
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at
Banbridge Court House
Banbridge

on Thursday, 1st October 2015

commencing at 10.00 am

(Day 147)

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

1 Thursday, 1st October 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (10.55 am)

5 WITNESS BR94 (called)

6 CHAIRMAN: Good morning, ladies and gentlemen. Can I remind
7 everyone to ensure that if they have a mobile phone, it
8 has been either turned off or placed on
9 "Silent"/"Vibrate", and may I also remind you that no
10 photography is permitted either here in the chamber or
11 anywhere on the Inquiry premises.

12 MS SMITH: Good morning, Chairman, Panel Members. Our first
13 witness today is "BR94", BR94. He wishes to take a
14 religious oath and also wishes to maintain his
15 anonymity, Chairman.

16 WITNESS BR94 (sworn)

17 CHAIRMAN: Thank you.

18 Questions from COUNSEL TO THE INQUIRY

19 MS SMITH: Now, Brother, you have given two statements to
20 the Inquiry, which can be found at SPT1234 to 1238 and
21 2175 to 2179. You are now aged 75 years of age,
22 Brother. Isn't that correct?

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

24 Q. You were in St. Patrick's Training School between the
25 years 1961 and 1997.

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

2 Q. You started there when you were only 21 years of age.

3 **A. Yes.**

4 Q. You were employed initially as a housemaster in the

5

6 **A. Yes.**

7 Q. I am just going to call up a photograph that the Inquiry
8 has seen that we were looking at earlier, please, at
9 90234. If we could just turn that round, please. Now
10 this is a recent photograph you were telling me, that
11 this was taken just a few years ago when the De La Salle
12 Secondary School in West Belfast was rebuilt.

13 **A. Yes.**

14 Q. And this was the opening of that school, Brother.

15

16

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

18 Q. And the other Brothers who are shown in this from the
19 left-hand side are BR87, BR 27 , BR42, BR26,
20 yourself, BR39, BR 72 and BR 102

21 **A. That is correct, yes.**

22 Q. Now of those Brothers I think Brother --

23 CHAIRMAN: Sorry to interrupt. We can see this photograph,
24 Brother, and

25

1

2 **A.**

3 CHAIRMAN: Thank you very much.

4 MS SMITH: I think you have been variously described by
5 people as _____ and _____ by some of the
6 people who have spoken to us.

7 **A. Yes.**

8 Q. You were explaining, and I think you do say in your
9 statement, that there was one other Brother in the
10 school who was

11

12 **A. There was a BR47, who has since died,**

13

14 Q.

15

16 **A.**

17 Q. As I was saying, you were in the _____ section of the
18 school when you first came to St. Pat's.

19 **A. Yes.**

20 Q. And you think you were there for maybe about ten years
21 before _____ in
22 1970/71. Would that be right?

23 **A. That would be correct, yes.**

24 Q. We were talking about -- I was asking you whether or not
25 you had any qualifications yourself, and you did, in

1 fact, do a child course -- a course in childcare in
2 London in 1974/75.

3 **A. Yes.**

4 Q. And that got you the CRCCYC qualification.

5 **A. Yes.**

6 Q. And I think there was reference made amongst you and
7 your colleagues that it was like having a Russian
8 qualification with all of those letters.

9 **A. (Laughed.)**

10 Q. You also -- we talked also a little bit about the split
11 in the home between justice and the care section, and
12 that happened you think about the early to mid '80s?

13 **A. I would say so, yes. It was grad... -- something that**
14 **gradually evolved.**

15 Q. You yourself then moved from the over to
16 the --

17 **A. Yes.**

18 Q. -- of the school, and again that you believe would have
19 been about the mid '80s for you.

20 **A. Yes.**

21 Q. So your career in St. Pat's really can be divided into
22 three decades: the first decade in the ,
23 then the second in the , and then a decade
24 and maybe a bit more in the ?

25 **A. That would be correct, yes.**

1 Q. Now your first witness statement, if we can look at
2 that, please, at 1234 -- it's -- I have numbered these
3 paragraphs. They are not actually numbered on what is
4 described as your recollection of St. Patrick's Training
5 School, Brother, but you talk about -- in the first
6 paragraph here about the two sections, the junior
7 section for boys under 15 years and senior section for
8 those over 15. You were amazed at the size of the
9 building and the excellent condition it was in, but you
10 soon realised that despite its size, space was rather
11 cramped, because there were something in the region of
12 120 to 130 boys in the junior section and the senior
13 section was catering for over 80. Sleeping, dining and
14 recreational areas were at a premium.

15 You talk about the junior section providing
16 education designed to best meet the need of the boys
17 with some practical classes for woodwork, metalwork, art
18 and craft. You talk about the silver band, which
19 catered for upwards of forty to forty-five boys.

20 You say that in the '60s a considerable number of
21 the boys were committed for truancy, which meant they
22 had to stay in St. Pat's until they reached 14, as that
23 was then the school leaving age at that time.

24 **A. Yes.**

25 Q. As you say, if a boy was playing truant, then, of

1 course, there was a risk he would get into trouble as
2 well. The larger number of boys in the home or in the
3 school at that time had come on foot of a Training
4 School Order for criminal offending.

5 **A. Yes.**

6 Q. When we were talking earlier this morning, you mentioned
7 the fact that initially they were placed there for
8 a period of one to three years and eventually there was
9 a Licensing Review Committee set up. I was asking
10 who -- who was on that review committee?

11 **A. Well, my experience of it was just in the school**
12 **that I was involved in it, and it would mostly be the**
13 **care staff and the senior staff and the school**
14 **that would come together and discuss a particular boy's**
15 **behaviour, number one, and any prospects there would be**
16 **of getting a job, what were the prospects and so on, and**
17 **we would decide on a date -- a date for his release.**

18 Q. So that might have been at any time within the one to
19 three years would it have been or would it have been
20 just --

21 **A. Well, at that time the Training School Order had been**
22 **made more flexible in the sense that the school was at**
23 **liberty to release boys at a much earlier age -- earlier**
24 **stage. Initially it was they had to stay until they**
25 **were maybe two or three years, but new regulations came**

1 out where the training school could release them much
2 earlier if they felt they were suitable.

3 Q. I was asking whether the boys would have attended these
4 Licensing Review Committee meetings and they didn't do
5 that. Isn't that correct?

6 A. Not really, no. They would have been made aware, as we
7 said, a case conference or a licence review was to be
8 held and then we gave them the result of it afterwards.

9 Q. Also I was asking about case conferences in respect of
10 the boys and that -- you made the point that would have
11 been on the care side that those would have been held
12 rather than on the justice side, first of all, or is
13 that right? Have I got --

14 A. Sorry?

15 Q. The case -- sorry. Can you hear me all right? I'll
16 pull this slightly near me. Can you hear me all right,
17 Brother?

18 A. Yes.

19 Q. We were just talking about case conferences in respect
20 of the boys as well. They took place as well for the
21 boys on the care side, first of all?

22 A. Well, I wouldn't have been involved with -- with the
23 care -- care side at that stage, you know. I had moved
24 on to the , and when the case conferences
25 were introduced in that way on the care side, I wouldn't

1 **have been involved with them.**

2 Q. So you wouldn't have had such case conferences for the
3 boys on the It was just these licensing
4 review committees --

5 A. **Yes.**

6 Q. -- that took place there.

7 A. **You see, in the care section residential social workers
8 and outside social workers would have been involved, but
9 with the justice boys by and large outside social
10 workers were not involved.**

11 Q. You do say in your paragraph that discipline -- sorry --
12 paragraph -- the fourth paragraph here -- was not
13 a problem in the early years and it was quite normal for
14 one Brother to look after a large number of boys. In
15 paragraph 4 you say that:

16 "It was normal for one of the three of us to be on
17 our own with all the boys at times, like rising in the
18 morning, at meal times, at morning break and in the
19 afternoon, after class until evening time, and likewise
20 one person would perhaps take fifty or more boys to the
21 cinema on a Saturday afternoon without any difficulty."

22 In paragraph 3 of your second statement you also
23 talk about discipline, and it is something that we will
24 come back to as well, but corporal punishment when you
25 started was a feature of the school. It was used.

1 **A. It was used at that time, yes. It was -- I suppose it**
2 **was used in all schools around that time, you know.**

3 Q. Maybe if we just go to what you say in paragraph 3 of
4 your second statement, please, at 2175. You say at
5 paragraph 3 here:

6 "The discipline at the school was maintained with
7 a system of rewards and privileges. There was a marks
8 system, and at the end of the week, depending on what
9 marks they got, the boys would be told what pocket money
10 they were to receive. Use of the swimming pool and
11 various other activities were also used as part of the
12 reward system. For more serious misbehaviour corporal
13 punishment was administered, particularly in the early
14 years when it was permitted. A strap was used for this
15 purpose and it entailed usually two or three straps --
16 slaps with the open hand. I didn't hit the boys
17 anywhere else. If it was more serious, the boys would
18 be referred to the principal of the school, the manager,
19 to decide what punishment they should get."

20 **A. Yes.**

21 Q. So you yourself were authorised to use the strap on the
22 boys?

23 **A. Yes, for minor -- for minor breaches of discipline.**

24 Q. I was asking you to describe what a minor breach of
25 discipline amounted to. What kind of things were -- was

1 the strap used for?

2 **A. It might be -- it might be use of bad language. It**
3 **might be a bit of a squabble between two boys. Maybe**
4 **an argument over a game of snooker or anything like**
5 **that, or maybe a little bit of cheek to a member of**
6 **staff or something like that, you know.**

7 **Q. You were saying that -- I was asking did you carry your**
8 **own strap or what was the position with regard to the**
9 **strap?**

10 **A. It was normally kept in a wee tuck shop that we had, and**
11 **occasionally if you might have used it maybe before you**
12 **went into the dining room or something, rather than go**
13 **back to the tuck shop to lock it up again, you may have**
14 **put it in your pocket for a while, but I didn't carry it**
15 **as a kind of constant thing.**

16 **Q. I just wonder. We didn't -- I didn't ask you this**
17 **before, but if you had taken the strap and used it and**
18 **had it in your pocket, because you hadn't returned it,**
19 **how would another Brother know that or how would he get**
20 **hold of a strap if he needed one?**

21 **A. Well, rarely would there be two of us on duty at the**
22 **same time.**

23 **Q. Yes, but I'm just wondering if you had the strap, if you**
24 **had taken it out of the tuck shop, it wouldn't have been**
25 **available to another Brother to use if he needed it.**

1 **A. Well, normally, you see, the other person wouldn't be on**
2 **duty at the time. Before you went off duty you would**
3 **have left it back in the tuck shop.**

4 Q. Sorry. I just wanted to check if I -- I am just
5 checking over the notes that I have written when,
6 Brother, when we were chatting earlier. Yes. You were
7 describing then, just paragraph 5 of your original
8 statement back on 2... -- sorry -- 1235, you were
9 describing some of the activities that the boys took
10 part in in the evenings there. If we could go back,
11 please, to 1235, just at the top of the page you say:

12 "After the evening meal some of the teachers would
13 return and take different activities, which meant that
14 the boys could be divided into smaller groups. There
15 was an on site swimming pool, which was very popular.
16 There was table tennis, billiards, snooker, basketball,
17 boxing, art -- boxing, art and craft and TV during the
18 winter months. In the summer we encouraged everyone to
19 take part in outdoor activities like football, which was
20 both soccer and Gaelic, hurling, rounders, handball,
21 athletics and swimming."

22 I was asking did the boys have the opportunity to
23 choose their activity in the evening or what was the
24 position?

25 **A. Normally they would choose an activity, but if there was**

1 a particular activity that was over-subscribed like the
2 swimming pool, which was kind of limited to about
3 twenty, because of insurance, you would have to ask so
4 many to leave that and go to another activity.

5 Q. Paragraph 6 you say that you felt that there was a low
6 number of absconders. The number and frequency you say
7 was quite low.

8 "The majority of abscondings would be confined to
9 a small number of boys who absconded a number of times.
10 There were many boys who never absconded and a number
11 who perhaps, being home sick, absconded within a few
12 days of arriving to be brought back by their parents and
13 then they never absconded again."

14 I was saying to you, Brother, that the figures that
15 the Inquiry has seen suggest that absconding was quite
16 an issue for St. Pat's.

17 A. Well, as I say, I suppose it was a small number who
18 would abscond a number of times that made the absconding
19 rate look fairly high, but I would say that the vast
20 majority of the boys maybe once or a lot of them never
21 absconded.

22 Q. What -- how were they punished if they did abscond?

23 A. Some of the privileges would be withdrawn, particularly
24 home leave at weekend, and pocket money and some
25 activities they would be keen on would be curtailed for

1 **a few weeks.**

2 Q. I was wondering how -- what steps were taken to try to
3 reduce levels of offending or was that -- how was that
4 --

5 A. **Vigilance I suppose was probably the main one and**
6 **restricting their movement in the sense that in the**
7 **normal course of events after lunch the majority of boys**
8 **were allowed to go and play handball and maybe football**
9 **or hurling in the pitch whereas persistent absconders**
10 **were kind of confined to the school yard, which was more**
11 **easy to supervise.**

12 Q. And we know from evidence that we have heard already
13 that Slemish House was set up to deal with those boys on
14 the care side who were persistent absconders. Part of
15 the reason for it was to have this close observation
16 unit in respect of them. That didn't apply to boys who
17 were in the side. They were never put in
18 Slemish House?

19 A. **No, no.**

20 Q. The persistent absconders on the side then, if
21 they couldn't be persuaded not to abscond, as it were,
22 they ended up in Lisnevin. Is that right?

23 A. **Well, that was a fact, yes.**

24 Q. I just wanted to talk to you about some of the
25 complaints that the Inquiry has heard from boys who were

1 in St. Pat's and ask you about what you recall about
2 some of these issues.

