much.

14 A. Okay.

15 CHAIRMAN: Well, thank you very much for coming to speak to
16 us today, NL191. That has been very helpful and we are
17 very grateful to you for doing that. Thank you.

18 A. Thank you.

19 MS SMITH: Thank you very much, NL191.

20 (Witness withdrew)

21 Examination of documents in relation to HIA327

22 MS SMITH: Chairman, there is another witness to give
23 evidence today, but before that happens I was going to
24 draw the Panel's attention to some material we have
25 received largely from the Health & Social Care Board,

1 which relates to someone who was an applicant to the
2 Inquiry but who did not come to give evidence. That was
3 HIA327. I am not going to open all of the documentation
4 and -- but there are some matters that I feel merit some
5 inspection by the Panel and by the Inquiry.

6 Just to set the background, there is an admission to
7 care document which shows that this child was removed by
8 the NSPCC for wilful neglect. That can be seen -- and
9 it doesn't need to be called up -- but it can be seen at
10 SNB-48761 to 62 and the Court Order following that is at
11 48763.

12 One of the allegations that was made by this person
13 was that, like many others, about the amount of chores
14 that they had to carry out. There is a small entry at
15 SNB-48800 which may just shed some light on some of the
16 chores that the children were being asked to do, because
17 when the social worker arrived to visit this child, it
18 is recorded that she was found brushing out the
19 classroom. That would have been in May 1969.

20 There is then a body of documents in the social work
21 materials between SNB-48764 to 48772. What those
22 documents show is that between May 1968 and June 1971
23 four different social workers were assigned to HIA327.
24 That may well raise an issue about continuity of care,
25 but as we have just heard from the last witness, there

1 was clearly an issue with staff turnover and resources
2 in -- certainly in the Eastern Health & Social Services
3 Board at that time.

4 Just as a point of interest if you look on through
5 the documents, it shows she had two more social workers
6 between '71 and '73.

7 There is an entry at 48770 which records that during
8 a period of time there was no visit -- there were no
9 visits carried out. The statutory visits weren't
10 carried out during that time as required due to
11 a changeover in social workers.

12 Now the same entry --

13 CHAIRMAN: What time period is that occurring?

14 MS SMITH: That is --

15 CHAIRMAN: '71 to '73?

16 MS SMITH: Yes. '68 to '73. The actual entry relates to
17 1971.

18 CHAIRMAN: There were no statutory visits --

19 MS SMITH: Maybe it might just be appropriate to look at
20 that one. It is SNB-48770, please. You will see here
21 that, if we can just scroll down, please:

22 "Dates of visits to child."

23 There is nothing recorded.

24 "Owing to a misunderstanding and changeover of
25 social workers HIA327 was not visited regularly during

1 this period."

2 If we just scroll down to the bottom, please, you
3 will see that's actually dated 1st March 1971.

4 Now there is a similar entry in respect of sisters
5 of HIA327, which can be found at 49305, and that's in
6 respect of a sister called **HIA 328** There is sister
7 a similar entry at 49319 and 49322. Again
8 I don't think we need to look at these, but again the
9 same entry is recorded there. Just scroll maybe down
10 through this one, please. You will see that:

11 "Owing to a misunderstanding arising out of
12 changeover of social workers **HIA 328** was not visited
13 regularly during this period."

14 Again if we can just scroll down to the bottom of
15 that page, that's in February 1971. So certainly in the
16 period of early 1971 the statutory monthly visits
17 weren't being carried out in respect of this family.

18 CHAIRMAN: If we just look at the top of the page again to
19 see ...

20 MS SMITH: Yes. She would not have been -- the sister would
21 not have been in Nazareth at the time. This relates to
22 a general social work visit, but clearly there was
23 an issue about this family being visited. It's a very
24 large family I should say, some of whom were in various
25 institutions and some of whom were at various times home

1 with the parents.

2 CHAIRMAN: The point I am concerned about is to establish
3 just when the start of the period was that appears to
4 have been of concern in that respect.

5 MS SMITH: Yes.

6 CHAIRMAN: It is not entirely clear.

7 MS SMITH: It is not clear from that document.

8 MR LANE: It might be the six-month period of review.

9 MS SMITH: It says it is the six-monthly progress report at
10 the top of that document.

11 Going back to the documents relating to HIA327, if
12 we can look at these, please, and they tend to go in
13 reverse order, but if we look at the bottom of 48799,
14 these are the handwritten history sheets prepared by the
15 social worker. If we can scroll down, you will see this
16 is in 1970. Just if we can scroll on down just to the
17 last entry there, 29th January 1970. I think it should
18 actually be '71, because obviously the entry preceding
19 that is June '70. So this would be 1971.

20 "Saw HIA327 with other sisters. Had" -- I think
21 that might be "chat" or "talk" -- "with SR31 first. She
22 was rather worried about HIA327. SR31 obviously takes
23 a great interest in this family and was ..."

24 Now unfortunately this has been put in the bundle in
25 reverse order. So we then need to go to 48798, the top

1 of that page:

2 "... rather anxious about HIA327's behaviour and the
3 effect her home visits have on her. She wondered if
4 HIA327 was really happy at Nazareth. However, when
5 I asked HIA327 if she liked Nazareth House, she said it
6 was great and that going home was all right. It looks
7 as if there may be some problems to be faced with HIA327
8 and SR31 mentioned that HIA327, like her sister, seemed
9 at times resentful of her home background. However, she
10 appears happy -- to be happy at Nazareth and home visit
11 at weekends are continuing."

12 It goes on here:

13 "SR31 rang. She is rather worried about HIA327's
14 behaviour at the moment. She has apparently been
15 pilfering small things from Nazareth to take home to her
16 family, whom she continues to visit regularly. She is
17 also suspected of having pilfered something from
18 a chemist shop. SR31 was at first inclined to want to
19 cut down on HIA327's home visits, but it was felt this
20 would not do much good. However, SR31 feels that HIA327
21 would be better away from her family for some time and
22 is worried about the future. Visited HIA327 myself and"
23 -- it says there -- "it is felt that if HIA327 had
24 something more to occupy her at Nazareth, the situation
25 might improve. HIA327 wants to be a hairdresser",

1 and this led just then -- in March '71:

2 "Rang Nazareth House. SR31 came to the phone. Had
3 a long chat about HIA327. SR31 continues to be
4 concerned about HIA327's behaviour. She is no longer
5 pilfering but is apparently moody and a bit
6 unpredictable. SR31 feels that HIA327's behaviour ..."

7 Now we need to scroll up to the preceding page and
8 to the top of that:

9 "... is creating an unpleasant atmosphere for the
10 rest of the girls at Nazareth and would be happier if
11 she could be moved somewhere else."

12 Then there is an entry which is deleted.

13 "We discussed the home situation. I explained to
14 SR31 that HIA327's brother was due home from De La Salle
15 in summer and that there would not be room for HIA327 at
16 home. Nor would it be very satisfactory to return
17 HIA327 to the poor home conditions. SR31 asked me to
18 speak to my senior before visiting on Wednesday."

19 She then -- the social worker then speaks to her
20 senior social worker about the possibility of HIA327
21 leaving Nazareth and entering, for example, the Good
22 Convert -- Good Shepherd Hostel.

23 "HIA327 is, however, just 14."

24 She then visits HIA327 and speaks to her on her own.

25 If we can just scroll on down, please:

1 "She maintained that she was happy at Nazareth, but
2 would quite like to go home, although she wasn't overly
3 enthusiastic about that. When the idea of living in
4 a hostel was proposed, she was quite responsive and
5 interested. I pointed out that as she was -- since she
6 was still 14, she would be better going -- better -- she
7 would be rather going to leave Nazareth" --

8 MS DOHERTY: "... rather young ..."

9 MS SMITH: "... rather young ..."

10 Thank you very much.

11 "... rather young to leave Nazareth. I get the
12 impression that HIA327 is rather frustrated at Nazareth,
13 but she denied that there are any difficulties."

14 Then she goes on to talk about what she would like
15 to do with work:

16 "She would like to work with old people, but would
17 not like a living-in job. She does not seem to have
18 really considered the future. Friendly, slightly more
19 forthcoming. I said I might on a future visit bring my
20 senior with me to have a talk with her, to which HIA327
21 was quite agreeable."

22 Then if we go to the preceding page I think, it
23 is --

24 CHAIRMAN: Those entries would tend to show, as David Lane
25 pointed out, the reference to the absence of visits

1 probably related to the period from June '70 up to
2 January '71 --

3 MS SMITH: '71. Yes. That would probably be about right.

4 CHAIRMAN: -- because then there are these constant entries
5 thereafter.

6 MS SMITH: From then on. These entries seem to be from the
7 social worker who compiled the note saying that, due to
8 the misunderstanding and the lack of communication,
9 there hadn't been any visits.

10 CHAIRMAN: So it has been picked up again by that stage.

11 MS SMITH: Yes, yes. You see here at Easter '71:

12 "SR31 rang to ask if HIA327 could go home for Easter
13 as the convent was going into retreat and no holiday had
14 been arranged for HIA327. It was felt that this was not
15 very satisfactory, as HIA327's brother would be at home
16 also, and there was not really room at the house for
17 both HIA327 and her brother. However, there was no
18 available alternative. So HIA327 was allowed home."

19 Then May '71:

20 "SR31 rang to say that HIA327 was again giving
21 trouble and that SR 192 , head of St. Monica's,
22 had complained to Nazareth."

23 Social worker then rings St. Monica's. SR 192
24 SR 192 had had to go home. So she saw a NHB 138 , who
25 was the Vice Principal.