3 The first of those is about peer abuse, the sexual
4 abuse of boys by other boys in the school, and
5 I wondered was that an issue about which you were aware,
6 first of all, that could be an issue that boys would
7 behave in this way?

8 **A. We were aware that it could happen, yes, and we tried to**
9 **take any steps possible to prevent it. Particularly in**
10 **the '70s we decided that the open dormitory should be**
11 **abolished and we gave them individual rooms, which would**
12 **have been a major help in that.**

13 Q. And also in the '70s the chalets were set up as well.

14 **A. The chalets were set up. The chalets were set up first**
15 **and then that reduced the number in the school and we**
16 **were able to divide the dormitories into individual**
17 **rooms.**

18 Q. In the chalets did they have individual rooms?

19 **A. No. I think some of the rooms were three and then there**
20 **was a few single rooms.**

21 Q. Another matter that we have heard about are what have
22 been variously described as isolation rooms or isolation
23 cells. I was asking you about what your memory of the
24 situation with regard to such accommodation was.

25 **A. There were two or three originally in the original**

1 building, but they were deemed after a short while to be
2 totally unsuitable and they were never used. I can only
3 remember them being used once in my time there. At
4 a later stage we constructed two properly designed cells
5 on the first floor.

6 Q. Just to be clear, the original ones were down behind the
7 kitchen. Is that correct?

8 A. They were off the kitchen, yes.

9 Q. Why were they deemed to be unsuitable?

10 A. They were too far away. They were -- you know, they
11 weren't properly -- there was no means of communication
12 for the boys to staff, and they were down near the
13 boiler house, which was -- quite a lot of fumes and that
14 were there, you know.

15 Q. So there were two then purpose-built --

16 A. Two purpose-built ones, yes.

17 Q. -- cells on the first floor of the senior school I think
18 you said?

19 A. First floor of the senior school.

20 Q. When would they have been used? For what purpose?

21 A. If we had a case where maybe a boy had absconded and he
22 was picked up, maybe due in court the next day, he would
23 have been held in the cell overnight to make sure he was
24 available for the court, and maybe for serious breach of
25 discipline, like serious fighting or something like

1 **that, or threatened assault on a member of staff,**
2 **something like that, you know, very serious, but we very**
3 **rarely used.**

4 Q. You said when we were talking earlier that there were
5 strict rules about their usage and there was a log book
6 kept in respect of them.

7 A. **They were, yes. There was a log book there and the name**
8 **of the boy had to be entered and the time he was put in**
9 **and visited every quarter of an hour. I remember**
10 **a member of staff had to check on him every quarter of**
11 **an hour and enter that in the log book.**

12 Q. So that was quite an onerous task for whatever member of
13 staff had to look after the boy --

14 A. **Yes.**

15 Q. -- in the isolation cell.

16 A. **Yes.**

17 Q. I presume that was then taking him away from other
18 duties that he needed to be doing?

19 A. **Well, it would certainly mean that you had to keep it in**
20 **mind that you had to go and visit every so often.**

21 Q. We have heard -- you have just described how a boy might
22 have been put in there overnight to make sure he got to
23 court the next day. Was it ever the case that a boy
24 would have been in there for two or three nights?

25 A. **I can't ever recall that.**

1 Q. One other matter that I wanted to talk to you about was
2 the ^{Bernard Teggart} incident that we know happened in the school.
3 Now I know that you were in the school. This boy
4 was in the school, and you had no direct
5 involvement in how he came to be taken from the school
6 and then sadly lost his life afterwards, but you did
7 speak to the and you told them that

8
9 Now that was not correct. I just
10 wondered why you had told them that.

11 **A. Basically it was the story that I had heard kind of**
12 **second or third hand. I never -- I never heard the full**
13 **facts of what the circumstances were and that was kind**
14 **of the story that I had heard from -- I can't even**
15 **remember who mentioned it.**

16 Q. There was -- we were talking about this earlier and
17 there was -- this was obviously hearsay. You say you
18 hadn't the full facts of how he came to be released into
19 the --

20 **A. No.**

21 Q. --

22 **A. No.**

23 Q. But I wondered was there no discussion within the school
24 about the circumstances then?

25 **A. Well, as I say, I didn't know anything about it until**

1 I heard the next day that he was found and I can't
2 recall much. I know it was talked about and suggestions
3 made on what should be done to prevent it from
4 happening, and the decision was that if unknown people
5 came looking for a boy, that only the principal of the
6 school could give the authority to let him out. If it
7 was his parents or something like that, well, that was
8 a different story, but if unknown people.

9 Q. I mean, I think what you said to me when we were talking
10 earlier, that you never got the full details of how he
11 came to be released or anything like that, that the
12 people who were involved basically kept that information
13 to themselves and that --

14 A. Then seemed to have, yes.

15 Q. And they didn't --

16 A. I never even saw the -- heard the result of the post
17 mortem, you know.

18 Q. Or the inquest. You weren't --

19 A. No.

20 Q. There was no discussion among the community as a whole
21 about that?

22 A. No. I can't recall anything like that, you know.

23 Q. You did say to me that there were, as you have
24 described, there were changes made as a result and the
25 main one was that no child was to be released without

1 the permission of the principal of the school.

2 **A. Yes.**

3 Q. Did you feed into that -- those discussions that led to
4 that change in any way?

5 **A. Sorry?**

6 Q. Did you or anyone in the school that you are
7 aware of feed into the discussions that led to those
8 changes? I mean, what -- I supposed what I am asking is
9 was there a meeting within the school to say, "Look,
10 this dreadful thing has happened here. We need to learn
11 from this. We need to work out how this can't happen
12 again"? Did you take part in any such meetings?

13 **A. I think there was a meeting of senior staff and then it**
14 **was kind of brought down to the rest of the staff from**
15 **that, you know, rather than getting a whole staff**
16 **meeting together.**

17 Q. Another matter that has come to the Inquiry's attention
18 is the case of the , DL137, who was convicted, as
19 you know, of abusing boys for abuse that happened in
20 1977 to 1980. I wondered what you knew about him and
21 when you became aware of anything untoward about him.

22 **A. You know, I didn't say that I wasn't aware of anything**
23 **until he was actually -- resigned or left the school and**
24 **we were kind of told what the circumstances were then,**
25 **you know.**

1 Q. And what were you -- you weren't told, though, while he
2 was in the school, I mean, because it seems that this
3 information came to the principal's attention in 1978
4 and he didn't leave certainly until at least two years
5 after that?

6 **A. Not that I can recall, no.**

7 Q. The -- I remember -- we were talking about this and
8 I was wondering about the issue of boys and staff
9 members and you were saying to me that when you
10 arrived -- shortly after you arrived in St. Pat's you
11 were given advice. You can't remember now whether it
12 was BR39 or BR46 at that time who spoke to you, but they
13 warned you essentially to look out for yourself and to
14 be aware that boys could make allegations. Is that
15 correct?

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

17 Q. And that these boys were vulnerable and that you had to
18 be vigilant.

19 **A. Yes.**

20 Q. Did you -- as a result of that advice did you yourself
21 take any steps to ensure that you were protected, as it
22 were?

23 **A. Well, it was very difficult when you were with a group
24 of sixty or eighty boys on your own. You know what
25 I mean? Nowadays it would be entirely different,**

1 because you'd never find yourself in that situation.
2 There's a much higher ratio of staff than we had then.
3 At that time we were basically most of the time on your
4 own, but you were with a large group of boys. So the
5 chances of anything like that happening would be totally
6 remote, you know.

7 Q. The other thing that I was asking about, in your
8 statement here you talk about the -- if we can just
9 scroll down a bit, please:

10 "During the summer months the boys got up to two
11 weeks' home leave, provided their conduct was
12 satisfactory, and they also had a holiday in Kilmore
13 House, taken in groups of about fifty or sixty for two
14 weeks in July."

15 A. **Yes.**

16 Q. There were outdoor activities that took place there and
17 you think that was enjoyed by the staff as much as the
18 boys. It was described by BR96 yesterday that it was --
19 it was probably the busiest couple of weeks of the year
20 whenever you had to go up to Kilmore House to look after
21 the boys, because they weren't at school during this
22 time.

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

24 Q. And it was -- everybody was required to go up to help
25 out. Is that your recollection?

1 **A. Well, you had to divide the staff into so many to stay**
2 **back to mind the part that was left of the school and so**
3 **many to go to Kilmore House, and you were really**
4 **covering 24 hours seven days a week.**

5 Q. One other thing that we heard about was, I mean, from
6 one of the lay staff members he was alert to the fact
7 that a particular boy might have certain proclivities
8 and he set staff to watch him whenever you were up in
9 Kilmore.

10 Was that something that was ever on your radar, you
11 know, to look out for boys or did you ever become aware
12 of anything untoward happening between boys?

13 **A. No, not really. They were kept pretty active and by the**
14 **time bedtime came they were ready to go to bed and go to**
15 **sleep straight away, because they were on the go from**
16 **maybe 9 o'clock in the morning until 11 o'clock at**
17 **night.**

18 Q. You also made the point to me that certainly in the
19 school a boy would let staff know in no uncertain
20 terms if they had any concerns about another boy's
21 behaviour towards them, for example.

22 **A. Then would, yes. They would. They'd pass comments, you**
23 **know. They'd have some expression that they would use**
24 **that you'd understand what they meant by it, you know.**

25 Q. By name calling, that kind of thing?

1 **A. Yes.**

2 Q. And those were remarks that you would overhear boys
3 using and maybe then make you more alert to that
4 particular boy's --

5 **A. They would, yes.**

6 Q. -- behaviour.

7 **A. Yes.**

8 Q. The other thing I asked you was did boys generally
9 complain about anything to you?

10 **A. No, not really, no.**

11 Q. They didn't, say, for example, complain about
12 a teacher's behaviour or anything like that towards
13 them?

14 **A. Oh, the odd time they might have passed some remark, but
15 it would be only something very temporary, you know.
16 Maybe they felt a teacher was too hard on them or
17 something like that, you know.**

18 Q. We were told that boys had to -- and this is not
19 something -- I'm just remembering we heard that they had
20 to make any complaints in writing. Do you remember that
21 having to take place? No?

22 **A. No, no.**

23 Q. In -- you talk about the changes in the mid '60s when
24 you acquired more lay staff. Up until then there would
25 be very few lay staff in St. Patrick's. Would that be

1 right? It was the Order who ran the place essentially?

2 **A. Well, I suppose more finance became available and so on**
3 **and the -- in the early '60s the financial incentive for**
4 **a person to work in St. Patrick's wasn't there, because**
5 **they could get more -- better financial assistance**
6 **elsewhere. The salary was very, very low, and then**
7 **gradually it moved on, and I suppose really in the --**
8 **when the Northern Ireland Office took over, they put**
9 **a lot of money into it and we were able to get a lot**
10 **more staff.**

11 Q. That would have been about from 1972 onwards?

12 **A. Yes.**

13 Q. In paragraph 10, if we can just scroll on to the next
14 page, please, you talk about the chalet system being set
15 up. In paragraph just beginning there:

16 "Of course, 1969 was the time when civil unrest
17 resulted in street rioting in many areas of Northern
18 Ireland."

19 Many of your pupils came from areas where whole
20 streets were burnt out. Rumours of deaths, arrests and
21 beatings led to considerable unrest amongst the boys and
22 a lot of staff time and energy was used trying to
23 reassure them during that period, and sometimes you even
24 had to bring a boy home just to let him see that his
25 family were okay.

1 **A. That's right.**

2 Q. Then you talk about again then just on the --

3 "During the time The Troubles, as they were known,
4 were continuing with no end in sight that led to extra
5 duties for staff. Police would no longer collect boys
6 due in court from the school. Those for court in
7 Belfast had to be taken to Town Hall Street and boys
8 from other areas had to be taken to Lisburn Road or to
9 Dunmurry and likewise later in the day they had to be
10 collected."

11 During the years you experienced a high number of
12 cases where boys were remanded to the training school
13 over long periods before their case was finally dealt
14 with in court. You remember transporting sometimes up
15 to fifteen boys to the Juvenile Court. It was also the
16 norm that staff had to go to collect absconders from the
17 police station, because the police no longer would come
18 into the area in which St. Pat's was situated --

19 **A. Yes, yes.**

20 Q. -- to bring them back. Sometimes you had to go further
21 afield, as far as Omagh and Enniskillen, to collect some
22 boys to bring them back.

23 **A. Oh, that was quite normal.**

24 Q. Then there was the other then problem that the Troubles
25 brought of joyriding and that resulted in some

1 disastrous consequences. The Inquiry has heard evidence
2 of a child called **SPT 81** , for example, who came
3 to St. Pat's at one stage and sadly lost his life in
4 a joyriding accident. I don't know if you recall that
5 particular one.

6 CHAIRMAN: SPT81.

7 MS SMITH: Sorry. SPT81. I beg your pardon. Chairman,
8 yes. SPT81, the boy's name. Sorry. That's the kind of
9 incident that you are referring to in this paragraph
10 I take it, Brother.

11 **A. Yes.**

12 Q. And you say that maintaining discipline was a challenge
13 during this period of time and I just wondered, you
14 know, how did you set about maintaining discipline with
15 all of this going on in the community and in the school
16 itself?

17 **A. Well, it was the case you had to be very aware of**
18 **everything. At any one time we had the boys who had**
19 **allegiance to different factions. We had boys who were**
20 **-- had allegiance to the IRSP and to the INLA and**
21 **Official IRA and Provisional IRA and they were all --**
22 **you would say all in the one basket. Some of these**
23 **factions were, as we would say, at loggerheads with each**
24 **other in the outside community, and that would have a**
25 **certain effect on the boys within the school. So there**

1 had to be, you know, an awful lot of vigilance and being
2 aware of who was what.

3 Q. And I suppose there was an element of trying to ensure
4 that there was no confrontation between these factions,
5 as it were?

6 A. Yes. If you did see something starting, you had to try
7 to, as I say, nip it in the bud before it got too
8 serious, you know, and thrown in along with all those
9 you also had a number of I would say the joyriders, who
10 were opposed to all these factions. So it was -- you
11 know, it was a fairly mixed -- mixed basket.

12 Q. As you say, it was difficult, but you felt that staff
13 coped under all the circumstances?

14 A. Yes. I think the staff deserve great credit for being
15 able to I would say contain the whole situation all the
16 time, you know, to put -- keep the lid on it before
17 anything really exploded, you know.

18 Q. One matter that I have not addressed with you, Brother,
19 and it is just I am reminded as I stand on my feet.
20 What about inspections by the Northern Ireland Office or
21 the Ministry of Home Affairs before that of
22 St. Patrick's? Can you recall those taking place or how
23 often would they have happened?

24 A. Inspections?

25 Q. Yes.

1 A. Well, people from the NIO would come very regularly, you
2 know, not always on an official inspection, but any time
3 they came they were invited to if they wanted to go
4 around the school, and some of them were more than
5 delighted to go around into the workshops and classrooms
6 in that way and different units and talk to staff and
7 talk to the boys on a fairly regular basis, you know.

8 Q. What about formal inspections as such?

9 A. They were a couple of times a year, maybe twice or three
10 times a year.

11 Q. Just are you saying those were formal inspections by the
12 Northern Ireland Office, because there was also a board
13 of management and I presume they would have come to
14 inspect the work of the school as well?

15 A. They would have their board of management meetings on
16 a regular basis, and they would get a report from the
17 different sections of the school.

18 Q. Would you have had to give a report, say, on behalf of
19 the school?

20 A. No. The principal -- the manager or the principal of
21 the school --

22 Q. Did that?

23 A. -- was generally part of the -- was in the board, but
24 some of the -- some of the members would come around and
25 meet some of the staff.

1 Q. Just informally and chat to you?

2 **A. Informally, yes.**

3 Q. And would they have also chatted to the boys in the
4 school?

5 **A. They would, yes. They would. You know, there was
6 a good relationship between them and the boys. The boys
7 always felt quite free to speak to them, you know.**

8 Q. Well, Brother, I am not going to go through all of
9 what's in your statement, and just to reassure you that
10 the Panel has read all you have said about your
11 recollections there in St. Patrick's during the many
12 years that you were there.

13 I am now going to turn to some of the allegations
14 that have brought you to the Inquiry. I am going to
15 deal with them.

16 The first one was from a boy HIA100, HIA100. I am
17 using names inside the chamber, but just to remind
18 everybody these names can't be used outside this room --

19 **A. Yes.**

20 Q. -- without permission. Now he alleged -- he actually --
21 he made a statement to the police and he also spoke to
22 the Inquiry. In his police statement he said that you
23 had touched him up and that you had pulled him against
24 your penis, and he said in his Inquiry statement that --
25 at paragraph 16 at SPT050 that you hadn't sexually

1 abused him in any way, but that you were really violent,
2 that you had hit him with your hands. There was a punch
3 to the ribs and you hit him across the back of the head.

4 Now in evidence what he said was -- and I am going
5 to summarise this, but his evidence can be found on Day
6 138 at pages -- the relevant pages are pages 139 to 141
7 and 148 to 151. You will recall that I read out to you
8 what he told us when he sat --

9 **A. Yes.**

10 Q. -- in this room giving evidence. Essentially in
11 a nutshell what he said was he was being sexually abused
12 by two other Brothers, and while you did what he says
13 that you did in that he maintains that you pulled him
14 against your penis, he didn't consider that to be sexual
15 abuse, and that he -- but he said it happened wherever
16 in the school, in the main corridor, wherever you
17 happened to be.

18 Now I know you have denied that allegation and, in
19 fact, you were interviewed by police about it also.

20 **A. Yes.**

21 Q. And when you were interviewed, his allegations -- yes.
22 You denied ever touching him or pulling him hard against
23 your penis. You denied being physically violent. You
24 said you might have lost your temper and shouted. You
25 told police you used the strap to a person's hand, to

1 a boy's hand for minor things and that serious matters
2 went to the manager.

3 **A. Yes.**

4 Q. The other thing I just wanted to ask you was: was it
5 ever the case where, if you didn't have the strap to
6 hand or you didn't have time to go to the tuck stop,
7 that you might have lashed out at a boy physically?

8 **A. I may have given him a clip on the ear if -- you know.
9 You had to line them up in the corridor on the way
10 before you went into the dining room, because you had to
11 have quite a bit of discipline that way otherwise you
12 would have chaos. You know, he might be running or
13 shouting or something like that and you would just give
14 him a clip on the ear with the back of your hand. That
15 would be about the most, you know.**

16 Q. That would be simply to deal with the situation at hand
17 --

18 **A. Yes.**

19 Q. -- rather than have to go to get a strap to deal with
20 it?

21 **A. Yes.**

22 Q. In your Inquiry statement at 2176 you deal with the
23 allegations at paragraphs 5 to 7. That's page 2176,
24 please. I think it is coming up. There is a little
25 timer showing we are getting that statement. Yes. This

1 is -- as I say, you deal with this here at paragraphs 5
2 and 6 of the statement. You say that:

3 "The specific allegation is described as follows",
4 and you repeat that there, and you said that this
5 is -- you point out that there was a contradiction,
6 which I have explained. He clarified during his
7 evidence about the -- what he considered to be sexual
8 abuse or his interpretation of it, and:

9 "When the police put this allegation to me during my
10 interview, I denied sexually abusing him in this or any
11 other way and I'm certain this did not happen."

12 In relation to being violent towards him you say
13 that the odd --

14 "I specifically deny each and every one of those
15 allegations. I have already explained that I only used
16 corporal punishment sparingly when it was permitted to
17 do so. I used a strap and gave no more than two or
18 three slaps on an outstretched hand and the system of
19 rewards and privileges was more commonly used for less
20 serious misdemeanours."

21 You only have a vague recollection of him. The name
22 is vaguely familiar to him, but he doesn't stand out, as
23 he would have been one of many hundreds of boys who
24 would have been in your care during the period of time
25 that you were housemaster in the junior school.

1 A. No, I can't. I remember the name, but I wouldn't be
2 able to identify him, like, at the moment, or possibly
3 if I had a photograph at the time, I might be able to
4 identify him, but with 120 at the time it's very hard to
5 remember one or two specific ones, you know.

6 Q. Another person who gave a statement to the Inquiry is
7 HIA282, HIA282. Now his statement is at SPT041 to 042,
8 and he was unable to come to speak to the Inquiry, and
9 what we did was we summarised both his evidence and your
10 response to it, but in paragraph 8 here you simply say
11 that you don't recall him. You note that he was
12 resident for a four-week period in 1964.

13 He described and that has been
14 identified essentially as you.

15 He gave evidence about or his
16 statement talked about an incident where he had been
17 beaten on the back of his head and on his back with
18 a leather strap because of crumbs that had fallen from
19 a sausage roll that he was eating outside the dining
20 room. He referred to the Brother he was terrified of,
21 and that seems to have been you according to his
22 statement, doing that to him.

23 In your paragraph 8 here you say:

24 "I deny this happened. I also have no recollection
25 of the confrontation which he states happened after this

1 when his father and a friend came up to St. Patrick's to
2 complain about the beating."

3 He said that he told his brother and then -- when he
4 got home and his father came -- his father saw the marks
5 on his back at bath time.

6 "If this had occurred, then I believe I would have
7 heard about it. The impression that I or the other
8 Brothers were violent in a sporadic, unreasonable
9 fashion is totally at odds with my perception of life in
10 the school at that time."

11 When we were -- sorry.

12 **A. If it had happened, you know, certainly I wouldn't have**
13 **hit him around the head with a strap or the back for**
14 **dropping a few crumbs. Probably the most I would have**
15 **said would be to get a brush and clean it up. Certainly**
16 **if his father or somebody else came up to the school to**
17 **complain, I would have been told about it, you know,**
18 **because if they were complaining about me, I would have**
19 **been told about it by the person that -- person in**
20 **charge and, you know, I can't recall ever -- no, I don't**
21 **think it ever happened, to be quite honest with you.**

22 **Q. Just in that regard did anybody ever complain about you?**
23 **Was there ever any time that a person in charge did come**
24 **and say, "Look, we have had this complaint about you,**
25 **Brother"?**

1 **A. Not that I've ever heard of, no. I think generally**
2 **I was referred to by the boys as a kind of**

3

4

5 **They were just automatically --**
6 **I don't know. I had that kind of personality. I was**
7 **fairly laid back and I didn't get upset over anything.**

8 **Q. Do you remember complaints being made about any other**
9 **Brother?**

10 **A. Not really, no.**

11 **Q. Or --**

12 **A. There might be minor complaints made about somebody that**
13 **-- you know, a passing remark that somebody gave him --**
14 **maybe slapped him very hard or something like that, you**
15 **know, but it would be only a passing thing, you know, or**
16 **that maybe, "So-and-so took four marks off me for**
17 **something I didn't do", you know, something like that.**

18 **Q. Forgive me, Brother. I didn't mean to mislead you.**
19 **I was thinking more of, you know, you were saying that**
20 **if this boy's father had come up to complain at the**
21 **school, and I was just wondering if you remembered any**
22 **other that kind of complaint by family against a Brother**
23 **or anything like that --**

24 **A. Not that I can recall, no.**

25 **Q. -- had been dealt with.**

1 **A. No.**

2 Q. The other point you made to me about this incident is
3 that a boy wouldn't have been allowed to leave the
4 dining room on his own.

5 **A. Not at that time. We had, as I say, 120, 130 boys. You**
6 **couldn't allow them to be running in and out of the**
7 **dining room I would say at liberty. They always -- they**
8 **all went in together, waited until they were finished**
9 **and then they all got up and were kind of put out**
10 **table by table, an orderly fashion, rather than**
11 **everybody running for the door.**

12 Q. Although we were talking about the fact that it would
13 have been entirely possible for a boy to have shoved
14 a sausage roll into his pocket and taken it out of the
15 dining room if he was so inclined.

16 **A. Well, it would be possible, yes.**

17 Q. There was a period of time after meal times when they
18 had free time before they had to go back to school or
19 before they started the activities, about half an hour
20 --

21 **A. They would have, yes.**

22 Q. -- at that time.

23 Another person who has complained about you,
24 Brother, is HIA58. That is HIA58. I was explaining to
25 you that his complaint stemmed from an incident he said

1 occurred whenever he arrived into St. Patrick's and he
2 was involved in an altercation with a boy whom he named
3 as SPT36, who was , a boy from ,
4 who was , and was sort of therefore
5 a blue-eyed boy within the home. Just if I might pause
6 there and ask: did the have -- were they
7 favourites in St. Patrick's?

8 **A. Not -- not really, no. I mean, if he had been ,**
9 **he would have been designated the same treatment as**
10 **everybody else. The only thing is we had a**
11 **there and if they were in the , they trained**
12 **a couple of nights a week and then when the competitions**
13 **were on, they were taken to various places. They might**
14 **have looked on that as a privilege.**

15 Q. Right. Okay.

16 **A. But some people mightn't look at it as being a privilege**
17 **getting punched.**

18 Q. Well, he said that there was this incident where this
19 boy slipped in the shower area and was bleeding. As
20 a result of that he was put into what he describes as
21 a cell. I went through his transcript with you and he
22 was describing what you would say were the isolation
23 rooms that were built in -- on the first floor --

24 **A. Yes.**

25 Q. -- of the senior school, and you say that they were only

1 constructed in the 1970s?

2 **A. I would say the '70s, yes.**

3 Q. He described these -- the frosted glass bricks that were
4 in the room and the -- I mean, you say he must have got
5 that description from somewhere else, because they did
6 not exist when he was there in 1964.

7 **A. No, no, definitely not.**

8 Q. And he also in his statement and in evidence complained
9 that he was thrown into the swimming pool after running
10 away. He said he ran away on two occasions, and it was
11 put to him that you said that didn't happen. He also
12 alleged that he was sexually abused by BR1, BR5 and
13 yourself, and in paragraph 15 of his statement he
14 complained about that. In his police statement he
15 didn't name either you or BR1 and that was put to him.
16 In his evidence he was shown the photograph that we
17 looked at earlier and he did identify you on the
18 photograph, but he said that he came across your name
19 after another person whom he read about in the paper and
20 whom he contacted as having been abused in children's
21 homes gave him that photograph or gave him a photograph,
22 not that one, a photograph, and helped identify you and
23 BR1 from the photograph.

24 **A. Yes.**

25 Q. So he is saying that's where the names came from that he

1 was able to give in the Inquiry statement that he hadn't
2 given to the police. The only person he named to the
3 police was , who I think was BR42. Is that
4 correct?

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

6 Q. That was a nickname that he had. He also talked about
7 being thrown in the swimming pool and said that this
8 happened regularly, and he also talked about -- he knew
9 you as is the description that he gave of you.
10 Was that a nickname that you had that you can recall
11 from the boys?

12 **A. Sorry?**

13 Q. , was that a nickname?

14 **A. Quite honestly I never heard them using it towards me.**
15 **I was -- at one stage I was called -- what is it? It**
16 **was . Oh, I forget the name now.**

17 . I never
18 heard . I heard and a few things
19 like that, but I never heard before.

20 Q. Okay. Well, in any event -- sorry. I am just losing my
21 notes here. Sorry. I just wanted to be clear. Yes.
22 Brother, whenever -- he said that he absconded on two
23 occasions. One occasion it was from the Broadway
24 cinema. You do remember that on one occasion some boy
25 did try to abscond from the cinema when you were looking

1 after them.