1 "She was expecting me and had already -- and had
2 ready written reports from teachers complaining of
3 HIA327's lack of interest and attention in class and
4 claiming she distracted other pupils. She also had
5 a letter faked by HIA327 and signed 'SR31', excusing
6 HIA327 from school for personal reasons.

7 "It appeared that **NHB 138** knew very little about
8 HIA327's home background, but after some discussion,
9 during which I suggested that HIA327's difficulties were
10 possibly due to normal adolescent problems, plus
11 feelings of insecurity, and her efforts to distract the
12 rest of the class could be a form of attention seeking,
13 **NHB 138** agreed that a more sympathetic approach to
14 HIA327 at school might help, although she qualified this
15 by saying that she felt there was quite a strong
16 anti-authority feeling in the school at the moment. She
17 seemed inclined to feel that many of the girls from
18 Nazareth were difficult.

19 "On the same day I visited Nazareth and spoke first
20 to SR31" -- yes -- sorry -- "SR31, who showed me
21 a letter from HIA327 and a girl called in which
22 they said they were leaving to go to house,
23 because SR31 didn't trust them, and cited several
24 instances whereby they thought they weren't trusted at
25 night. For example, at night SR31 had made them ..."

1 Again we need to go to the preceding page:

2 "... to keep the light on or some such thing.

3 SR31's attitude was concerned, but rather helpless. She
4 agreed that HIA327 was probably feeling insecure and
5 resentful of attempts to keep tabs on her, but she said
6 that she still felt that HIA327 needed watching. For
7 example, SR31 had given her a letter to post, which
8 HIA327 evidently forgot. SR31 was inclined to think
9 that HIA327 deliberately forgot.

10 "The senior social worker had spoken to SR31 on the
11 phone and explained that there was really nowhere else
12 where HIA327 could go if Nazareth couldn't keep her.
13 The feeling was still that HIA327 would be better off
14 somewhere else or rather that Nazareth would be better
15 off without HIA327."

16 Then she speaks to HIA327 on her own.

17 "Given time, however, she opened up and began
18 expressing feelings of resentment against SR31, whom she
19 felt was always watching her and never trusted her to do
20 anything. When asked about school, she said she had to
21 get away and had gone home. Felt HIA327 does not really
22 want to go home, but does so because she has nowhere
23 else to go and because she knows noone will push her
24 around or make rules. SR31 had previously complained
25 that HIA327 was apathetic and had no real interests and

1 never showed enthusiasm about anything. When asked
2 about possible interests, she said that she would like
3 to work with old people. She would like to do this on
4 Saturdays, even if it meant she couldn't go home."

5 The interview -- she is asked if she could -- she
6 agreed -- offered -- it just goes on then. If we go
7 back then to the next page, which is 48793 I think -- 94
8 -- sorry -- just it's said that the -- she went to the
9 car. SR31 came out. She was -- HIA327 had walked out
10 to the car with the social worker.

11 "SR31 came out and HIA327 went off in another
12 direction. SR31 wanted to know what HIA327 had told me
13 and I brought up the question of helping old people.
14 Immediately vetoed the idea. Apparently they fear the
15 girls will scrounge off the old people. I tried to
16 suggest that if HIA327 had some similar occupation, she
17 might be more settled. I feel at the moment that HIA327
18 feels everyone is getting at her, making her feel rather
19 useless. SR31 said she would try to think of something
20 that HIA327 could do."

21 If we go to the bottom of that page, there is
22 an entry on 15th June '71, which says that:

23 "The relationship between SR31 and HIA327 remains
24 rather strained."

25 Then if we go to 48793, there's an entry of 24th

1 June 1971:

2 NHB 116 contacted SR31 and arranged to meet to
3 discuss HIA327. Discussed situation with NHB 116 and
4 SR31. SR31's attitude is rather primitive. She
5 considers that HIA327 needs training and ought to be
6 taken away from Nazareth out of the present environment.
7 She sees many parallels between HIA327's behaviour and
8 that of her sister, whom SR31 gave a second chance and
9 did not profit by it. It did not appear that HIA327 had
10 committed any serious crime, but SR31 spoke as if HIA327
11 was to be brought through the courts. She appeared to
12 think that HIA327 could be taken away there and then.
13 Sister -- it appeared that HIA327's behaviour was fairly
14 normal adolescent behaviour and that possibly she had
15 been driven to rebel by the restricted atmosphere in
16 which she found herself. SR31 considered that training
17 school was the only answer for HIA327 and is anxious to
18 have her removed from Nazareth as soon as possible.

19 NHB 116 agreed to contact SR31 next week re the
20 possibility of change of environment for HIA327, but it
21 does not seem as if training school is likely to provide
22 the answer."

23 Then if we go to 48792, on 7th -- sorry -- 2nd July:

24 "Visited Nazareth with NHB 116 . Saw SR31 first
25 and told her we would take HIA327 to Derry early next

1 week and also that **HIA 328** would be going. SR31 left us
2 to get HIA327. When HIA327 came in, she was red-eyed
3 and crying. After some talk **NHB 116** explained the
4 situation to HIA327, that it wasn't a punitive decision,
5 and HIA327 seemed reasonably happy to go. She was
6 pleased at the thought of her sister going with her."

7 Then HIA327 is then collected on 6th July from
8 Nazareth.

9 "Quite a little crowd to see her go and again she
10 was upset and crying. However, she calmed down fairly
11 quickly and was quite cheerful and responsive on the
12 journey to Derry. She did not appear sullen or unhappy
13 and obviously her -- felt happier that her sister was
14 going with her."

15 Now those -- there is then a report, which can be
16 seen if we look at 48791, from the social worker, ^{NHB 139}
17 **NHB 139** No. That's 48751. This is a summary of the
18 preceding documents that I have just been referring to.
19 You will see there it says:

20 "During recent months there have been difficulties
21 with HIA327's behaviour both at Nazareth House and at
22 her school. For some time it has been evident that
23 HIA327 is not happy at Nazareth House. The normal
24 adolescent problems have been complicated by feelings of
25 insecurity and the atmosphere of the home, which is not

1 accepting of adolescent rebellion."

2 Then just at the end of that the social worker says:

3 "At the present time I feel that Nazareth House has
4 little to offer HIA327. Indeed, it has been suggested
5 by the Reverend Mother that she leave there, but there
6 is no suitable alternative accommodation available."

7 Now I have used those to highlight the issues with
8 regard to the attitude that is being recorded of what is
9 described as normal adolescent behaviour and the
10 attitude of those in Nazareth who were charged with
11 looking after children, and it seems that this is
12 another example of this particular nun, SR31, wanting
13 the removal of a child whom she was finding it difficult
14 to deal with.

15 The next witness is to be taken by Mr Aiken,
16 Chairman, and I'm sure he will be ready shortly.

17 CHAIRMAN: Yes. We'll just rise for a few minutes.

18 (11.35 am)

19 (Short break)

20 (11.45 am)

21 WITNESS NHB137 (called)

22 MR AIKEN: Chairman, Members of the Panel, good afternoon.

23 The next witness today is NHB137, who is "NHB137". He
24 is aware, Chairman, that you are going to ask him to
25 affirm.

1 WITNESS NHB137 (affirmed)

2 CHAIRMAN: Thank you very much, NHB137. Please sit down.

3 Questions from COUNSEL TO THE INQUIRY

4 MR AIKEN: If we can bring up on the screen, please, 6092,
5 which will be the first page, NHB137, of your witness
6 statement. Can you just confirm that is the first
7 page of your statement?

8 **A. Yes.**

9 Q. Then if we move through to 6100, please, it should be
10 the last page. Can you confirm you have signed your
11 witness statement?

12 **A. I can confirm, yes, that's my signature.**

13 Q. You want to adopt the contents as your evidence to the
14 Inquiry?

15 **A. Please, yes.**

16 Q. You want to keep -- whatever anonymity the Inquiry
17 affords to you, you want to keep that anonymity?

18 **A. Yes, please. Thank you.**

19 Q. NHB137, with your statement which the Panel has are
20 exhibits that run from 6101 through to 6142. The
21 material that you provided relates to your involvement
22 in -- as a social worker for a boy called NL164. No
23 names that we use here, including yours, will be used
24 beyond the chamber. That involvement began for you in
25 around 1990 or shortly thereafter, when you first came

1 in as a young social worker into the Craigavon &
2 Banbridge Trust.

3 **A. That's correct.**

4 Q. You have explained your history in social work and your
5 qualifications in your statement, and now going beyond
6 25 years of work in social work.

7 When you came in, you became his social worker,
8 although the point you were making to me about
9 where you worked, there was a huge turnover of staff and
10 a significant amount of difficulty in that area in terms
11 of work load. Do you want to just give the Panel
12 a brief idea of what you were describing to me in terms
13 of what life was like?

14 **A. Craigavon was at that point in time part of a new city**
15 **complex and there was a significant amount of new**
16 **developments and new housing estates. A lot of families**
17 **from other areas had moved to the Craigavon area. A lot**
18 **of social deprivation in the area. A lot of families**
19 **where there had been significant statutory and other**
20 **agency involvement had actually moved to that location.**
21 **So there was quite a high level of need. There was**
22 **quite a high level of Social Services' engagement. For**
23 **a small area a very, very high proportion of children on**
24 **the Child Protection Register, a significant number of**
25 **children in care. A lot of the families who had moved**

1 to the Craigavon area had originally come from the
2 Belfast area or had moved from Downpatrick and certain
3 estates. So basically what you found was a lot of the
4 families who had moved, the kids had come into care in
5 Craigavon and then the families had moved subsequently
6 back to Belfast or to their areas of origin, but there
7 was a constant, transient population which was ongoing
8 at that time and certainly did not have the stability it
9 has now.