2 **A. I do, yes.**

3 Q. But you don't say that it was this boy or you can't --

4 **A. I couldn't say it was him, no.**

5 Q. Or that. You also made the point that it was more --

6 the problem with going to the cinema was boys who

7 weren't in the home trying to get in --

8 **A. That was true, yes.**

9 Q. -- rather than trying to get out.

10 With regard to the swimming pool and using that as

11 a punishment, that was not the case?

12 **A. No. The swimming pool would have been a punishment in**

13 **the sense that they wouldn't be allowed to use it. If**

14 **they misbehaved in the swimming pool or something like**

15 **that, they might be barred, barred for a week or**

16 **a couple of days.**

17 Q. I put it to him when I was talking to him was it

18 possible he was being thrown in in an attempt to help

19 him learn to swim?

20 **A. No.**

21 Q. That would never have happened?

22 **A. No. I mean, the swimming pool was -- the shallow end**

23 **was 3'0" and the deep end was 6'0" and we would normally**

24 **warn non-swimmers to stay around the 3'0" end until they**

25 **were able to swim.**

1 Q. You were saying --

2 **A. And there was a man that used to help them to learn to**
3 **swim.**

4 Q. I think you said that was BR43.

5 **A. BR43, yes.**

6 Q. They were such good swimmers that they cleaned up at
7 swimming competitions by all accounts.

8 **A. Yes. We were barred, because we were winning too much.**

9 Q. Another person then -- sorry. You deal with what HIA58
10 has said in your statement there at paragraphs 9 -- if
11 we can just scroll back up, please, there -- through to
12 paragraph 11. I am not going to read it, but you can be
13 assured that the Panel have read it, and you describe
14 the allegations that he makes about sexual abuse as
15 an outrageous lie, which didn't happen. If we can
16 scroll on down, please, you also make the point that you
17 weren't actually named and therefore the two accounts
18 are inconsistent, and I have indicated to you that
19 I dealt with that when he was giving his evidence.

20 The next person who complained about you was HIA17.
21 Now I am not going to go through this in any detail,
22 because this man has not as yet spoken to the Inquiry.
23 He has given us a statement, but essentially there were
24 a couple of things that I wanted to ask you, because he
25 complained about being hit on bare legs, clipped on the

1 ear and gave some examples of minor breaches of
2 disciplines which might have led to the use of the
3 strap. You would accept that you would have given the
4 odd clip across the ear on occasions.

5 **A. Yes. It is possible, yes.**

6 Q. You also talked about being out of bounds in St. Pat's.
7 I wondered was there an out of bounds area in the
8 training school?

9 **A. Well, there was a recognised area where they could**
10 **normally go in the recreation period, that's after lunch**
11 **and so on. It was the main football pitch and around**
12 **there in the grounds there were two all-weather football**
13 **pitches, and in the main school yard, but there were**
14 **places where -- like, they couldn't be -- they wouldn't**
15 **be allowed to run off down the front driveway and around**
16 **the front of the school where it was impossible to**
17 **supervise them, because you were tied up -- you tried to**
18 **cover as much as you could with what staff you had, and**
19 **if they were off I would say running wild around the**
20 **place, you couldn't be responsible for them. So there**
21 **was areas where, if they were, they were considered out**
22 **of bounds, and they knew very well what these areas**
23 **were.**

24 Q. And that was explained to them presumably when they came
25 into the training school.

1 **A. Oh, yes.**

2 Q. He also made an allegation about being caned in the gym
3 in front of other boys. I know you want to make the
4 point that, number one, the cane was not used.

5 **A. No, no.**

6 Q. And if there was anything that required such serious
7 punishment as he describes, that would have been
8 referred to the manager of the school. It wasn't
9 something that would have been done by yourself --

10 **A. No.**

11 Q. -- or any of the other Brothers.

12 **A. Definitely not, no.**

13 Q. Certainly no boy was punished in front of other boys?

14 **A. No, no.**

15 Q. Paragraphs 12 to 14 of your statement you did deal with
16 his complaints. Now just one other point about his
17 complaints is he did speak to the police and you
18 actually accompanied BR42, against whom he was also
19 making complaints, to the police station to be
20 interviewed. You acted as appropriate adult for BR42.
21 At that time you were unaware that you were somebody who
22 was being complained about, because the person was just
23 known as "the other Brother" until he made his Inquiry
24 statement.

25 **A. I was unaware of it completely, yes.**

1 Q. Two other people complained to police, but not to the
2 Inquiry, about you, Brother. One, SPT129, made
3 an allegation of sexual abuse when you -- he had wet the
4 bed on two occasions and you took him to the shower area
5 where you sexually assaulted him according to his police
6 statement. You also sexually assaulted him in the TV
7 room.

8 You deal with this in paragraphs 15 to 21 of your
9 Inquiry statement. You were interviewed by police and
10 you denied ever being in the school at night, taking him
11 to the showers and sexually touching him or making him
12 touch you or attempting to have anal intercourse. You
13 described his allegations as totally untrue.

14 In your police interview you describe the shower
15 room as an open area. You say:

16 "The TV room catered for about sixty boys at
17 a time."

18 **A. It would, yes.**

19 Q. And Brothers -- the supervision duties that you had
20 varied from time to time.

21 **A. Yes.**

22 Q. So you wouldn't have always been looking after the boys
23 in the swimming pool or always looking after the boys in
24 the TV room.

25 **A. Yes.**

1 Q. And you didn't have boys sit on your knee. The youngest
2 boy would have been 12. You denied ever having him or
3 any boy on your knee or fondling any boy, and ultimately
4 on 26th January 2015 a direction of no prosecution was
5 given in respect of his complaint.

6 You deal with it, as I say, in paragraphs 15 to 21
7 of your Inquiry statement. We have heard -- I mean, you
8 do say there that the Brothers did sit with the boys in
9 the TV room watching TV with them. We have heard from
10 a member of staff that he was uncomfortable with how one
11 Brother acted around boys in the TV room. I wondered
12 did you ever have any concerns or suspicions about any
13 of your colleagues' treatment of the children in that
14 regard?

15 **A. No, not really, no.**

16 Q. The other person who spoke to police was a SPT130. He
17 claimed that he was sexually abused by you, by BR26 and
18 by BR 101 , who was also known as BR 101
19 He said that
20 occurred on the second night he was in the home in 1981.
21 He said one Brother touched him and the two others
22 observed. That happened two or three times per week.

23 Again you deal with this in your Inquiry statement
24 at paragraphs 22 through to 25. You also were
25 interviewed by police about his allegations, where he

1 said that you came and touched him in his room inside
2 his pyjamas. You forced him to touch your penis. You
3 threatened to send him to Hydebank if he didn't keep
4 quiet. When you were interviewed in June of this year,
5 you denied the allegations and said there was no truth
6 to them whatsoever.

7 You did in the course of that interview say a few
8 other things which -- you recall that there was a large
9 turnover of boys in St. Pat's during the period of time
10 you were there, and I think we were talking about some
11 boys only came in for a short period of remand. I think
12 you describe in your statement at one point there were
13 thousands of boys really who went through St. Pat's in
14 your time, Brother. Is that correct?

15 **A. That could be true, yes. From the start of The Troubles**
16 **we were getting in -- at times we would get six or seven**
17 **in on remand for a couple of weeks.**

18 Q. You also say that Brothers did come and give comics to
19 the boys at night-time.

20 **A. They did, yes.**

21 Q. Those comics you say were bought from --

22 **A. Brothers and the lay staff, because there was only maybe**
23 **or on the staff at the time in**
24 **that section, maybe possibly myself and a BR91, who is**
25 **now , but, you know, the lay staff used to**

1 do it as well. We had four dormitories and we used to
2 get quite a considerable amount of comics every week and
3 go along and give them out. Then the following night
4 they would swap them amongst themselves.

5 Q. So it wasn't a case of the Brothers going round every
6 single night. This was sort of a once a week event, was
7 it?

8 A. It could well have been, yes.

9 Q. You describe in that police interview the conditions in
10 St. Pat's you thought were good. You make the point
11 that there were investigations -- a number of
12 investigations into the school over the years and the
13 only concrete evidence that was ever found about anyone
14 was the chef, DL137.

15 A. That's right, yes.

16 Q. You do also say that you all had keys for emergencies.
17 So the Brothers could have got access to the rooms or
18 the chalets at night in the case of an emergency, but
19 that would have been if you were called for some reason.

20 A. Yes. Every member of staff had keys to just go to the
21 boys' rooms, because the locks on the rooms were such
22 that once the door was closed it was locked from the
23 outside (inaudible), but for safety purposes and in case
24 of fire and also if you felt sick, you could contact the
25 night supervisor, who was around the place. So we had

1 to have keys, and one of the other things I had to --
2 you know, for the units I had the responsibility of
3 looking after the fire -- our fire system, and I used to
4 have to go and do fire drills at night-time sometimes
5 maybe at 2 or 3 o'clock in the morning. So you had to
6 have a means of getting in without warning anybody. It
7 was no good telling them, "We are going to have a fire
8 drill tonight". You had to do it unannounced.

9 Q. Yes. You made the point I think that you usually had it
10 on a good frosty morning so that they were so cold when
11 they got out, they would want back in again.

12 **A. That was one of the reasons.**

13 Q. Just -- I'm just going to tell the Panel Members so that
14 they can look at them -- I'm not going to go through
15 your police interviews or that -- the interviews can be
16 found at SPT25426 to 25434 in respect of the allegations
17 of HIA100, and then at 25594 to 25609 in respect of the
18 allegations of SPT129, and at 26824 to 26 in respect of
19 the allegations of SPT130.

20 Brother, those are the allegations. I mean, I'm not
21 -- I have not gone through the details that are in your
22 statement, where you address each of these allegations,
23 but you can be assured that the Panel have those
24 statements and have read the details and what you want
25 to say, but is there something else you wanted to say

1 about those?

2 **A. Just on the SPT130, he alleges that BR 101 was**
3 **there, and all I would say to that is that BR 101**
4 **BR 101 had responsibility for a separate unit, which was**
5 **from the school, and he would**
6 **have been there at night. He would never have had the**
7 **possibility of being in the school when the boys were**
8 **going to bed, because he had his own group to look after**
9 **in a different -- a different situation altogether, but,**
10 **you know, I would never remember him being in the unit**
11 **when the boys were going to bed.**

12 **Q. Well, Brother, you will be glad to know that that's all**
13 **the questions that I want to ask you, but just in case**
14 **you feel that there's something that we haven't covered**
15 **in your evidence as we've rushed through it somewhat**
16 **this morning if there's anything else that you want to**
17 **add about your time in St. Patrick's or about any of the**
18 **allegations, now is the opportunity to do that.**

19 **A. No. All I want to say, that I enjoyed my time there.**
20 **As I say, the work was pretty difficult, challenging,**
21 **but rewarding, and I think certainly most of the rewards**
22 **come from meeting former pupils that have been through**
23 **and seeing how well they have done for themselves and**
24 **them telling you they enjoyed their time in St. Pat's**
25 **and in many ways it changed their lives for the better,**

1 because they were maybe on the road to nowhere and the
2 fact that they were put in St. Pat's brought them to
3 their senses, and the advice and encouragement they got
4 from the staff put them back on the right track again,
5 and many of them came back to the school to visit
6 various members of staff, some of them to their
7 instructors, be it bricklaying, painting or woodwork.
8 Others came back to the care staff and so on. So in
9 that sense it was rewarding.

10 Q. Well, thank you very much, Brother. I am sure the Panel
11 Members may have some questions for you.

12 Questions from THE PANEL

13 CHAIRMAN: BR94, can I just ask you something about the
14 abduction and later the murder of ^{Bernard Teggart} ?

15 A. Yes.

16 Q. You said that you were never aware of the full
17 circumstances, and if I understood you correctly, you
18 didn't hear any reports of the inquest.

19 A. No, no.

20 Q. Where the Brothers lived in the house on the site did
21 you have access to television, newspapers, radio and so
22 on or ...?

23 A. We did, yes, yes.

24 Q. You did.

25 A. But I can't recall it -- you know, I can't recall it

1 **being on the television or -- you know, to me at the**
2 **time it was so long afterwards before the inquest was**
3 **held that I suppose it had drifted out of ...**

4 Q. Yes. I think it is fair just to remind everyone that in
5 those days there were sadly a very great number of
6 murders almost day by day. So things could be forgotten
7 about in the wider world very quickly.

8 **A. Yes.**

9 Q. Then if I could turn to what you said about DL137. I am
10 not just clear what it was you meant about that. Were
11 you as a member of the staff aware after he had left the
12 school that there had been problems with him interfering
13 with boys in school or was it only when he was in court
14 for that some years later?

15 **A. No. We were made aware of it when he had left.**

16 Q. And what exactly were you told was the reason for him
17 going?

18 **A. We were, yes, told that the principal had got**
19 **a complaint from a few boys and he questioned him and he**
20 **was happy that the boys were telling the truth. So he**
21 **asked him to leave the premises.**

22 Q. Thank you very much.

23 MS DOHERTY: Thank you, Brother. Can you hear me okay?

24 **A. Yes. Thanks.**

25 Q. Yes. Can I ask when lay staff came to work, did they

1 have access to the strap as well or was the strap just
2 for Brothers to use?

3 **A. Some of them would have had at a time, yes, but**
4 **gradually it was phased out. Particularly with a bigger**
5 **number of staff and the number of boys was decreased the**
6 **need for it was probably less.**

7 Q. And can I ask did you have experience of having to break
8 boys up during -- if they were fighting with each other?

9 **A. You would have occasionally, yes, especially with the**
10 **smaller boys. You might just have to pull them apart.**

11 Q. Okay, and that's what you would do, just ...?

12 **A. Yes.**

13 Q. Because some witnesses have talked about boys being
14 allowed to carry on a fight with staff not intervening.

15 **A. No.**

16 Q. You don't ...

17 **A. Certainly if anybody saw anything like that happening,**
18 **they would split them up as soon as possible.**

19 Q. Possible. Can I just ask about staff meetings? Were
20 there any formal meetings held for staff within the
21 units? I know there was handover periods, but any more
22 formal staff meetings?

23 **A. Well, we used to have a handover period every day**
24 **between -- the shift was from 2 o'clock to 2 o'clock**
25 **(sic). We had a quarter of an hour or twenty minutes**

1 **for handover. Then at least once a week we would have**
2 **a formal one-hour meeting between the two shifts.**

3 Q. What would that -- what would that more formal one-hour
4 meeting be about? What would the ...?

5 A. Well, it would go through the various behaviour of
6 different boys the previous week and any instructions
7 that had to be implemented, and fill in on new boys that
8 were coming in, that people had an update on what their
9 situation was.

10 Q. In relation to training for staff, any in-service
11 training? You obviously did your course in London, but
12 ...

13 A. We had in-service. Rupert Stanley College was used
14 quite a lot, and we had various people would come and
15 give us maybe a half day lecture or something like that,
16 you know.

17 Q. Can you remember on what sort of topics?

18 A. One was -- I remember one particular one was on stress
19 and -- what would you call it -- kind of control,
20 control of -- what would you say?

21 Q. Is it --

22 A. Personal control and control of youngsters.

23 Q. Controlling yourself --

24 A. Yes.

25 Q. -- as a person in control of youngsters?

1 **A. Yes.**

2 Q. Any training in restraint, restraint methods?

3 **A. Any training in?**

4 Q. Restraint, using restraint methods.

5 **A. No. Later on I think there was some all right, but**
6 **I didn't have any part in it.**

7 Q. Okay.

8 **A. I think they were taken down to the prison officers'**
9 **training centre in Millisle, but it was more on**
10 **prevention of assault and that, personal assault.**

11 Q. Okay, and can I ask in terms of formal supervision did
12 you ever have one-to-one sessions with somebody about
13 your practice and how you were finding work?

14 **A. We did. I was in a position where -- for a while where**
15 **I was what you call a and**
16 **different members of the team on a one-to-one**
17 **basis and find out what their problems were and how they**
18 **were coping with them --**

19 Q. Okay.

20 **A. -- and try to give them advice.**

21 Q. And did you ever receive the same? Did you ever receive
22 that type of supervision?

23 **A. Not really. That was part of the course.**

24 Q. When you came back from the course, you didn't get it?

25 **A. No. I'd kind of a report to a line manager.**

1 Q. Okay. Thanks very much, Brother.

2 **A. Thank you.**

3 MR LANE: I'm intrigued that you went to London for your
4 training. Why was that? Why did you go to London?

5 **A. North London Polytech.**

6 Q. Yes, but why? Why not stay and go to Rupert Stanley?

7 **A. There weren't enough places I think available at Rupert
8 Stanley at the time.**

9 Q. Right, and did you do placements in children's homes in
10 London?

11 **A. I did placement in , which was very much like
12 our own place, and another one down in --**

13 Q. Oh, right. Thank you.

14 **A. --**

15 Q. Now in terms of the difference between the senior unit
16 and the junior unit, the figures you gave were that the
17 junior unit was very crowded while the senior unit was
18 rather fewer boys there.

19 **A. Yes.**

20 Q. Was that always the case or was that just at that
21 particular time that you were describing?

22 **A. It would have been always the case, yes.**

23 Q. Right. So there were usually more than 80 in the junior
24 side, but maybe fewer in the senior?

25 **A. Yes. Well, the juniors there were so many came in for**

1 truancy --

2 Q. Uh-huh.

3 A. -- whereas in the senior school they would be all for
4 crime, various type of crime, you know.

5 Q. Was that true also during the Troubles?

6 A. I'd say they more or less balanced out during the
7 Troubles, because the truancies were no longer sent to
8 the training school, and the junior school was made up
9 by and large at that time of care boys, not totally, but
10 a majority would have been care, care and protection.

11 Q. Did you say that the switch to it being a care and
12 justice split was a gradual one?

13 A. It was a gradual one, yes. It didn't happen overnight.
14 It was because the age group -- some of the boys in care
15 may have got recommitted or their period of time would
16 have been extended and they were pushing on to 16 years
17 of age.

18 Q. Right.

19 A. So we decided that they would have been better learning
20 a trade than, you know, hanging around the school and
21 wasting their time, you know.

22 Q. And when the -- when there was the split between care
23 and justice, again was the care side fuller than -- were
24 there more boys in that than in the justice area?

25 A. I couldn't honestly answer that now, you know. I'd say

1 **around -- probably around the same.**

2 Q. Right.

3 **A. About 50/50.**

4 Q. In terms of the intake were most boys from Belfast or
5 were they really fairly widely spread?

6 **A. I would say the majority from Belfast and the
7 surrounding areas and then you had the likes of Derry
8 and Omagh and Strabane and various places like that.**

9 Q. And actually within the school did the boys from the
10 different areas group themselves together?

11 **A. There was a tendency for that, yes. You know, you'd
12 have a group from Ardoyne and a group from Ballymurphy
13 and a group from Andersonstown, you know.**

14 Q. Yes.

15 **A. At the same time they all got on pretty well.**

16 Q. Yes. Just one last question. You were mentioning that
17 at the beginning there were very few staff and you would
18 be the only one on duty. Would you be dealing with the
19 whole group of, say, 80 or more boys on your own?

20 **A. Oh, you would have.**

21 Q. And that's in getting them up and seeing them through
22 breakfast and that sort of thing?

23 **A. Yes, yes.**

24 Q. Okay. Thank you very much.

25 **A. Thank you.**

1 CHAIRMAN: Well, Brother, those are all the questions that
2 we want to ask you. Thank you very much for coming to
3 speak to us today. We are very grateful. Thank you.

4 **A. Thank you.**

5 **(Witness withdrew)**

6 CHAIRMAN: We will take a short break now. In any event it
7 may be that we are not ready to start with the next
8 witness and we will consider whether we should take
9 an early lunch. We will let you know as soon as
10 possible, ladies and gentlemen.

11 (12.17 pm)

12 (Short break)

13 (12.35 pm)

14 WITNESS BR26 (called)

15 CHAIRMAN: Yes.

16 MR AIKEN: Chairman, Members of the Panel, good afternoon.
17 The next witness today is BR26, who is "BR26". He is
18 going to keep his anonymity. He is aware, Chairman, you
19 are going to ask him to take the oath.

20 WITNESS BR26 (sworn)

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

22 Questions from COUNSEL TO THE INQUIRY

23 MR AIKEN: Now, BR26, coming up on the screen will be the
24 first of the two witness statements that you have
25 prepared for the Inquiry. I am just going to deal with

1 the doc... -- both of those now. You have provided
2 a general statement to the Inquiry about your
3 reflections on life in St. Patrick's and you spent
4 years working there between , and you
5 cover the crossover , then in moving
6 to the Glen Road and working in the training school on
7 the Glen Road from , when it closed as
8 a training school and became the Glenmona Resource
9 Centre. You retired in the summer of .

10 **A. actually.**

11 Q. My apologies. You retired in the summer of .
12 So you have a long history working in St. Patrick's and,
13 as you know, in view of what we have to get through
14 today the approach we are going to take is to deal with
15 the allegations today, BR26, and then find a suitable
16 date for you to give further evidence about the general
17 matters that you can assist the Panel with, given the
18 length of time that you served in St. Patrick's.

19 **A. Fine.**

20 Q. So coming up on the screen is the general statement at
21 1228, please. I am just going to ask you to check that
22 you recognise the statement that's on the screen except
23 for the black marks, BR26.

24 **A. Fine.**

25 Q. And if we go to 1233, which is the last page of the

1 statement, and can you just confirm as well that you've
2 signed that statement, BR26, and you want to adopt it as
3 your evidence to the Inquiry?

4 **A. Correct.**

5 Q. Then the statement that deals with the allegations that
6 are made in respect of you begins at 2191, and again if
7 you can just check and identify that you recognise that
8 statement as your second statement to the Inquiry?

9 **A. Correct.**

10 Q. And then if we then go to 2197, please, and again, BR26,
11 if you can just confirm that you recognise that and that
12 you've signed that?

13 **A. That is correct.**

14 Q. And you want to adopt that statement as your evidence to
15 the Inquiry --

16 **A. Yes.**

17 Q. -- in respect of your allegations? Now it is inevitable
18 as we go, BR26, as we were when we were consulting,
19 while we are dealing with some of the specific
20 allegations some of the general matters around how
21 certain things were done and dealt with will come out
22 naturally as a result of the matters that we have to
23 touch on, but we will by and large leave the more
24 general matters for another day.

25 To try and bring some order and scope to what we are

1 going to do, you face fifteen allegations, doing the
2 best I can with all of the material, and eleven
3 individuals of the fifteen made allegations to the
4 police. There is a twelfth person who made allegations
5 to the police without necessarily identifying you. So
6 it is eleven or twelve. Of that eleven or twelve,
7 either five or six, if you count that twelfth person,
8 has then carried their allegations forward into the
9 Inquiry. Then three individuals or four, if one leaves
10 out the twelfth man, as it were, have not made their
11 allegations at any stage to the police or anyone else
12 and have simply brought them forward to the Inquiry.

13 During the course of the year that preceded your --
14 just before your retirement and then for the
15 twenty years since you have had to deal with these
16 allegations being brought and you going voluntarily to
17 be interviewed by the police in respect of them, those
18 that have been made to the police. That has resulted in
19 seven police interviews that you have conducted over the
20 course of the last twenty years, and you have never been
21 charged with any offence in respect of any of the
22 matters that were brought to the attention of the
23 police.

24 The seven interviews are available to the Panel,
25 because in addition to dealing with the specific

1 allegations, in those interviews you deal with some of
2 the general matters that have come up time and again for
3 the Inquiry not just in relation to you but in relation
4 to colleagues of yours and generally how the training
5 school was run in terms of corporal punishment, how the
6 different sections of the school were set up, what
7 interaction there was between them, and we will touch on
8 various matters like that as we go, but those seven
9 interviews, I am just giving the Panel publicly the
10 references for them.

11 The first was on 15th April 1994, when you were
12 interviewed in respect of the allegations of SPT96 and
13 SPT136. That interview runs from -- it is broken up,
14 but it is from 21008 and then 21098 to 21106. It is
15 also summarised in the police officer's statement at
16 20778 to 20791.

17 The second interview was on 5th September 1996,
18 which related to HIA51 and SPT154. It runs from 22919
19 to 22947. That's the two matters that were in '94 and
20 then 1996, and the remaining five interviews are from
21 2013 onwards.

22 So there's an interview on 6th March of 2013
23 relating to HIA26. That can be found at 26025 to 26036.

24 On the same day you were also interviewed about
25 SPT119 and that interview is at 25997 to 26013. So

1 25997.

2 Then you were interviewed on 26th June 2013 in
3 relation to the allegations of HIA137. Those run from
4 25381 to 25397.

5 Then on 14th May 2014 you did two further
6 interviews, one in relation to HIA374, which is at 25570
7 to 25575, and then relating to HIA17, which is at 26688
8 to 26705.

9 So those interviews, BR26, are available to the
10 Panel, and we will just touch on specific aspects about
11 them as we deal with the allegations, but, as
12 I indicated, they contain a wider discussion, where you
13 were asked at various points to explain how things were
14 done and you have set that out in detail in the
15 interviews.

16 You were born on and have presently
17 reached the age of Your CV that the Order has
18 provided, if we just look, please, at 14731, and while
19 the Panel are looking at it on the screen, BR26,
20 essentially during your entire period in the training
21 school up until the early , when you took over the
22 role, you were a or
23 or effectively what others have described as
24 residential social worker or senior residential social
25 worker.

1 **A. Correct.**

2 Q. And you performed that role essentially for nigh on
3 years.

4 **A. Correct.**

5 Q. And at the same time you were also at various points --
6 you had a different role in that you were the
7 or in
8 St. Patrick's.

9 **A. At different times, yes.**

10 Q. Yes. So you had your role in the training school, which
11 stayed reasonably constant all the way through, but at
12 various times you would have taken your turn at being
13 the , which was based in
14 St. Patrick's, of the De La Salle Brothers.

15 **A. Correct.**

16 Q. And in -- I think it's -- if we just scroll down
17 a little, please, we can see in you take up the
18 position as of the training school. By
19 then one was referring to rather than
20 , but essentially you were
21 of the training school, both what had then
22 become the justice element and care element.

23 **A. Correct.**

24 Q. One matter that you draw attention to over and over
25 again in the police interviews is that performing the

1 environment, you would have gone to the senior side and
2 the colleagues who worked in the junior side worked
3 there, and really you wouldn't have crossed paths to any
4 great extent during the working day.

5 **A. That's correct.**

6 Q. And we have seen at various times -- we will not spend
7 time on it now, BR26 -- but that the layout in the
8 school initially was the L-shaped two corridors
9 replicated on two floors with a Brother's room in the
10 corner of the L on both floors --

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

12 Q. -- and dormitories with beds either side.

13 **A. That's right.**

14 Q. And then by the period in the '70s those dormitories are
15 all split up into individual rooms and chalets are also
16 utilised.

17 **A. That's right.**

18 Q. But for you on the senior side most of your time was
19 spent in the senior school building.

20 **A. Yes.**

21 Q. Now as I -- you have been here on a number of days,
22 BR26. So you are aware of my way of working, and you
23 saw yesterday, when I was dealing with BR50, that I am
24 going to take these matters in chronological order as
25 far as I can and try and deal with them in that

1 systematic way. I appreciate there's a significant
2 number. So if at any stage you have any difficulty of
3 any kind, you make me aware of that and the Panel will
4 have no difficulty whatever in taking a break.