10 Q. You were explaining to me that if you had a staff member
11 in your office who -- as a social worker who lasted more
12 than a year, that was quite a significant thing.

13 A. Yes. I outlined that when I came to work in the Trust,
14 I came in as a youth social worker into a team of six.
15 After six weeks I was the longest serving social worker
16 and still the -- I think I was the only serving social
17 worker after that period of time. So there was quite a
18 lot of staff turnover and movement at that point in
19 time.

20 Q. The reason why the Craigavon aspect is significant in
21 terms of your involvement with NL164, you made the point
22 to me that as part of -- he was a very intelligent boy,
23 and as part of his thinking about complaining about his
24 time in Nazareth Lodge, you believe he would have known
25 that if you had to remove him from Nazareth Lodge as

1 a Belfast boy --

2 **A. Uh-huh.**

3 Q. -- you would have been placing him somewhere in
4 Craigavon --

5 **A. Yes.**

6 Q. -- which he would not have wanted.

7 **A. NL164's mother actually resided in the Belfast area.**
8 **She had returned back to Belfast. His networks, his**
9 **friends, his family contacts were all within the Belfast**
10 **area, and certainly that -- he was an extremely**
11 **intelligent young man, very articulate, very conscious**
12 **of actually giving a logical assessment of any situation**
13 **he was in. He had been in a number of foster homes**
14 **prior to his placement in Nazareth, and Nazareth was the**
15 **longest duration of any placement he had at that point**
16 **in time.**

17 Q. Your involvement and what we are going to discuss with
18 him you can explain to the Panel today is part of, as
19 you know now, a much wider issue as to what was going on
20 in Nazareth Lodge at the particular point in time and
21 with how children were being treated by one member in
22 staff in particular, and the mechanisms and systems that
23 were in place to deal with that and investigate it and,
24 as we stand, more material is coming to the Inquiry. In
25 fact, I have just been briefly looking at three files on

1 NL164 that were maintained by the congregation, the
2 Sisters of Nazareth. What those disclose -- and you
3 have not had access to them and there are not copies
4 available at the moment -- they show that there were
5 lots of contacts and in the broad sweep there's, looking
6 at them, records of NL164 getting on well with SR18 at
7 times --

8 **A. Uh-huh.**

9 Q. -- and then sometimes being unhappy with her, and an up
10 and down type of relationship is well recorded in
11 monthly internal reports that seem to have been being
12 kept, and that type of material will have to be made
13 available to the Panel just to see, but in terms of the
14 systems that operated for you in dealing with NL164 as
15 a social worker going into Nazareth Lodge, you had two
16 systems, if I can describe it in that way.

17 You had a proactive system which, as I understand
18 it, during the time that we are looking at, which is in
19 particular '94, '95 and into early '96, you did weekly
20 returns on your visits, and that would simply have been
21 a log that you had made a visit. Then you in addition
22 did a monthly return on your visits that you had done in
23 that month.

24 **A. Yes. NL164 would have been subject to a Fit Person**
25 **Order and it would have been requirements of the Trust**

1 at that point in time holding corporate responsibility
2 for NL164 to actually visit on a regular basis and to
3 record those visits, and we had a number of manual
4 systems at that time. This pre-dated most of the
5 current technology, but there were manual systems around
6 recording visits, not only in terms of recording the
7 contact with the child --

8 Q. Yes.

9 A. -- but actually recording for the Trust that a visit had
10 occurred.

11 Q. You had those two ways of recording the regular visits
12 that were being made, sometimes more than monthly, and
13 we may have to come back to some of those visits when
14 all of the picture comes together, but in addition to
15 that visiting in that way you engaged in the six-monthly
16 case reviews. They were known in your Trust as CC7
17 reviews. They involved not only you and your principal
18 social worker but also the person above the principal
19 social worker.

20 A. They normally would have had the social worker, the
21 senior social worker, who would have been the
22 supervising team leader, and either an assistant
23 principal or principal social worker, who chaired those
24 reviews.

25 Q. The three of you would have gone, and also coming into

1 that then would have been the unit head, who would have
2 been SR18, and **SR 121** It was her that was in charge of
3 the overall structure within the home, and a discussion
4 would have taken place then about how the particular
5 child was getting on.

6 **A. Yes.**

7 Q. In addition to that in preparation for that meeting you
8 would have completed a report and there would also have
9 been a report completed by the congregation who were
10 running the home.

11 **A. Yes. A young person also was offered an opportunity to**
12 **provide an input into the report. In addition to that**
13 **you would have had medical reports. They was**
14 **a requirement for a child to be seen on a regular basis**
15 **by a medical practitioner, and we would have also sought**
16 **school reports to see how the young person is**
17 **progressing with their education.**

18 Q. So just bringing that altogether, at the six-monthly
19 case review where that discussion is taking place about
20 the child there may well have been five reports that fed
21 into that discussion?

22 **A. Yes, and where there may not have been a written report,**
23 **there was a request that verbal reports maybe were**
24 **obtained from a GP or from a school, if they didn't have**
25 **time to do the report, and that was included in the**

1 **discussion.**

2 Q. A minute of that review was kept by a clerical assistant
3 from the Trust who attended with the social workers at
4 that time.

5 **A. We were very fortunate at that time to have clerical**
6 **support and the note would have been kept on the file**
7 **and would have been reviewed by all the parties.**

8 Q. So that's the proactive system that saw you involved in
9 the life of a boy who was placed in Nazareth Lodge,
10 albeit you were from the Craigavon & Banbridge Trust.

11 In addition, you had the reactive system that had
12 its genesis in the Hughes Inquiry report and the
13 complaints mechanism that was set up thereafter, and
14 that was a reactive system that allowed children to get
15 in touch with you if there's -- in between your visits
16 if there was something they wanted to raise with you,
17 and that was done generally using a contact card,
18 although the process changed or developed over time.

19 **A. Yes. A contact card or particularly in NL164's case he**
20 **would have phoned. He was quite good at using the**
21 **telephone if he needed to speak to you about things. So**
22 **there were a number of mechanisms for a young person to**
23 **get in contact with you.**

24 Q. Since you provided the statement, the Inquiry have
25 already as a result of that statement being shared with

1 core participants -- has already then caused
2 identification of significant issues and the production
3 of a significant volume of additional material around
4 the issues that affected NL164 and went beyond NL164 and
5 affected SR18 and the home in 1994 and '95, and that
6 process is continuing and is not complete as yet, and
7 I know you are going to continue to assist the Inquiry
8 in any way you can with your part of what took place,
9 but I want to break in for the moment to your
10 involvement with NL164 in May of 1994, which you talk
11 about in paragraphs 14 to 16 of your statement on 6094.
12 There's a number of aspects of this that I want just to
13 bring out so that you can explain it to the Panel in
14 your evidence.

15 You -- in discussing with NL164 you were told of
16 a particular incident where he felt he had been poked by
17 SR18. You discussed and checked the unit log book to
18 see if the incident was recorded. Now I just want to
19 pause there. In terms of the material then that was
20 available to you can you just explain what form the log
21 book took that you are referring to checking?

22 **A. The log books would have been held basically in all**
23 **residential units. In some areas they were called log**
24 **books. In other areas they were called daily diaries.**
25 **At one point in time they were just a generic diary of**

1 **what happened in the unit. It could have been things**
2 **like:**

3 **requires a dental appointment today at**
4 **3 o'clock",**

5 **or whatever, or an incident of two kids were**
6 **involved in a fight. That subsequently moved on to**
7 **individual records, log books for each of the young**
8 **people who were placed in that. So what would happen is**
9 **the residential staff would record most of the salient**
10 **details that were occurring in the unit in the unit log.**

11 Q. If we can just bring up 6103, please, because
12 unfortunately no log took has been available to the
13 Inquiry from the congregation, but we can see in this
14 third paragraph that you say:

15 "I checked the log book" --

16 **A. Uh-huh.**

17 Q. -- "and noted that there was a note that this incident
18 involving", particular individuals, "was to be written
19 up."

20 Then you asked for a copy of this as soon as
21 possible.

22 Then you have exhibited to your statement -- it is
23 a handwritten record. So there's a record from NL164,
24 a record from **NL 221** and a record from SR18 about
25 this issue that had arisen over the light.

1 You say in paragraph 16 that this brought back to
2 your mind a previous contact that you had had from
3 NL 222 , who was in the Social Services
4 Inspectorate, who had got in touch with you previously
5 about a problem over a light.

6 **A. Yes.** I recall being contacted by NL 222 , the
7 SSI, Social Services Inspectorate, when I just started
8 as a social worker involved with NL164. It was a bit of
9 a shock that a lowly social worker was contacted by
10 a member of the Social Services Inspectorate. It was in
11 relation to a matter that had been raised about the
12 light switch -- where the light switch for NL164's room
13 was located. He had indicated that he was unhappy that
14 his light was being switched off by the staff and
15 NL 222 had asked did I know where the light switch
16 was located.

17 At that point in time the regulations would have
18 asked that the social worker would have visited and
19 checked a young person's bedroom on a regular occasion.
20 I was asked to go down to Nazareth and I went down to
21 Nazareth. I didn't know that the light switch was
22 external, but I have a memory of actually all of this,
23 because of the partly surreal part of it, and noting
24 that there was a brown light switch located in the
25 architrave of the door to the outside, which was also

1 **painted brown. So it was just one of those things that**
2 **stuck in my memory.**

3 Q. I think what stuck in your memory was that someone from
4 the Social Services Inspectorate within the Department
5 of Health was ringing you about the location of a light
6 switch.

7 A. **It was unusual.**

8 Q. The -- this issue had come to light through the Social
9 Services Inspector speaking to NL164 during the
10 inspection that she had been engaged in.

11 A. **Yes. I understand so, yes.**

12 Q. Then she had got in touch with you about it and really
13 was it thereafter for you to resolve to -- I think it
14 was resolved by a bedside light being provided.

15 A. **Yes. It was passed on to ourselves. The matter I think**
16 **had been addressed by the time we got into more**
17 **conversations.**

18 Q. So it may be she had also spoken to the home about not
19 switching the light off on the outside and leaving a
20 bedside light and whatever. It may be there's some
21 documentation about this that is going to be looked for,
22 but the systems issue that it raises features in some
23 further matters that we're going to come to.

24 In June 1994 then -- at this stage NL164 was 12 --
25 and this is covered by you in paragraphs 17 to 21 of

1 your statement at 6095 -- you explain that NL164 was the
2 victim of some inappropriate activity from another boy.
3 This was brought immediately to your attention, and you
4 explain over the next number of paragraphs how the
5 matter was dealt with. In fact, those responsible for
6 the perpetrator in the North & West Belfast Trust
7 apparently had suggested that, if we just scroll down a
8 little further -- they had assessed it as just being
9 adolescent behaviours, and Nazareth Lodge were not
10 satisfied with it being characterised in that way and
11 insisted that steps were taken. Those steps included
12 NL164 being moved to a different unit, so he had no
13 further contact with the particular boy, and then
14 ultimately the particular boy being moved out of the
15 home to somewhere else.

16 You make the point in paragraph 21 that this was
17 an example of Nazareth Lodge and the staff there
18 reacting swiftly and appropriately to deal with that
19 issue that had developed.

20 **A. Yes. I think it was clear that NL164's needs were being**
21 **addressed. I think, regardless of whether the**
22 **allegations were being progressed or not, there were**
23 **steps taken to ensure he was safe within the unit and**
24 **that has got to be seen to be positive.**

25 Q. Yes. We can see, if we just look at 6114, please, that

1 in the exhibit that you provide to the Inquiry recording
2 this particular incident a point of note is the home
3 being unhappy. If we just scroll down, please, at the
4 bottom:

5 "Nazareth Lodge state they are unhappy with this
6 response and have referred the matter to their
7 management committee."

8 So this is evidence of Nazareth Lodge using the
9 structure that they had in place. Unfortunately we
10 still don't have the minutes or the documents that might
11 record the management committee getting involved and
12 what they might have done to make it clear that more had
13 to be done by the North & West Belfast Trust, but it is
14 clear that you were being told at the very least by some
15 member of staff within the home that they were elevating
16 this issue to their management committee to take
17 forward.

18 **A. Yes.**

19 Q. This is another aspect in terms of material that the
20 Health & Social Care Board are going to investigate to
21 see whether on the file of the individual that this
22 incident related to there may be more documents that add
23 to the picture of what was done by those on the ground.

24 Then on 8th September of 1994, if we go back,
25 please, to paragraphs 22 to 30 of your statement at

1 6096, 8th September 1994 is, in fact, NL164's
2 13th birthday, and on his 13th birthday you receive
3 a call from a lay worker in Nazareth Lodge called NL171.

4 Now I just want to pause there. You were explaining
5 to me earlier, NHB137, and if you just explain to the
6 Panel the age and qualifications of the staff that you
7 were experiencing in Nazareth Lodge and perhaps wider so
8 that it is not seen just to be about Nazareth Lodge at
9 this point in time.

10 **A. I suppose at this point in time, not unlike any**
11 **residential service that was being provided, a lot of**
12 **the staff who were involved were unqualified and tended**
13 **to be young and female. A lot of times there wouldn't**
14 **have been a lot of difference sometimes between the age**
15 **of some of the oldest residents and some of the staff**
16 **who were actually caring for them. That has now been**
17 **addressed. We would not have a situation where that**
18 **closeness of age would be in place in any of our**
19 **residential facilities.**

20 The other part about that was I think at that point
21 in time one of the pathways into social work would have
22 been to have gained experience in residential care and
23 that allowed you then to have the -- I suppose the
24 criteria to make the application on to formal
25 professional courses, but you would have had a lot of

1 **staff who were unqualified at that time and quite young.**

2 Q. The outworking of that, the point you were making to me
3 was potentially a lack of judgment or discernment about
4 what you needed to know about, what detail needed to be
5 conveyed and what should have been capable of being
6 satisfactorily dealt with within the home structure.

7 A. I suppose at that time a lot of information would have
8 been conveyed by residential staff. You would have very
9 young staff, very inexperienced, and a lot of
10 information would have been conveyed to the social
11 workers. Some of it in terms of I suppose requiring to
12 be forwarded would be probably reviewed at this point in
13 time. So if two children had fallen out over a TV
14 remote control or somebody was wearing somebody else's
15 jeans, you could be assured that you probably would have
16 got a contact from the residential staff about all of
17 those sort of mundane things that probably every teenage
18 -- every family that has teenagers in -- so you'd have
19 got a lot of that. So there was a -- a lot of minutiae
20 was actually provided at times, and sometimes there
21 wouldn't have been much analysis other than simply
22 reported that A and B had a spat, you know, not unlike
23 our house I left this morning with two teenagers, but it
24 wasn't recorded in a daily log or it wasn't forwarded in
25 an incident report, but there would have been a lot of

1 information that actually would have been provided on
2 that. I think that's just about the inexperience and
3 where staff were at and people just recording and
4 sending that through, feeling they had to do it, to
5 thea social worker.

6 Q. She, NL171 that is, got in touch with you on NL164's
7 birthday. If we look at your contact sheet at 6116,
8 please, you will see the date on the left-hand side and
9 then:

10 "NL171, in Nazareth.

11 NL164 is stating to NL 171 that he wanted to make
12 a complaint."

13 A. Uh-huh.

14 Q. "The substance of this was that while on holiday
15 a gentleman called NL165 and another NL166, previous
16 residents of Nazareth Lodge, had beaten him up after he,
17 NL164, had pulled the hair of NL168",

18 who ultimately is a name that's going to appear in
19 this process for different reasons.

20 "NL164 is also stating that SR18" -- and I think the
21 word "aware" is missing -- "was aware of this.

22 Appointment arranged to interview NL164."

23 So the lay worker, who has got her own structure of
24 SR18 --

25 A. Yes.

1 Q. -- and I think at this time^{SR 121} above SR18, deemed it
2 appropriate --

3 **A. Yes.**

4 Q. -- to telephone you about what had happened to NL164
5 during the summer --

6 **A. Uh-huh.**

7 Q. -- of 1994, and that SR18 was aware of this. Now I am
8 right in saying this was not something that SR18 had
9 brought to your attention.

10 **A. No. This would have been contact -- the contact would**
11 **have been via NL171 as of 8th September. That's what**
12 **was recorded.**

13 Q. That the process that was supposed to take place if
14 there was any untoward incidents happening in the home,
15 you were to get a report of them.

16 **A. Uh-huh.**

17 Q. Was that in documentary form?

18 **A. That would have been normal practice at that time for**
19 **an incident which we would have regarded -- that would**
20 **not have been minutiae. That actually would have been**
21 **a serious incident from our perspective where a young**
22 **person had been involved in an altercation and where**
23 **a member of staff appeared to be aware of it. Certainly**
24 **at this point of time we did not seem to have -- we**
25 **would not have had the current untowards reporting**

1 structures that we have in place whereby a phone call
2 would have been made followed up by a formal pro forma
3 with all the details on that, but the expectation was
4 that if something of that nature had happened, that we
5 would have been advised formally by the senior staff or
6 by the head of -- head of unit.

7 Q. Now the Inquiry now knows that NL171 wrote a report
8 about whatever conversation -- you have only summarised
9 it in the contact sheet.

10 A. Uh-huh.

11 Q. The summary that's there on the contact sheet manifested
12 itself in a report. If we can look at the report,
13 please, at 6117, we can see from the top corner that the
14 report is not written to you. It is written to ^{SR 121} who
15 would have been the head, as I understand it, of the
16 children's units in Nazareth Lodge at the time.

17 She sets out -- and I am not going to go through all
18 the detail of it, but I'm going to summarise it by
19 simply saying she describes a scenario where NL164 had
20 pulled the hair of NL168. Later that evening while they
21 are in Donegal these two older former residents are
22 facilitated in giving NL164 a roughing up, a beating up,
23 or whatever way one wants to characterise it, and SR18
24 was said in this report to have turned a light off to
25 facilitate those two other individuals roughing NL164

1 up.

2 This is brought to the attention of NL171 by NL168
3 and she recounts in this document how -- what NL168 had
4 to say about it, and she explains we can see about six
5 lines down:

6 "This particular incident has been recorded in
7 NL164's day book as occurring on 12th July",

8 of 1994. I take that to be that he had been
9 pulling NL168's hair as opposed to he had got a hiding
10 from anyone else. He says at the bottom of this first
11 page, please, if we just scroll down a little further,
12 and this is obviously what is being recorded by NL171,
13 the section that begins:

14 "He also noted that he -- stated that he was unhappy
15 about the outcome of a previous complaint that he had
16 made regarding SR18. NL164 had retracted this complaint
17 after speaking with the social worker."

18 This is the reference to the poking incident from
19 a number of months prior.

20 **A. Uh-huh.**

21 Q. "He said that he did not follow up the complaint,
22 because no-one would believe him. 'There was two
23 against one'."