5 I appreciate you are years of age and you have
6 already explained about , that
7 you've . So it is important that you
8 let me know if at any stage there's any issue.

9 **A. Thank you.**

10 Q. The first allegation that is made comes from SPT145. He
11 is your number 10 in your statement. Perhaps if the
12 operator can just follow through with me, as she was
13 doing yesterday, that would be great as I deal with
14 a particular individual. So if we look at 2191 is the
15 start of the statement and it is 2195 that deals with
16 this paragraph 10. Perhaps we can just follow my
17 working through as we go.

18 So SPT145 was on the -- in St. Patrick's on
19 7th May and was there until 13th November He
20 was born on . So he was there when aged
21 between and consequently you were

22 **A. That's right.**

23 Q. And -- if we just go to complaint. It is complaint 10,
24 please, not paragraph 10. The numbers I give when
25 I name the individual will be to the complaint number.

1 That's great. At paragraph 21. Now what I am just
2 going to observe at this point is you have been in
3 St. Patrick's since . So there's twelve years have
4 already passed and there are no allegations for those
5 twelve years. This is the first allegation in terms of
6 time. SPT145 is not someone who has come forward to the
7 Inquiry. In fact, he did not come forward to the police
8 to make an allegation. The circumstances surrounding
9 this matter are that as part of the police statement
10 that began with the allegations of SPT134, which related
11 to the period, an individual in response to
12 a newspaper article called SPT96 came forward to the
13 police to make allegations about his time, which were in
14 the early or mid .

15 As a consequence of that -- and we will come to deal
16 with him at the appropriate point in the chronology, but
17 as a consequence of him coming forward he identified a
18 whole series of individuals that he said could
19 corroborate the allegations that he's -- he was making.

20 One of the allegations that he made was that
21 a colleague of yours, BR83, who worked with you on the
22 senior side, was raping SPT96 and this man, SPT145,
23 walked in and saw this happening.

24 So the police traced SPT145 in order to ask him to
25 confirm that corroboration and he spoke to police on

1 20th January 1994. He didn't corroborate SPT96's
2 allegations. He said he had never seen that, although
3 he believed SPT96 in what he said and he was a boy who
4 would have been bullied and so on, but did not
5 corroborate the allegations against BR83, but he was
6 then asked about a series of Brothers and to give his
7 view about the different Brothers.

8 That's why, if we can look, please, at 21123, when
9 he was interviewed on 20th January 1994, he reflected on
10 a number of Brothers and in fairness, while this is
11 an allegation that he makes against you, he was holding
12 you up in contrast to a number of the others. So if we
13 just scroll down, please, he is asked:

14 "Q. Do you know a BR26?

15 A. Yes. I remember when I first went to the school
16 he punched me hard in the stomach just to let me know
17 who was boss and he wasn't taking any nonsense. He was
18 well liked. He was hard but fair."

19 In your Inquiry statement then you address what he
20 had to say. If I can just summarise it in this way,
21 BR26, and you correct me where I get it wrong. There
22 were lots of in St. Patrick's over the
23 years. You don't have a particular memory of SPT145 in
24 particular, but you are saying to the Inquiry, as you
25 have said to the police at various times, that at no

1 wasn't that there was one in a community of fifty
2 teenagers who were less difficult. This was where
3 a collection of difficult teenagers were placed or older
4 teenagers and you were dealing with them. Can you
5 explain to the Panel the approach that you took to
6 dealing with them?

7 **A. Looking at discipline in general terms, I would really**
8 **say that in St. Pat's the approach to it would have been**
9 **more of a kindly discipline, often approached with**
10 **a twinkle in the eye, but firm, yes, firm nevertheless,**
11 **and it brought to a very, very minimum, the extreme**
12 **minimum -- in fact, it virtually cut out corporal**
13 **punishment. Corporal punishment was not going to be the**
14 **answer to stopping fellas of 16, 17, 18 and some of them**
15 **coming up to 19 years of age. Goodness me! There was**
16 **enough of violence in their lives already. There had to**
17 **be a different approach.**

18 **Q. Your personal view was it wasn't an effective way of**
19 **managing these boys. That was your personal view, but**
20 **your manner of dealing with them then -- you talked**
21 **about the twinkle in the eye -- was the quieter word as**
22 **opposed to having physical confrontations with them.**

23 **A. Absolutely.**

24 **Q. Why did you feel that physical confrontations with a 16,**
25 **17, 18, 19-year-old were not going to be effective to**

1 get the job done?

2 **A. It hadn't been effective in their life up to now and**
3 **there had been plenty of violence in their lives, both**
4 **inside and outside of their homes.**

5 Q. So it just was not your way?

6 **A. No.**

7 Q. So I was also asking you it would have been the case up
8 until '60s, '70s that a cuff round the ear would not
9 have been an uncommon thing. You were saying to me it
10 wasn't uncommon outside St. Patrick's and it wasn't
11 uncommon inside St. Patrick's.

12 **A. Correct.**

13 Q. But the suggestion of general physical violence to
14 someone, where you would have punched them, kicked them
15 or that type of thing was not a way that you operated?

16 **A. That was not on.**

17 Q. The occasions that you remembered administering the
18 corporal punishment, that was done in the headmaster's
19 office, and your recollection was that the particular
20 at that stage, who was also the
21 , was effectively ill or not capable
22 of administering or it wouldn't have been wise for him
23 to be using a strap.

24 **A. Correct.**

25 Q. And you were asked to do that.

1 **A. Correct.**

2 Q. I was asking you on the senior side would you routinely
3 have been carrying a strap?

4 **A. No.**

5 Q. Where would it have stayed?

6 **A. In the principal's office.**

7 Q. So you didn't have one about your person?

8 **A. No.**

9 Q. Now that's the first allegation. I am going to --

10 CHAIRMAN: I think the next one is quite a lengthy matter.

11 So perhaps we will rise now and sit again at 2 o'clock,
12 BR26.

13 **A. Right.**

14 CHAIRMAN: Very well. 2 o'clock.

15 (1.05 pm)

16 (Short break)

17 (2.00 pm)

18 CHAIRMAN: BR26, we will be taking a break in the course of
19 the afternoon in any event. There is obviously still
20 a lot to be covered so far as you are concerned, but if
21 at any stage other than the breaks that we order you
22 feel you need a short break, please don't hesitate to
23 say so.

24 **A. Very good, Chairman.**

25 MR AIKEN: Chairman, Members of the Panel, before lunch we

1 had covered the first allegation, which was made by
2 SPT145.

3 We are moving on to the second one, BR26, which is
4 from HIA17. He is your number 1 on your statement. If
5 the computer operator can bring up the statement and go
6 to complaint number 1, that would be great. HIA17 was
7 in St. Patrick's between 15th January and
8 7th October , having been born on .
9 So he was in St. Patrick's between the ages of
10 and during that period you are between .

11 Now he made a statement to police on 26th February
12 of 2014 at 25462 to 25467. I am going to summarise,
13 BR26, a series of very serious allegations that he made.

14 He alleged that you passed him in the corridor just
15 outside the clothes store and you made him and others
16 with him wait while he -- while you went into the
17 clothes store with a boy he described as your pet called
18 , and when you were in there, you
19 proceeded to have sex with , and he
20 walked in on it, and having walked in on it, then they
21 ran away, and it became common knowledge round the
22 junior school, which is an important point that
23 I highlight, that you had been engaging in this
24 activity.

25 He then describes a second incident where you are

1 said at roll call to have rubbed head lice cream or had
2 that done to him particularly hard compared to others
3 and he then was smacked in the face by you. He referred
4 to the knowledge of what he had seen in terms of sex
5 with being spread around the school and
6 as a result you would hit him in various ways.

7 When he was -- he gives a different example then.
8 When he was 13, he claimed to have carried fruit down to
9 the Brothers' house and walked in to find you kissing
10 and fondling in the Brothers' house, and having
11 spotted you doing that, he ran off, but you, having been
12 aware of it, then summoned him and in your anger took
13 him to the -- again I think it is meant to be the same
14 clothes store, where you got out your erect penis and
15 went to chase him, and then having -- it appears that
16 two cronies, as he describes them -- one of them is said
17 to be this -- is also there. They see
18 him being chased, although not that you had exposed
19 yourself to him.

20 Then he goes further to say that eventually BR83
21 found him upset and asked him what was wrong. He came
22 out of -- he, having told him, came out of his class
23 where he taught and went across into your class where
24 you were said to be teaching English and maths, and
25 there you went out on to the balcony with BR83, who

1 Q. And in addition you wouldn't have had any interaction of
2 any significant amount with any boys who were in the
3 junior school.

4 **A. Correct.**

5 Q. And at that stage in the you explain to the police
6 that the divide was essentially the school leaving age.
7 At 15, 16 upwards the boys were on the senior side.

8 **A. Correct.**

9 Q. So you had no reason to be interacting with this
10 particular boy.

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

12 Q. And you specifically were asked about having sexually
13 abused this person he identifies, .
14 I think you said, like a lot of names, you were aware of
15 the name, but you had no specific recollection, but you
16 never had sex with any boy in any storeroom anywhere in
17 St. Patrick's ever --

18 **A. Never.**

19 Q. -- and therefore that allegation was untrue.

20 You said you never had any involvement in
21 administering head lice cream, that that was something
22 done by the nurses --

23 **A. Correct.**

24 Q. -- or the Sisters who ran the nurses' station in the
25 , and wouldn't have been something you were doing

1 with junior boys at any time.

2 You denied that you had ever physically assaulted
3 any boy and certainly not this particular boy.

4 You also were asked about being involved
5 romantically with in the Brothers' house. When
6 I -- and you are doing it again -- when I asked you that
7 earlier, you started to smile and said it was the first
8 you were aware of it if you were ever involved with
9 in the Brothers' house. Is that -- that's right.
10 You were never romantically involved with ?

11 **A. Never.**

12 Q. And you never exposed yourself to any boy or chased him
13 down the corridor.

14 **A. Never.**

15 Q. But another point that you make is that BR83 worked with
16 you on the senior side. He was not on the junior side.
17 That's the first thing.

18 The second thing is he was not a teacher and never
19 taught.

20 **A. Correct.**

21 Q. You were not a teacher --

22 **A. Correct.**

23 Q. -- and never taught.

24 **A. Correct.**

25 Q. And BR83 never spoke to you about your behaviour with

1 any boy ever.

2 **A. Never.**

3 Q. And never assaulted you in your life for any reason.

4 **A. Never.**

5 Q. And those allegations that were made to the police were
6 then repeated to the Inquiry in HIA17's statement at 016
7 to 026. The parts relating to you are at paragraphs 22
8 to 32 on 020 to 022. As a result you were asked then to
9 respond to them and you did that in paragraphs 4 and 5.

10 You set out a whole series of things which I have
11 already summarised from the police account that couldn't
12 be true, which is about the junior school, and the
13 involvement with issuing clothes, and you not being
14 a teacher, and never having BR83 assault you and so on.

15 Now, as you know, and as I was explaining to you
16 earlier, the Inquiry then, having someone engaged with
17 them, that person comes forward to give evidence. The
18 Inquiry has not been able to make further contact with
19 the individual who makes these allegations, and
20 therefore, as I explained to you, the Panel won't be
21 taking those allegations into account. That's the
22 position that the Panel has determined, but in fairness
23 to you, because they are there and they are on the
24 record in the police material and in the statement
25 that's before the Inquiry, you have addressed those

1 allegations, and the bottom line of all of the factors
2 that you refer to is: this is simply a fabrication. It
3 is completely untrue.

4 **A. Absolutely.**

5 Q. Is there anything else you want to say about these
6 particular set of allegations or have I covered the
7 matters that you want to draw attention to fairly?

8 **A. I think I should say something about two of my**
9 **colleagues that are mentioned, BR83 and BR39. BR39**
10 **would be seen as the really of the new**
11 **St. Patrick's and BR83 worked there with him all his**
12 **working life, two men that gave their whole life to the**
13 **care and welfare of young people, some of whom came into**
14 **conflict with the law fairly seriously during their**
15 **lives and that's why they arrived in St. Pat's. Those**
16 **two men would be horrified to think that any boy was**
17 **subject to abuse at any time. They would be horrified,**
18 **and if they were aware of it today, they would turn in**
19 **their graves. That's it.**

20 Q. And that's a point that you made at the end of the
21 police interview, that you were more hurt -- you were
22 man enough to stand and deal with the allegations that
23 were made against you, false as you believed them to be,
24 but you were more hurt that these allegations were made
25 against people who were dead, who could not then defend

1 themselves.

2 **A. Absolutely.**

3 Q. The third allegation that I am going to deal with is

4 that from SPT96. He is your number 9, complaint

5 number 9, on your statement. He makes a sexual

6 allegation, as you know. He was in St. Patrick's

7 between 13th May and 23rd October . He was

8 born in So he was there between the ages

9 of . At that time you were between

10 Now this comes about by the major police

11 investigation that we referred to earlier involving

12 SPT134. The record of that the Panel is aware of. That

13 police investigation runs to 572 pages and can be found

14 at 20572 to 21143 in the bundle. Following the initial

15 allegations which related to the late '70s, early '80s,

16 which ultimately the person who brought them forward --

17 they were found to be without foundation, the police

18 proactively as part of that sought 300 individual and

19 spoke to 155 of them.

20 During that process a media article appeared in

21 a Sunday newspaper in -- sorry -- about

22 the fact that the investigation was taking place, and

23 that prompted a letter to be sent by SPT96 to the then

24 Chief Constable, alleging that while he was a resident

25 in St. Patrick's between , he and others

1 were the victims of extremely serious sexual abuse by
2 various De La Salle Brothers.