24 So that's the reference to the May '94 report,
25 SR18/ NL 221 light switch incident.

1 **A. Yes.**

2 Q. "I asked NL164 what he meant by this. NL164 said that
3 it was NL 221 and SR18."

4 Keep going, please, on to the next. We can see then
5 that NL168 is spoken to by NL171. About five
6 lines down:

7 "NL168 gave the same account as NL164 had given."

8 Then further down we can see that she asked NL168 --
9 having listened and written NL168's account down, she
10 asked NL168 to provide a written record, and she said
11 that she did not want to be involved, as she was afraid
12 that Sister would be angry with her.

13 Then NL171 concludes by saying:

14 "I contacted NHB137, NL164's social worker, to
15 inform him that NL164 wished to make a formal
16 complaint."

17 Now did you get this report?

18 **A. The first time I seen this report was in the compilation
19 of the statement for this Inquiry, which was 2015.**

20 Q. But it is the case -- and unfortunately the version
21 that's on the screen, which is a much clearer version of
22 the one originally submitted, doesn't have a date stamp,
23 but you have a date stamped version and I know Ms. Smyth
24 has a date stamped version and it appears to be sent to
25 the Trust in and around 22nd/23rd September 1994. So it

1 appears it did come through to the Trust, but you don't
2 remember it ever coming to your attention.

3 **A. I can't remember this document coming to my attention,**
4 **no.**

5 Q. But this incident in any event of 8th September, she is
6 on the phone. You regard it as a serious incident.

7 **A. Uh-huh.**

8 Q. You are going to take it forward. As I said to you
9 earlier, it appears that you didn't see NL164 until
10 14th September, by which time you had had a second call,
11 and that was on 13th September from a different lay
12 civilian member of staff, but who was NL164's key
13 worker. That was a girl called NL170. You explain at
14 paragraph 24 how she got in touch with you, and part of
15 her complaint was about NL164 being locked in the
16 kitchen by SR18.

17 Now if we look at your contact sheet at 6120,
18 please, we can see this is 13th September '94:

19 NL 170 key worker, Nazareth Lodge.

20 NL 170 rang" -- it says "to home" but "from home --
21 "to say she had compiled reports in regard to the
22 incident whereby NL164 had been locked in the kitchen by
23 Sister.

24 She was advised not to share this information with
25 Social Services. NL 170 has a copy of her report, which

1 she would give to me this pm when I visit the unit."

2 Now what that suggests is that by the time she rings
3 you there is already a report in existence that she has
4 prepared. That's something you had never seen?

5 **A. No.**

6 Q. She's recording or you are recording that she told you
7 that she had already been told not to share the
8 knowledge with you or with the Trust.

9 **A. Uh-huh.**

10 Q. This is on the back of a call the previous week you had
11 about a different incident --

12 **A. Uh-huh.**

13 Q. -- and a different lay worker is the one getting in
14 touch. Is it fair to say up goes the red flag?

15 **A. It was more than a coincidence. I suppose the concern**
16 **was there were a number of incidents at which NL164 was**
17 **the centre or was involved or the alleged victim of**
18 **a number of incidents. So when you get two separate**
19 **reports of that nature within a short period of time, it**
20 **certainly does raise your curiosity as to what is going**
21 **on.**

22 Q. Can I ask you is there not another issue then as well,
23 NHB137, which is -- leave aside if it is NL164 or the
24 child or what the particular thing was, which might be
25 one of these minutiae that you didn't even need to know

1 about --

2 **A. Uh-huh.**

3 Q. -- but someone thought you did. That's one issue, but
4 in here is a communication that the key worker of a
5 child that the Trust is responsible for is being told
6 not to tell you something.

7 **A. Yes.**

8 Q. Is that not a separate and much more serious issue than
9 whatever the actual thing was she wanted to tell you
10 about? Do you understand what I mean?

11 **A. Yes.**

12 Q. It might have been a really serious thing.

13 **A. Uh-huh.**

14 Q. It might have been not a really serious thing, but
15 either way she was being told not to tell you about it.

16 **A. That would not be the expectation we would want.**

17 I think the fact that she also rang from her own home as
18 well was also noted. I think that basically September
19 '94 we would not have had the security of whistleblowing
20 policies or code of conducts for staff. So it was
21 unusual that someone -- two people would have actually
22 contacted the child's social worker about concerns about
23 how that young person was being treated in the unit. So
24 it would have been unusual and you would have expected
25 that it also would have been fed up through the

1 **organisation's own governance framework as well.**

2 Q. Well, you go the next day -- you describe that in
3 paragraphs 26 and 27 -- on 14th September, and your
4 contact sheet records that discussion at 6122, because
5 you interviewed NL164.

6 **A. Uh-huh.**

7 Q. Not for the first time, without doing him any
8 disservice, like the Grand Old Duke of York, there are
9 a number of instances in the papers, and you are aware
10 of them, where he will have made contact with you
11 wanting to make a complaint, and by the time you get
12 there he doesn't want to make the complaint anymore.

13 **A. Yes.**

14 Q. If we just -- can we rotate that round? Thank you. But
15 he is a 13-year-old child that you are dealing with.
16 Here we can see the date, 14th September:

17 "NL164 at Nazareth.

18 NL164 came in from school.

19 When asked how he was getting on ..."

20 So you begin the discussions with him -- you don't
21 go specific, "Did this happen to you at this particular
22 time with this person?" You just try to see how he was
23 getting on:

24 "When asked how he was getting on, he stated he was
25 enjoying school.

1 When asked if anything was annoying him, or if
2 anything was happening or had happened to upset him, he
3 said nothing had happened."

4 Then you asked about the incident where he was
5 alleged to have been locked in and the incident re
6 NL165. So you are asking him about the two things, the
7 one you had just got from NL170 and the one you had got
8 the previous week from NL171. NL164 says to you, "There
9 was nothing to this" and did not want to make
10 a complaint. So that is what you are told by him --

11 **A. Uh-huh.**

12 Q. -- but you also then speak to NL170, if we can look,
13 please, at 6124, because presumably, as we are rotating
14 that round, am I right in saying there could be all
15 sorts of reasons why the child doesn't want to tell you
16 what's going on, including several aspects of
17 self-preservation?

18 **A. I suppose it is not unusual for young people to raise**
19 **issues and then to withdraw them and then come back**
20 **again. I think it is about the relationship they have,**
21 **and certainly in my experience of disclosure working in**
22 **childcare for quite a long time it is unusual that you**
23 **actually get the full picture at one point in time. You**
24 **tend to get bits and pieces and then retracted and back**
25 **again.**

1 I suppose the bit with this is that NL170 had made
2 the comment NL164 didn't want to make the complaint,
3 I think for whatever reasons. As I say, he was a very
4 articulate young person, but would have also been very,
5 very intelligent. NL164 would have known that if there
6 had been issues in the unit, which was in Belfast, and
7 there were concerns, in all likelihood, because he was
8 very au fait with Social Services' procedures, and at
9 times was quite good at quoting them back whenever it
10 suited him, was basically if we had taken action, he
11 would have been removed to a facility which would have
12 been outside of the Belfast area, back in the
13 Craigavon/Banbridge locality.

14 I actually spoke to NL164 when this statement was
15 being prepared, because I wanted to know -- wanted him
16 to know that I actually was doing this. I actually did
17 ask him, because I felt I had a good relationship with
18 this young man for quite a substantial period of time as
19 to why he had not spoken about these things to me and
20 his view was, "Well, you have to balance up in making
21 decisions. If I had said this, would that actually have
22 been more detrimental to the other parts that I wanted
23 to progress in terms of my life, my contact with my
24 friends, my family, the relationships?", and I think
25 that's --

1 Q. So there's a -- there's a -- we are looking at just the
2 complaints aspect, but there's a wider issue --

3 A. Yes.

4 Q. -- or wider issues that factor into how a child is going
5 to react. When you say you have spoken to, you are
6 talking about having spoken to NL164 in recent times as
7 an adult --

8 A. Yes.

9 Q. -- about the fact you were making this statement
10 relating to him.

11 A. As I say, NL164 was an extremely articulate young man,
12 and certainly any of the incidents in the unit -- you
13 would have been involved with residential care. A lot
14 of young people would have -- their behaviours would
15 have been -- you know, you could have had situations
16 where things would have been thrown or there would have
17 been a lot of shouting or whatever, and some of that
18 sort of confrontational behaviour.

19 NL164 wasn't really into that. He would have been
20 into intellectual sparring matches and was quite
21 confident about doing that. That sometimes can be more
22 difficult for staff, some of whom were not that much
23 older than him, that he actually has -- defies you with
24 logic as opposed to --

25 Q. I think if I summarise that in layman's terms as people

1 don't like to be shown up and this boy had the ability
2 to show people up.

3 **A. He had the -- he had the intellect, the ability and the**
4 **skill and was quite skilled at it as well.**

5 Q. Now you had a conversation then on 14th with NL170 and
6 you spoke to NL170 re her concerns for NL164.

7 "NL170 now not able or willing to speak about these
8 other than it seems NL164 is being picked on. When
9 asked for a report, NL170 declined to forward this to
10 me. She was advised any concerns would be investigated
11 if raised."

12 **A. Uh-huh.**

13 Q. So you speak to her and she is now not prepared to talk.
14 Is that not the alarm bells now going off for you?

15 **A. That is a concern, and certainly -- I take it we'll come**
16 **on to it -- this individual indicated the day before,**
17 **albeit briefly, that she had a report and she wanted to**
18 **speak about a number of concerns, and then subsequent to**
19 **that there she is saying, "I am not prepared to speak to**
20 **you" or "I am not going to disclose" whatever. I did**
21 **spend some time with her that day saying, "Look, you**
22 **know, my function is really about NL164's needs", and**
23 **I wanted to give her the assurance that whatever she**
24 **said, we would give it serious consideration, and that**
25 **any matter she did raise would be treated seriously and**

1 would be given due weight, and to provide assurances
2 that, you know, from a Social Services' point of view
3 was responsibility was to NL164 and to his well-being
4 and to his outcome, and if there were matters that we
5 needed to know about, that we should actually be advised
6 of that. So it was just about trying to provide that
7 reassurance, not unlike you would do with a young
8 person, but even at the end of it she still didn't wish
9 to forward any information or disclose further details.