3 So if I can explain it this way, BR26, you have
4 SPT134 and the period , and the police look
5 out a significant number of people and speak to 150 of
6 them about that time period, and we will come to one or
7 two of them as we go, but as a result of this contact
8 from this man SPT96 it takes the investigation into
9 a different era, which is the , and he
10 identifies, when he is interviewed by the police on 26th
11 October 1993 -- and his statement can be found at 20807
12 to 20812 -- he identifies a series of allegations that
13 he says befell him in terms of abuse at St. Patrick's.

14 He says he was raped by BR83 in the cell, which was
15 on the ground floor at the boiler room, and on a later
16 date he was taken to BR39's office, where BR83 and BR39
17 took him into a storeroom and anally raped him. He
18 allegedly told about that, who arranged
19 a confrontation with BR39. He was then taken into your
20 bed by you, who then had sex with him, and he told
21 , who was on the staff, of the sexual abuse in
22 general terms.

23 Thereafter he says that you, BR39 and BR83
24 perpetrated sexual abuse on him once to three times
25 a week thereafter, and on one occasion he claimed that

1 another boy saw you having sex with SPT96 at the back of
2 the stage. This boy was named as , later
3 clarified to be . The reference for that is
4 at 20606. It was said by SPT96 that that boy who had
5 witnessed his abuse by you had sympathy with SPT96,
6 because he, was also the victim of sexual
7 abuse by a different Brother, BR43.

8 He also -- this is SPT96 -- also alleged another boy
9 called SPT145, and that was found to be SPT145, who we
10 dealt with at the start, had caught SPT96 having sex
11 with BR83 in .

12 He then went on to describe a gang rape involving
13 four boys, who he says raped him because they knew what
14 BR39, BR83 and BR26 were doing to him as well.

15 So a whole series of extremely serious allegations
16 were made by SPT96 identifying those who could
17 corroborate a significant number of them.

18 He made a second statement to police in
19 November 1993, which runs from 20813 to 20816, in
20 addition to typed notes that he had provided, which are
21 at 21115 to 21117. That involved a number of
22 allegations against BR39, taking him up the north coast
23 and abusing him on the way and then in at the
24 house that the Brothers had, and again he identified
25 a number of individuals who could corroborate what he

1 was saying.

2 Now the police files show the extensive efforts that
3 were then made to trace those identified by SPT96 who
4 were said to be able to corroborate what he was saying.

5 That was , who denied ever being told
6 any instance of abuse or arranging a confrontation with
7 anyone.

8 They spoke to on the phone, who at that
9 stage -- was an elderly lady, but she
10 said that she had never been made aware of abuse.

11 In particular in relation to you of relevance is
12 they traced , who was said to have caught
13 you having sex with SPT96 at the back of the stage.

14 by that point in 1994 was living
15 , and in his police statement that he made,
16 which is at 20868,

17 , explained that he
18 had never witnessed any person committing a sexual act
19 on SPT96, and that he himself was never sexually
20 assaulted by any staff member during his time in
21 St. Patrick's, nor had he seen any Brothers committing
22 any acts of indecency on anyone. He explained that he
23 was friendly with another name of that the Panel
24 will recognise from a incident in .

25 So that was in particular the person said to have

1 witnessed you engaging in one particular act of sexual
2 abuse was saying, "I did not see that at any time".

3 They spoke then further to the other individuals who
4 were identified as potentially being able to corroborate
5 what was being said and no corroboration was forthcoming
6 from any of them.

7 On 15th April 1994 you were then interviewed about
8 the allegations of SPT96 and a second boy, SPT136, that
9 we will come back to. In that interview, which is at --
10 it's slightly broken up. 21008 is the first page of it
11 and then the remainder of it is at 21098 to 21106 and
12 then there is a statement summarising it at 20778 to
13 20791.

14 About SPT96, BR26, you explained to the police that
15 he was in the junior school and therefore you would have
16 known him only casually as being aware he was in
17 St. Patrick's, but you remembered that he was
18 particularly troublesome and had been transferred to the
19 senior side of the school, and then you would have had
20 dealings with him along with senior staff, but what he
21 was saying was a tissue of lies from start to finish.
22 The reference to that is at 21099.

23 You again explained about the divide between the
24 senior and junior and how effectively they were separate
25 entities with no involvement with the other.

1 You were asked about the cells and you explained
2 that there was minimal use of the cells. Do you want to
3 just explain to the Panel how often the cells at the
4 boiler room would have been used in the '60s?

5 **A. Very, very rarely. Very rarely. I couldn't put**
6 **a figure on it, but very, very seldom.**

7 Q. I think you explained elsewhere that you didn't really
8 regard them as suitable.

9 **A. No, no, they were not suitable.**

10 Q. And then detention rooms were created on the first floor
11 --

12 **A. On the --**

13 Q. -- which was much more often used.

14 **A. As an extension of the dormitories.**

15 Q. At the end of that interview you again explained the
16 hurt about your colleagues facing allegations that they
17 couldn't defend, because they were no longer with us.

18 The conclusions that the police reached, including
19 in relation to the various allegations of SPT96, can be
20 found at 20619. I just want to show that to the Panel,
21 please. 20619. Just scroll down, please, to the
22 "Observations" part. They say:

23 "During the investigations into St. Patrick's
24 Training School no evidence was uncovered to corroborate
25 the allegations made by any of the complainants

1 mentioned in the file. The only evidence of sexual
2 abuse was against DL137."

3 That was then dealt with separately. Scroll on to
4 the next page, please. They deal with the allegations
5 of SPT134 and express the views about those. If we just
6 scroll down a little further, please, and then move on
7 to the next page, they say this:

8 "Although SPT96 has a very good ability to recall
9 names of inmates who according to him should have been
10 able to corroborate his allegations, that corroboration
11 was not forthcoming for whatever reason; either they
12 could not genuinely recall the alleged matters or with
13 the passage of time did not want to get involved."

14 If we scroll down, please:

15 "In the absence of corroboration I respectfully
16 suggest that the file be marked 'no prosecution' ...",

17 and ultimately that was endorsed by the senior
18 officers and the DPP directed no prosecution in
19 January 1995 in respect of those allegations made
20 against you by SPT96 at 20576.

21 As I said, we will come back and deal with SPT136,
22 who you also dealt with as part of that police
23 investigation.

24 The fourth individual, BR26, was HIA58. He is your
25 number 5 on your complaints in your statement. He makes

1 a physical allegation from -- he was in the home between
2 4th May and 3rd January aged between

3 At that time you are

4 He did make a statement to the police in November of
5 2011. That can be found at 23923 to 23925. You were
6 not named in that statement, BR26. The allegations were
7 also different in certain respects from those in the
8 Inquiry statement, but he makes allegations in
9 paragraph 4 of his Inquiry statement, if we look,
10 please, at 057, where he says about being given
11 beatings:

12 "I got a lot of beatings from the De La Salle
13 Brothers."

14 Just bear with me a moment. I am afraid the
15 redaction is wrong. Where you see "BR42", that should
16 be your redaction, BR26. So he is alleging that you
17 gave him beatings, which is consistent with my notes.
18 We need to get that fixed. The allegation is that you
19 were engaged with, as did other Brothers, giving him
20 beatings, and he gives a particular example in
21 paragraph 11, if we look at it, please, at 058 of you
22 using a bunch of keys. He says:

23 "... big bunch of keys like a gaoler. He would hit
24 you on the legs with a stick and tell you to get up for
25 early mass."

1 Now taking those together, the suggestion that you
2 gave boys beatings and as part of that used keys or
3 sticks to do it, you say of that, "At no stage did
4 I ever do that type of thing".

5 **A. Never.**

6 Q. And the other allegation he makes, if we look at
7 paragraph 8, please, at 057, is that as part of the
8 punishment for him having run away you and the
9 -- I think that was worked out to be --
10 I think it was BR94 perhaps that was being linked to.
11 Mr Napier will give me a nod if I am right about that.
12 So you and BR94 as part of the punishment of this boy
13 for absconding took him to the swimming pool and threw
14 him in. He couldn't swim, and you did this as
15 punishment for him having run away.

16 You were explaining to me earlier under no
17 circumstances would you ever throw a boy in the swimming
18 pool and not whether as punishment or otherwise.

19 **A. No way.**

20 Q. We were discussing earlier if you throw a boy or anyone
21 into the swimming pool who can't swim, you can't really
22 be very certain about the outcome, and you were
23 explaining to me that that is just simply not something
24 that you would have conceived of doing.

25 **A. No.**

1 Q. I was asking you in that context, BR26, about the
2 swimming and the teaching to swim, because presumably
3 not everyone who came into St. Patrick's was able to
4 swim. You were explaining to me that right throughout
5 your time -- and there may have been some times when
6 there was not -- but generally speaking throughout your
7 time there was a lay person who came in who taught the
8 boys to swim.

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

10 Q. And that those lessons happened during the recreation
11 time during the week.

12 **A. Correct.**

13 Q. I was asking you whether this person's recollection
14 could have been about, you know, him learning to swim,
15 and you were saying to me well, you wouldn't have had
16 any involvement in that. So, no, it couldn't be
17 a confusion of his about --

18 **A. No way.**

19 Q. -- being involved in swimming.

20 He gave evidence to the Inquiry on Day 139 on 8th
21 September and the relevant transcript runs from 40606 to
22 40625.

23 You say, if we look at your Inquiry statement,
24 please, at 2193, that he was -- he describes a number of
25 incidents and you explain why he's wrong in a number of

1 respects about that, but is there anything else, BR26,
2 that you want to add about this particular individual
3 and the allegations he makes of physical violence
4 towards him and then the fear associated with throwing
5 him in the swimming pool when he couldn't swim?

6 **A. Not really other than to say that he was a pretty**
7 **disturbed individual going through the whole time when**
8 **he was in the junior school -- indeed there is plenty of**
9 **evidence of that -- when he was also in the senior**
10 **school, but the whole thing is a total fabrication so**
11 **far as I'm concerned. Absolutely.**

12 Q. I think the point you are making is the Inquiry has the
13 records that show the level of difficulty the boy had
14 during his time in St. Patrick's, but you didn't do the
15 things that he's claiming you did to him --

16 **A. No way, no.**

17 Q. -- while he was there.

18 The fifth allegation, BR26, is from HIA26. He is
19 your number -- complaint number 2 in your statement. He
20 makes a sexual allegation. He is in the home on three
21 dates, but between 5th and 14th September , between
22 21st to 28th September and then from
23 13th November to 24th November . So he's there
24 effectively between the ages of , having been
25 born on . Now at that time you were

1 between the ages of .

2 I summarised his evidence to the Panel on Day 137,
3 pages 72 to 95 of the transcript, because he produced
4 a medical report to the Inquiry indicating he wasn't fit
5 to come and give evidence. The Panel also dealt with
6 his material

7 He made, in addition to some very serious and
8 extensive allegations , made
9 allegations about St. Patrick's during a police ABE
10 interview that he conducted on 5th May of 2012. The
11 relevant portions as far as they relate to you are at
12 24514 and 5 and then 24533 to 24535.

13 Essentially the allegation he was making, BR26, is
14 that you would have come into his room and tried to kiss
15 him and fondle him, and that he kicked you off. He
16 kicked at your shins and kicked you away until you left
17 him alone. So it's not clear whether he's ever saying
18 you managed to do the things that he says you were
19 trying to do, because he says he fought you off to
20 prevent you doing those things.

21 You were interviewed by the police in respect of
22 those allegations on 6th March 2013. That interview
23 runs from 26025 to 26036. You spent quite some time at
24 the beginning of that interview explaining you
25 remembered HIA26 when he was on the senior side, because

1 he had a high level of difficulty and presented some
2 major problems, and you explain to the police that --
3 I think you've made this point three times, and I'll
4 just ask you to explain to the Panel the context of it,
5 because the point you were making was that you tried
6 never to give up on a boy, but in the end you had to go
7 back to court and ask the judge to take him to borstal,
8 because you couldn't look after him. You regarded that
9 as a matter of last resort.

10 **A. Yes. That young lad HIA26, he was a regular absentee**
11 **from his own home, running away from his own home.**
12 **I remember it very well. I was in his own home so often**
13 **I could never forget it. He was a regular absentee from**
14 **his own home, which was a cause of major concern to his**
15 **parents, running the estate at night and some nights not**
16 **coming in at all. Eventually he found himself in the**
17 **training school. It continued, that pattern, right**
18 **through I would say perhaps maybe for**
19 **but loads of problems. A chronic absconder.**
20 **Bring him back, try to settle him down and pick up the**
21 **pieces again, and he had the propensity to get into**
22 **trouble while he was out, and eventually we had to apply**
23 **to the court -- rather apply to the Northern Ireland**
24 **Office to use the authority to bring him to the court**
25 **and to ask the court to consider an alternative**

1 placement for him, and I remember distinctly having to
2 give evidence in the juvenile court at the time and he
3 was sent to another establishment.

4 Q. The point you make then to the police is that you
5 regretted having to take that step. It wasn't a step
6 that was taken lightly.

7 A. Far from it.

8 Q. But you also draw attention to the fact that he then
9 appeals --

10 A. He did, yes.

11 Q. -- his stay in borstal and goes back to St. Patrick's --

12 A. Correct.

13 Q. -- and you have to take him back for a period of time,
14 and the point to that is how does that sit with the
15 allegations that here you were abusing him, but the
16 allegation that he's made is that you did do these
17 things, and you then explain to the police that you
18 never tried to kiss or touch in a sexual way any boy in
19 St. Patrick's, and that that could not be further from
20 the truth, and you go on to explain that you were never
21 attached during your time in St. Patrick's by any boy
22 ever.

23 A. Nobody ever laid a hand on me.

24 Q. I was asking you in that context -- I picked up
25 something we were talking about earlier about your

1 general approach to dealing with boys was not
2 a confrontational one. So it didn't lead to a potential
3 physical altercation between you and the people -- the
4 young people you were looking after.