10 Q. Well, what I am going to show you, and this is, as we
11 were finding earlier --

12 A. Uh-huh.

13 Q. -- difficult to piece together, because we have got all
14 of these documents coming from different sources, but
15 I have what I believe is the report that she prepared
16 that she was not then prepared to share with you.

17 If we look, please, at 17968, and we can see again
18 that this document is "Report for SR 121 She then
19 recounts the incident in Donegal, and there's particular
20 reference to an incident where SR18 allegedly locked
21 NL164 in the electric cupboard in the kitchen, but when
22 NL164 was spoken to, it wasn't the kitchen -- it wasn't
23 the cupboard in the kitchen; it was the kitchen itself.

24 Then she sets out:

25 "Following this, however, I chose to speak to NL169

1 ..."

2 I think that's "NL169". I am not sure who that is.

3 "... as I was concerned about what I had heard.

4 I spoke informally to NL169, as I simply wanted advice
5 on what to do."

6 Do you know who NL169 was?

7 **A. No.**

8 **Q.** You don't.

9 "NL169 advised me to speak to ^{SR 121}

10 The three incidents I spoke of were as follows."

11 She then sets out an incident on 26th July. On 26th
12 July 1994 after the residents had returned from Donegal
13 NL168 told her of a conversation she had with SR18. She
14 recorded the conversation about what had happened to do
15 with alcohol.

16 Then if we move over on to the next page, please,
17 the second incident is halfway down the second page.
18 Scroll down, please:

19 "The second incident I mentioned to NL169 and ^{SR 121}
20 concerned NL164 being locked in a cupboard. I said,
21 however, that I had not spoken to NL164 but had only
22 heard this from another resident. Following my
23 discussion with ^{SR 121} I asked him if it was true. He
24 said he had not been locked in a cupboard but that he
25 had been locked in the kitchen ... the incident occurred

1 approximately two weeks ago. He explained that he and
2 SR18 had been arguing and that everyone was preparing to
3 watch a video."

4 Then if we move on to the -- various detail about
5 that incident. Then the final incident on the next
6 page, if we scroll down, please:

7 "The final incident I mentioned concerned an event
8 in Donegal during July."

9 I want -- if I can ask the Panel to note July 1994
10 for reasons that will become clear.

11 "I had known that NL164 had trailed another resident
12 around the room that evening following their visit to
13 a junior disco."

14 That was NL168:

15 "NL168 had described this to me, as she was the
16 person involved. I recorded this in NL164's day book."

17 So we are now going back you recall, NHB137, to the
18 material we were discussing from the NL171 record, that
19 she looked at the day book and it was recorded:

20 "However, later that evening ..."

21 Then she describes the incident where the lights in
22 the room were turned off before these two individuals
23 hit NL164.

24 "I asked NL164 the following day if anything had
25 happened. He said that after everyone had gone to bed

1 he was downstairs. He said SR18 had given permission to
2 these two, NL166 and NL165, to hit NL164, not to hurt
3 him too much. NL164 added that Sister then turned the
4 lights out and that he could see her outline at the door
5 and hear her laughing as NL165 and NL166 hit him. He
6 thinks he was hit with a shoe. He said he was pushed to
7 the floor before being hit, that he was not hit hard,
8 but that he was frightened. I asked NL164 what he
9 wanted to do and he said that no-one would believe him
10 against SR18 and that there was no point complaining, as
11 he would only end up having to drop the complaint."

12 He referred then to dropping the previous complaint.
13 He talks about the rest of the week in Donegal. Then it
14 is signed by her.

15 So it appears that this is the reason she phoned
16 you.

17 **A. Uh-huh.**

18 Q. This is the report that she'd prepared, and this is the
19 report by the time you went to speak to her she was no
20 longer prepared to share with you. All you got from
21 her, based on her being told, she said, not to tell --

22 **A. Uh-huh.**

23 Q. -- and not to share was that he was being picked on --

24 **A. Uh-huh.**

25 Q. -- and he himself didn't want to tell you anything.

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

2 Q. Does that not set the alarm bells off?

3 **A. Yes, and I think there's something I come to now.**

4 Q. That's why you, when you then write a letter to Vincent
5 O'Rourke, who was two levels above you --

6 **A. Uh-huh.**

7 Q. You think you may have had a discussion with your senior
8 social worker --

9 **A. Yes.**

10 Q. -- but you wrote to two days later on
11 16th September. If we can look, please, at 6126, you
12 explain the various -- the reports that you had
13 received. You summarise. So some detail had been given
14 to you in that you were able to record:

15 "NL170 also stated it was alleged by NL164 that
16 NL165 had beaten him up while on holiday. SR18 was
17 aware of this and nothing was done."

18 Then you record how she'd stated that she was
19 advised not to share the information with regard to the
20 issues NL164 was raising re the kitchen and NL165's
21 incident with Social Services.

22 So she had obviously given you perhaps in the
23 telephone call --

24 **A. Yes.**

25 Q. -- rather than when you met her --

1 **A. Uh-huh.**

2 Q. -- the basic information about the incidents, and you
3 then record having spoken to her and to NL164 and what
4 was said, and then you raise two issues:

5 "I find it concerning that the complaints against
6 NL164 appear to be those which can be dealt with within
7 the unit and by the appropriate social workers involved,
8 and that the complaints procedure appears to be demean
9 ed by the type of issues raised."

10 Now can you just -- given what you have already
11 said, that these were serious things --

12 **A. Yes, they were, yes.**

13 Q. -- what were you talking about here when you are writing
14 to

15 **A. There would have been a series of minor incidents just**
16 **around -- you know, things I talked about, the minutiae,**
17 **which had basically flooded in for a period of time,**
18 **about all of that there. So there would hardly have**
19 **been a day gone past that you wouldn't have had**
20 **a telephone call or some issue just about the**
21 **relationships or whatever, which in essence should have**
22 **actually been dealt with just in the normal group**
23 **situation.**

24 Q. But I ask you, though, am I right in saying locking
25 a child in the kitchen --

1 **A. Yes.**

2 Q. -- or this type of assault that's described, those are
3 not the sort of things you are talking about?

4 **A. No, no. There would have been some contacts before that**
5 **just in regards to those other matters I would have been**
6 **talking about. I suppose with hindsight, being 25 years**
7 **on, I probably would have phrased it slightly better**
8 **than I did as a young social worker, but I suppose what**
9 **the letter is is about the frustration about that.**
10 **There is almost quite an emphasis on a lot of minor**
11 **issues being identified, but as you go down through it,**
12 **it is clear that there was significant concern about**
13 **where there were matters that should have been advised**
14 **to Social Services which were not being and that seemed**
15 **to be on the basis of instruction from staff inside**
16 **the unit that we had placed the young person.**

17 Q. Then the second issue that you raise is:

18 "What is also of concern is the statement that
19 information is being withheld from the responsible
20 social worker and this information is being withheld on
21 the instruction of senior residential staff."

22 Is that not a particularly serious issue?

23 **A. It is. I think, looking back on it, there's a --**
24 **I suppose it reflects my frustration or concern. It is**
25 **not that usual that a social worker would write two**

1 grades above him. So I think I certainly was unhappy
2 about what was ongoing. It is very difficult to
3 actually ascertain any evidence to substantiate that,
4 but when staff are telling you that there are things
5 ongoing, but they are not prepared to speak or have been
6 told not to speak, it really doesn't reflect the
7 transparency that you would expect in terms of
8 a professional service, but if there are matters
9 happening in relation to a young person that we are
10 responsible for, we should have been advised, and
11 I think part of that letter is about frustration or
12 I suppose angst about the point that you are making
13 about the red flags, and I suppose my concern and
14 attempts to try and sort of highlight it just from
15 a social worker's point of view about frustration
16 I think.

17 Q. At this point in time, if I can just bring it together,
18 because there is that much minutiae of this, you have
19 got two different lay staff, who are at the bottom of
20 the chain, without any disrespect to them, in the
21 children's home.

22 A. Uh-huh.

23 Q. They are drawing matters to your attention over the
24 course of a week which are not the things that you don't
25 want to hear about.

1 **A. Uh-huh.**

2 Q. You then have the key worker, one of those lay staff,
3 clamming up about -- on the direction of senior staff in
4 the home, she says. Is that not at that point then
5 a major issue for a Trust who have got children in that
6 home and potentially for all the other Trusts who have
7 children in the home as well?

8 **A. Yes.**

9 Q. I think the point you made to me at this point in time
10 one of the issues is there is about 19 Trusts --

11 **A. Uh-huh.**

12 Q. -- all potentially with children capable of being in
13 these homes.

14 **A. I suppose just from my perspective I was NL164's social**
15 **worker. So a lot of concern I had was in relation to**
16 **him. I wouldn't have been aware of the numbers of other**
17 **placements or the broader picture. You tended to work**
18 **just in regards to your own area, but I suppose some of**
19 **the broader systemic matters you are talking about at**
20 **that point of time would have been, with respect, above**
21 **my pay grade, to use the analogy, but I suppose the**
22 **concern that's coming from the letter is that there were**
23 **certainly things which seemed to be amiss within the**
24 **residential unit about the relationships and the need to**
25 **report and the staff relationships, but also the fact**

1 **that SR18 was actually head of that unit and had been**
2 **mentioned on a couple of occasions.**

3 Q. It appears from these records that they were going to --
4 you know, obviously if there are problems with the
5 person who is head of the unit, SR18, she can't go to
6 SR18, but she was going or they were going to **SR 121**
7 because both of these reports are **SR 121** Would you not --
8 would you have expected to hear then from **SR 121** about
9 these things?

10 A. **I think the expectation was if there were matters within**
11 **a unit around the structure or about anything around the**
12 **governance and safety of that where there is a young**
13 **person we are responsible for corporately, I think we**
14 **should have been advised about that, yes. "We", I mean**
15 **the Trust as responsible for NL164, but I was not aware**
16 **of any further matters.**

17 Q. You wrote this letter to . I don't
18 think he was in the same office as you.

19 A. **No.**

20 Q. He was located somewhere else. It is not exhibited to
21 your statement, but you did get a reply from him of 27th
22 September. If we can look, please, at 49622, he says:

23 "I agree with you that the complaints procedure
24 should only be used when criteria are met, and not as
25 an additional tool for young people to use against one

1 another. The danger, as you have pointed out, is that
2 the procedure meant to protect the interests of young
3 people is brought into disrepute.

4 Regarding the matter in hand: is SR18 aware of all
5 the "formal complaints"?

6 Is she aware of NL170's behaviour in this matter?"

7 Is that not a strange question? Why would -- what's
8 wrong with NL170's behaviour?

9 **A. It certainly is, yes. From a corporate point of view**
10 **normally if this was a matter which would arise today,**
11 **it would be certainly dealt with under a very different**
12 **procedural arrangement.**

13 Q. Is that one of the issues here? I am not making any
14 criticism of you. It is a matter for the Panel. I am
15 just looking at the content of the material. This is
16 1994. Is this indicating the knowledge that we have now
17 about whistleblowing and how these matters should be
18 treated doesn't appear to feature in 1994 in that there
19 seems to be a hint here at least that NL170 shouldn't
20 have been coming to you?

21 **A. Yes. I think things have moved on significantly, and**
22 **certainly with the changes to the social work and the**
23 **requirements to -- as a registered profession, one of**
24 **the things which is available now is a code of conduct,**
25 **and the code of conduct actually supports staff to**

1 whistleblow where there are concerns about poor
2 practice. Part of that code of conduct also indicates
3 that employers have responsibility to proceed that -- to
4 progress those allegations and to -- basically to
5 support the whistleblower during that process. That
6 whistleblowing process or that code of conduct would not
7 have been available at that point in time.

8 I think the other bit around that is that certainly
9 it is unusual that someone who was subject to the
10 allegations would be made aware of them. If that would
11 happen today, if there was an allegation made against
12 a member of staff, there would be a process about how
13 that member of staff would be actually dealt with and --
14 during the complaints arrangements. That can range from
15 being moved to suspended pending investigation, etc. So
16 there's very different arrangements I think which have
17 evolved and partly through the passage of time.

18 Q. The letter goes on to say:

19 "Is ^{SR 121} the head of the home, aware of what is
20 going on regarding the implementation of the complaints
21 procedure?"

22 I would ask you to discuss the matter directly with
23 SR18 and ^{SR 121} and satisfy yourself regarding the
24 incidents mentioned in your correspondence.

25 I would like you to report back to me on the

1 matter."

2 Now can speak for himself, but what
3 I am going to ask you, you wrote a letter, which you
4 have said was going above your manager to this
5 gentleman. Was he the principal social worker at the
6 time?

7 **A. He would have been assistant principal.**

8 Q. Assistant principal social worker. The two issues --
9 just so that we bring it back on the screen so the Panel
10 can see the issue that you wanted him -- 6126, please --
11 6127. Move on to 6127 for me, please. You raised as
12 your second issue:

13 "What is also of concern is the statement that
14 information is being withheld from the responsible
15 social worker and this information is being withheld on
16 the instruction of senior residential staff."

17 You were agreeing with me that that's probably the
18 more significant thing that you're raising.

19 **A. Yes.**

20 Q. If we go back to 49622, while you are told to go
21 and satisfy yourself about the incidents by talking to
22 SR18 and ^{SR 121} he doesn't appear to pick up on your point
23 that senior staff were advising that information should
24 be withheld. Do you see what I mean?

25 **A. Yes.**

1 Q. Maybe that's something the Health & Social Care Board
2 can look into further, but you did do as was suggested
3 and go and speak to SR18 and ^{SR 121} if we can look,
4 please, at your contact sheet. You talk about this in
5 paragraph 28 of your statement. If we look at 6129,
6 please, I am going to characterise this, as I did with
7 you earlier. This is rather more confrontational than
8 the authority you got from . Is that fair --

9 **A. I would --**

10 Q. -- because if we look at what you do here, there is
11 essentially three issues you cover. On 6th October you:

12 "Asked the staff to let me see NL164's file."

13 Now this is the file that Nazareth Lodge would have
14 kept on NL164. Mr Montague kindly has three large
15 folders available, which we have looked at in brief and
16 will look at in more detail. The note then says:

17 "Only one report not forwarded and that from NL170."

18 Now we were having much discussion this morning
19 about does that mean that you saw NL164's file and you
20 could see in it that there were one report that you
21 hadn't been sent together with NL170's report, which we
22 have looked at, which you did not see at any stage, or
23 some other derivative of that? You can't remember now.

24 **A. I can't.**

25 Q. You are looking at the note and it says what it says and

1 you can't really say -- you can't really interpret it at
2 the moment. Maybe when you look again at the files, it
3 will be clearer what the import of this was, but in any
4 event there was a desire on your part to see NL164's
5 file and ensure that things were not in it that you
6 didn't know about.

7 **A. Uh-huh.**

8 Q. Then the second thing you say, you:

9 "Advised SR18 that I was requesting a copy of all
10 untoward incidents from Christmas to cross-reference
11 with reports received."

12 So was this -- do you think was this wider than
13 NL164 or was this just NL164 you are talking about?

14 **A. At that point in time my focus would have been NL164.**

15 Q. So what you are saying is, "I want to see all the
16 untoward incidents that are here and I am going to
17 cross-reference them with the ones that I've got".

18 **A. Yes.**

19 Q. Then the third thing that you say:

20 "Also that I would be contacting SR18 about
21 interviewing her and ^{SR 121} in regard to complaints in
22 regard to NL164."

23 So this note is saying that, "I want all of the
24 documents" -- cutting through, "I want all of the
25 documents and I am going to be talking to you about

1 this".

2 **A. Uh-huh.**

3 Q. Can you remember that meeting? If you can't, just say
4 so.

5 **A. I can't recall. I had a brief conversation I think or
6 discussion with SR18, but the detail of it and the lapse
7 of time, I can't recall. I'd need to check back to the
8 files again to see what the outcome was.**

9 Q. The difficulty -- and we were having this discussion
10 this morning -- this is October 1994. Now we know and
11 we'll come back to the events from December 1995 that
12 also involved the summer of 1995. This is October '94.
13 We have reached this crescendo, if I can put it that way
14 to you, and have you any recollection, because at the
15 moment no material has been produced from anyone to show
16 what happened on foot of this memo?

17 **A. Not at this point in time. I would need to go back
18 through the files, but --**

19 Q. Because there is at least two things were to happen in
20 addition to you seeing the files. There was going to be
21 an interview of the two senior staff and then you were
22 to get back in touch with . So whether
23 either of those two things or one of them happened --
24 and the reason that's relevant, of course, as you know,
25 is because by December 1995 a lot more comes out.

1 **A. Uh-huh.**

2 Q. So that's something that is going to be looked at.

3 I wonder, Chairman, if this is an appropriate moment
4 to take a --

5 CHAIRMAN: Is this going to take much longer?

6 MR AIKEN: There is just the 1995. It may be we can deal
7 with in short form, because the picture on it is not yet
8 complete.

9 CHAIRMAN: Yes.

10 MR AIKEN: So it may be just -- if we take a short break
11 to --

12 CHAIRMAN: How long are you asking for?

13 MR AIKEN: If we take ten minutes.

14 CHAIRMAN: Yes. Very well.

15 (1.45 pm)

16 (Short break)

17 (1.55 pm)

18 CHAIRMAN: Yes.

19 MR AIKEN: NHB137, we are going to leave now the '94 --

20 October '94 matter, and the Health & Social Care Board,
21 whatever assistance you can give, will look further into
22 what was done on foot of your contact with SR18 and ^{SR 121}

23 Just for the record can you remember whether you saw
24 the files that day or not or is it something you want to
25 reflect on with --

1 **A. I would probably prefer to reflect on it. It is quite**
2 **some time ago.**

3 Q. Yes. Then we get to the 1995 -- December '95 episode.
4 You continued to visit NL164 as his social worker. The
5 material we are gathering will no doubt show what you
6 remember as being monthly visits to him, but -- and this
7 1995 incident now goes much wider than your involvement
8 as the social worker of NL164, and the Inquiry will be
9 looking into all of these issues that arise from it, but
10 to try to deal with your position as far as we can
11 today, you -- if I can just give the Panel the reference
12 for this, the origin of this seems to be the Social
13 Services Inspectorate inspection, which takes place
14 between 30th October 1995 and 10th November 1995, and
15 ultimately that report can be found at SNB-14208 to
16 14245.

17 In paragraph 6.4 of the report -- I will give you
18 the reference -- at 14219 , who is the
19 author of that report, flags up having been told various
20 complaints, which were then going to be taken forward.

21 That background is what resulted in you it seems
22 being asked on 13th December to go and speak to NL164.
23 Now I am not going to go into it with you today, but
24 what we were discussing earlier was that by this point
25 on 13th December -- I am not going to open the documents

1 to the Panel today, but what had already happened was
2 a different social worker had interviewed NL168, who was
3 in the Belfast -- North & West Belfast Trust. She had
4 given a long list of allegations, some of which involved
5 NL164, and it appears that potentially
6 in the North West Trust -- North & West Belfast Trust
7 and potentially in the Social Services
8 Inspectorate had been in touch to say that a child who
9 was in your care was caught up in this.

10 who was your boss at that time, asked you to
11 go and speak to NL164.

12 If we look, please, at 6134, this is the second
13 page of -- in fact, you have exhibited this, but if we
14 can look, please, at 49509 -- that's 49509 -- this
15 records in terms of allegation in respect of SR18 the
16 correspondence that Craigavon has received of 12th
17 December from the Social Services Inspectorate:

18 "Contact with made with Nazareth on 13th to
19 ascertain the procedure for dealing with the complaint.

20 Nazareth informed that contact will be made with

21 -- scroll down, please -- "as he was already
22 involved on behalf of the North & West Belfast Trust.

23 informed that the management committee

24 chaired by would be seeking to establish

25 an inquiry team ... to take the matter forward."

1 Then if we move on to the next page, please:

2 "The following strategy has now been agreed.

3 NL164 was spoken to in a general way by NHB137,
4 social worker, on 13th December 1995. NL164 appeared
5 happy and content with his placement."

6 There is a report from you, NHB137.

7 "It was agreed at this stage not to directly
8 interview NL164 in respect of this third party
9 complaint."

10 The report that you provide, if we can look, then,
11 at 6136, which is your memo of 13th December 1995 --
12 just maximise the size of that, please -- you say:

13 "NL164 did not make any reference to the statement
14 to the Inspector. Did not want to spend any time in
15 interview, preferring to mess around",

16 and essentially didn't tell you anything to do with
17 the various matters that were now brought to the Social
18 Service Inspectorate's attention by both NL164 and by
19 NL168, another child, and by NL170, who wrote a second
20 report of six pages in length, different from the one we
21 looked at earlier, setting out various complaints to do
22 with NL164, but when you speak to him, he doesn't want
23 to say anything about it.

24 There the matter then -- there was a lot more detail
25 with other individuals involved, but you explain in

1 paragraph 34 of your statement that it wasn't until 27th
2 February of 1996, which is three months after NL168 was
3 interviewed by the North & West Belfast Trust where
4 NL164's allegations were recorded, that you were then
5 given copies of the documentation relating to the
6 allegations and were asked to urgently speak to NL164
7 about them. It appears that is because a decision had
8 been taken not to ask him about the detail of it, just
9 to find out generally if there was anything he wanted to
10 disclose when you spoke to him in December.

11 If we look, please, at 6141, you prepared a two-page
12 report, which you sent to Now
13 was in the Down & Lisburn Trust. He was the member of
14 the Trust who was sitting on the Complaints and
15 Investigation Panel that Nazareth Lodge had set up.

16 You set out your dealings with NL164 on 28th
17 February, following a request from to go
18 and speak to him. It seems that essentially you were
19 discussing with NL164 all of the allegations that NL168
20 had made about treatment that NL164 had received that
21 she told her own social worker about in November of
22 '94 -- November '95.

23 He explains in your note what he was prepared to
24 tell you about what happened. If we just scroll down,
25 please:

1 "Given that NL164 was not forthcoming about any
2 incident, he was asked in a more direct manner about the
3 allegations raised by NL168, although he was not
4 informed of the source of the allegations."

5 Then reference is made to the particular bus trip,
6 which is actually one from the summer of '94. If we
7 scroll on down, please, there are various references to
8 food and issues over food and then to a physical
9 assault.

10 Then:

11 "He can also recall being put out of the bus and
12 having to walk 10 to 12 miles back to the accommodation
13 in which the unit were staying. He tells me this
14 happened when the unit were staying in Donegal a few
15 years ago. He got a lift from a man back to the
16 accommodation. This individual was a stranger."

17 As it turns out, that event actually took place in
18 the summer of '95. That's recorded in NL170's second
19 report. I am just going to give the Panel Members the
20 reference to that report, which was written for

21 during the inspection of November '95 that the
22 SSI conducted. That runs from 17972 to 17977.

23 Can I ask you: you go and speak to him. You get --
24 in the limited time that you have available and based on
25 the information that you had you get out of NL164 what

1 you can get out of him. It seems, if you don't mind me
2 suggesting it to you, that he has never been terribly
3 forthcoming in all of his conversations with you each
4 time you go to try to find out what has happened to him?

5 **A. Fairly -- in all the conversations with NL164, you know,**
6 **you would have sought to open questions to try and**
7 **ascertain or get him to speak about things. NL164 was**
8 **never one to make that, and in this particular incident**
9 **it actually came to quite a directive interview, quite**
10 **straight interview with NL164. At this time he was**
11 **a bit more mature and was actually settled on this**
12 **occasion. So it would enable us to actually have that**
13 **very direct and honest conversation.**

14 **Q.** But it appears, NHB13, if we look at all of the --
15 there's a litany of incidents now through '94 and '95 --

16 **A. Uh-huh.**

17 **Q.** -- that they come to your attention in various ways.
18 You try to speak to him about them. He is not telling
19 you about them. The story is coming out, but it is
20 coming out through other people, and really it is only
21 when forced, if I can -- not in the physical sense, but
22 forced as in really encouraged, given direct questions
23 from you, that he's prepared to tell you what's
24 happening.

25 **A. Yes. I think it --**

1 Q. You are obviously his social worker.

2 A. Yes. I think the other side -- it's not in the report.

3 I remember NL164 recalling that there was a lot going on
4 and he was aware that there had been allegations made by
5 another person at that time. So that maybe I think
6 maybe might have facilitated him being a bit more open
7 if he was aware that the context of some of the
8 discussions was easier.

9 He did reference to me afterwards that SR18 had
10 disappeared and he was unaware what that was. It
11 certainly was probably the most honest interview I had
12 with him over a number of years of discussion.

13 Q. You provide the report to _____, as it were, and is
14 that the end of your involvement in the formal
15 investigation?

16 A. That would have been. I heard no further -- nothing
17 more. The only time I heard anything about the outcome
18 of it was actually I met by chance SR18 on the Ravenhill
19 Road and she advised me that she was being moved to
20 England. She said that she was aware of reports that
21 had been made. She had seen the reports, including one
22 I had done, and that -- her comments stuck in my mind.
23 She said, "It's okay. You were just -- I know you were
24 just doing your job", and she actually wished me well.
25 So that stuck in my memory, but that is actually how

1 I became aware that there had been actions taken was by
2 default rather than by design.

3 Q. Yes. Well, there are various systems issues that
4 raises. Others will have to deal with how material was
5 conveyed or not conveyed.

6 What you are talking about, that chance meeting with
7 SR18, you talk about in paragraph 42 of your statement
8 at 6099 and on to 6100.

9 Then you explain that thereafter in '96 NL164's care
10 order was revoked --

11 A. Uh-huh.

12 Q. -- and that ended your contact with him, although I can
13 see from the files that were brought along today, which
14 I have simply glanced at, that you continued to work
15 with him during '96 --

16 A. Uh-huh.

17 Q. -- for a period of time and there is a lot of detail
18 recorded about his activities.

19 A. NL164 didn't take well to new social workers, and
20 I think even though the order was revoked, we still had
21 a responsibility in terms of aftercare support. I think
22 at one point in time I had actually moved both to
23 different teams. I still continued to actually liaise
24 and link with NL164, because the relationship was there.
25 I actually had quite a lot of contact with him up until

1 **and after he actually transferred to the aftercare**
2 **services in Belfast.**

3 Q. As I understand it, you are still in contact with him.
4 If the Inquiry asks you to contact him --

5 A. **Yes.**

6 Q. -- you will be in a position to do that?

7 A. **Yes. He did suggest when I contacted him -- his initial**
8 **thing was, "Are you still alive? You must be very old**
9 **now". So that will give you some idea of his wit.**

10 Q. His wit. I am not going to ask you any more questions
11 because, as you know, there is a much more broad canvass
12 for this late '95 incident, which ultimately led to SR18
13 being investigated and resigning. Those are matters the
14 Inquiry will be coming back to with others and systems
15 issues that they raise. So I'm not going to ask you
16 anything more at this stage, NHB137. I know you have
17 undertaken that you will continue to assist the Inquiry
18 and look at the details of files to see can we get some
19 further clarification. The Panel may want to ask you
20 something at this stage. So if you just bear with me
21 for a short time.

22 CHAIRMAN: Well, in fact, NHB137, we don't have any
23 questions to ask of you. We will have, I imagine, or
24 the Inquiry will have quite a lot of questions to ask
25 about others who dealt with various aspects of what you

1 have described, may I put it this way, being in at the
2 start of, but those are matters we will pursue with
3 others on another occasion. Thank you very much for
4 coming to speak to us today.

5 **A. Okay.**

6 **(Witness withdrew)**

7 MR AIKEN: Chairman, that concludes the oral evidence today.

8 CHAIRMAN: Very well. We will resume tomorrow morning.

9 (2.10 pm)

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

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24
25

WITNESS NL191 (called)2
 Questions from COUNSEL TO THE INQUIRY2
 Questions from THE PANEL27

Examination of documents in relation33
 to HIA327

WITNESS NHB137 (called)47
 Questions from COUNSEL TO THE INQUIRY48