5 **A. Right.**

6 Q. At the end of that interview your solicitor -- I think
7 it was Mr Collins, who is here today -- drew the
8 officer's attention to the fact that HIA26 had made
9 three statements to the police in the 1990s about --
10 making allegations about his time in various homes,
11 including making a reference to St. Patrick's, and never
12 mentioned you once in any of those police statements,
13 and the reference for that, Members of the Panel, can be
14 found at 26035.

15 HIA26's Inquiry statement runs from 065 to 077 and
16 he just mentions this briefly at paragraph 35. If we
17 can look, please, at 074, you can see he says that you
18 approached him when he was in the punishment cell. He
19 says you felt all around him and tried to sexually
20 assault him, but he kicked the legs off you.

21 I should have said, Members of the Panel, we are
22 endeavouring to obtain the document to verify this, but
23 in the police case the outline dealing with it is at
24 26065 to 26068. The recommendation was for no
25 prosecution and that's ultimately what happened in

1 respect of it.

2 In your Inquiry statement then, BR26, at 2192 in
3 paragraphs 6 and 7 you deal with this particular matter.
4 You explain that his allegations were not true and that
5 if any boy at any stage had hurt himself -- this was
6 a reference to something in his police statement -- that
7 you would have got him medical treatment and had the
8 facilities on site to help with that.

9 Unless there is anything else, BR26, you want to add
10 to what I've said about HIA26, then I'll move on to the
11 next matter.

12 **A. Not really. Just that these allegations against me are**
13 **total fabrication.**

14 Q. The sixth individual is HIA137. He is your number 13.
15 He makes physical allegations. He was in the home
16 between 6th May 1971 and 16th September So having
17 been born in , he was in St. Patrick's
18 between the ages of . You are between
19 during that time.

20 His statement to the police can be found at 25374 to
21 25380, and while he did make contact with the Inquiry,
22 he did not proceed to engage with the Inquiry, but
23 having -- his police statement having been made, you
24 were interviewed about that on 26th June 2013 and the
25 allegations that were put to you were that you utilised

1 putting him and others in cold showers and then you
2 would bring them out of the showers one by one and use
3 a leather strap to strike him, and you said to the
4 police that you didn't have a strap of your own and you
5 didn't hit boys with it in the context that he's
6 describing.

7 He made an allegation that you were nicknamed as
8 and you said to the police that that was
9 news to you, that you were aware that the boys referred
10 to you as , and you explained -- and in fairness
11 to you a number of other statements the Inquiry has
12 received does attribute the nickname to you,
13 but you were explaining to the police that you
14 and that's why that
15 name then was used by the boys towards you.

16 **A. Correct.**

17 Q. And he went on to indicate that he at one stage kicked
18 the door of the tuck shop in and the boys then piled in
19 to take stuff from the tuck shop, that you sent him to
20 his room or a room and then you came in and started
21 beating him with the strap, that he curled up in a ball
22 on the floor as you were beating him, and then similarly
23 on another occasion for having run away you gave him
24 a similarly intense beating, where, in fact, you
25 threatened to kill him, such was your loss of temper,

1 and striking him so much he was going to pass out with
2 the beating.

3 Those are the allegations that he made, and you said
4 to the police that those were completely untrue, that
5 you had never engaged in that type of violence towards
6 anybody in your care, and you indicate, as you are in
7 paragraph 24 of your statement, that you didn't carry
8 any sort of leather strap. This is the last five lines,
9 Members of the Panel. You have no specific recollection
10 of carrying out corporal punishment.

11 "It was always my practice to refer a boy who was
12 particularly unruly to the director or principal of the
13 school to administer corporal punishment. On
14 reflection, I think it is possible I may have
15 administered corporal punishment by slapping a boy, but
16 only on the orders of the school principal or director
17 and under his supervision."

18 That's a particular instance we were referring to of
19 a particular , who was not himself fit to --

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

21 Q. -- having decided that corporal punishment should be
22 administered. So the process was when a boy was to be
23 physically punished, that was referred on. It was not
24 actioned by you, but you explain in your police
25 statement that what you certainly did do as part of the

1 rewards and privileges system is that the
2 had the ability to convey an award --

3 **A. Oh, yes.**

4 Q. -- or remove a privilege.

5 **A. Uh-huh.**

6 Q. But the actual physical corporal punishment was not done
7 by you.

8 **A. No.**

9 Q. Again the -- and we are working towards having
10 confirmation in documentary form, but the police
11 recommended no prosecution and the PPS followed through
12 with that direction or certainly the PPS recommended no
13 prosecution.

14 CHAIRMAN: Just before we leave this, I've seen a reference
15 to false teeth in one of these statements.

16 MR AIKEN: Yes. That is in 25378. If we just look at the
17 police statement, you were saying to me, BR26, you do
18 have false teeth.

19 **A. Right.**

20 Q. You've had them for a considerable period of time, but
21 you aren't sure when you got them.

22 **A. Correct.**

23 Q. And if we -- if we just scroll up so we can see the
24 reference to the page before -- just move on to the
25 page before -- this is one of the references to -- just

1 scroll up a little further. The particular incident is
2 where -- what he is saying is he has absconded. Twenty
3 police officers have had to be engaged in bringing
4 you -- bringing him back, and as a result of that you
5 were so angry and annoyed that you -- he knew you were
6 mad. You were going to kill him. That night you were
7 sent to bed, but the next day you were called out of his
8 workshop, sent to a room which had a high up window that
9 everyone knew was a restraining room and you -- he was
10 stripped off to his underwear and told you -- you told
11 him that he would end up in Millisle.

12 Well, that is not specific to HIA137 as correct, but
13 you would have -- and the boys would have known that if
14 they did not behave in St. Patrick's, they could well
15 end up in a borstal, and that would have been something
16 would have been referred to from time to time when
17 dealing with them.

18 **A. Right.**

19 Q. Yes. He says on that day you were beating him, telling
20 him you were going to break him. His body went numb and
21 he thought he was going to pass out. If we scroll down
22 then, when you stopped hitting him he says you leaned
23 against the wall and your false teeth were nearly coming
24 out of your mouth. He beat you to a pulp. He lay on
25 a heap on the floor.

1 So it is right that you have false teeth?

2 **A. Correct.**

3 Q. You have had them for a long period of time?

4 **A. Correct.**

5 Q. But the point you are making is that at no stage did
6 your false teeth ever go to fall out.

7 **A. No, never.**

8 Q. And certainly not for hitting a boy in the manner which
9 he describes. Is there anything else you want to --

10 **A. I would just simply make the observation if it took more**
11 **than twenty policeman, as that statement of his seems to**
12 **say, if it took more than twenty policemen to bring him**
13 **back, they didn't seem to be bringing him back to the**
14 **right place, an open placement.**

15 Q. So that is the sixth matter and you deal with -- in
16 paragraph 24 of your statement you set out your
17 observations further about HIA137.

18 The seventh individual is HIA374. He is your
19 number 14, and he makes a sexual allegation that
20 occurred on the signing in day on his arrival. He was
21 in the home between 14th February and 14th March
22 . So he's there for four weeks, aged , and you are
23 at that point in time.

24 In his police statement at 25566 to 25568 of 18th
25 February of 2014 he could not remember the name of the

1 Brother, but he described him as someone who had
2 , and what he says happened was on his first day he
3 is in this office and the Brother is comforting him and
4 then starts telling him he will be fine in St. Patrick's
5 and then starts rubbing his penis over his trousers.

6 You were interviewed about that, because you were
7 identified as that the police were
8 aware of from other allegations that they were dealing
9 with. You explain to them in your interview of 14th May
10 that -- which runs from 25570 to 25575, that you could
11 well -- if this person was on the senior side, you could
12 well have been a who could have been
13 admitting him that day. That would be entirely normal.

14 **A. Correct.**

15 Q. But you don't know if you did admit HIA374 or not, and
16 you made the point that the office where
17 a boy would be admitted in terms of the paperwork would
18 have been a very busy office. It wasn't just an office

19 .

20 **A. No, general office.**

21 Q. It was a general office where there were a lot of people
22 coming and going.

23 **A. All the time.**

24 Q. You also made the point to the police, if we look at
25 25573, please, that the description that was being given

1 did not match you. it was suggested had
2 started to , and you made the point that at that
3 stage you thought your han
4 , because you were in -- you were at that point
5 in time. You didn't start to until -- you are
6 smiling. Do you want to tell the Panel? Can you
7 remember when you ...?

8 **A. I prefer to let them guess at it.**

9 Q. You were some years older before you started to .

10 **A. I would think so, yes.**

11 Q. In fairness to you when HIA374 made his Inquiry
12 statement, which is at paragraph 5 at 120, he said to
13 the Inquiry that the person that he was alleging abused
14 him was BR89. That is the name he gave. It should come
15 up as a different designation in paragraph 5. Yes,
16 BR89, who was BR89. You agreed with me when we were
17 speaking earlier that BR89 worked on the farm --

18 **A. Right.**

19 Q. -- and I already outlined to the Inquiry that he was
20 born in , came to St. Patrick's in and
21 worked there until as the before he
22 died in . He did not look like the type of
23 person who was being described. This was the only
24 allegation that was made against him and the version as
25 to how it took place is a little different from the

1 police statement, because your point is as far as you
2 are concerned you never touched any boy in that way on
3 the day they were admitted --

4 **A. No.**

5 Q. -- or any other day.

6 **A. No way.**

7 Q. He gave evidence, Members of the Panel, on Day 140 on
8 9th September and the reference is at page 20 in the
9 transcript.

10 You deal with that matter in your Inquiry statement,
11 BR26, which is at paragraph 25 on 2196.

12 Now I am going to deal with, unless there is
13 anything else you want to add about that, the eighth
14 allegation, which is HIA54. It is your number 4,
15 complaint number 4, and again it is of a sexual nature,
16 but it is of a very serious allegation of a gang rape,
17 which is alleged to have taken place on the day that
18 HIA54 arrived. This was an allegation that was never
19 made to the police. HIA54 made it to the Inquiry and
20 then unfortunately he passed away before he could come
21 to speak to his allegation, which -- he was born on
22 and was in St. Patrick's between 5th
23 September and 5th October for one month. He
24 is then there for a later period in September from
25 18th to 25th and then also from May to July or

1 August , when he is on the senior side, but his
2 allegation is very much the day he arrives on the junior
3 side is the day that two Brothers take him from the
4 junior dormitory over to the Brothers' house, and there
5 -- if we just look at what he had to say, please,
6 paragraph 3 and 4 of his statement at 150, he says:

7 "When we arrived ..."

8 If we scroll down, please:

9 "When we arrived at St. Patrick's, and
10 I were separated. Two Brothers took me out a door of
11 the junior wing and into a house beside the junior side
12 where the Brothers lived. I had no idea where I was
13 being taken to and the Brothers did not say a word to
14 me. In the house I was held down by two Brothers and
15 raped by another Brother, BR26. I do not know the names
16 of the Brothers who held me down."

17 He refers to one of them wearing something in
18 particular. He said he had taken tranquillisers earlier
19 in the day and they had not worn off, so he could not
20 defend himself.

21 "There were so many Brothers who came and went
22 I couldn't remember them."

23 Then he says:

24 "I was taken back to the junior side by the same
25 Brothers who had brought me to the house. I felt

1 humiliated. I was not able to tell anyone about the
2 rape."

3 So -- he says:

4 "I only saw BR26 two or three times after that when
5 he was walking in the corridor. I had no contact with
6 him. He did not approach me, talk to me or touch me
7 again."

8 So what he is saying is the very first day he
9 arrives two Brothers take him to see you in the
10 Brothers' house and facilitated you raping him. That's
11 the -- that's the allegation that he had made to the
12 Inquiry.

13 You -- his evidence was summarised to the Panel on
14 Day 137 of the Inquiry on 4th September 2015 and
15 pages 32 to 49 in the transcript cover it.

16 If we go back to your statement, BR26, at
17 paragraph 10 at 2193 you make the point you were
18 in the senior side of the school. You
19 agree, given the age that he says he was when he went
20 in, that he would have probably been on the junior side,
21 and that as far as the allegation that two Brothers
22 brought him over to be raped by you, that is simply
23 a total fabrication.

24 **A. Absolutely.**

25 Q. And can I just -- how -- this type of allegation being

1 made, how does that make you feel that someone would
2 allege you did that to them? Literally a boy has come
3 in. He has been brought by two other Brothers, who were
4 presumably present while you then raped him.

5 **A. Well, in all honesty it never worries me other than you**
6 **would get flashes of from time to time so many cases, so**
7 **many allegations made just in a passing way. I would**
8 **have to say in all honesty it has never kept me awake**
9 **for one minute at night, because I'm totally innocent.**

10 **Q.** The next allegation -- I'm aware, Chairman, we have been
11 going for an hour. It may be appropriate before I move
12 on to the ninth that we take a short break.

13 **CHAIRMAN:** You suggest we might rise for ten minutes? We
14 will take a break now, BR26, for ten minutes.

15 **A. Thank you, Chairman.**

16 **(3.00 pm)**

17 **(Short break)**

18 **(3.10 pm)**

19 **MR AIKEN:** BR26, during the break we were doing a little bit
20 of detective work and we will carry that on beyond today
21 over who might be on particular records and we'll try
22 and clarify, but what we can see is on the day HIA374
23 was admitted it doesn't seem to be you writing in either
24 of the diaries that we have, but we will try and find
25 the admission forms you are referring to --

1 **A. Right.**

2 Q. -- and see where that takes us.

3 So we dealt with the first eight allegations, BR26,
4 and I am now going to deal with the ninth, which is
5 SPT130. He is complaint number 15 in your statement.
6 Like the previous individual we were dealing with,
7 HIA54, SPT130 also makes allegations of sexual abuse by
8 you but in concert with other Brothers. He came to
9 St. Patrick's in October for essentially one month
10 when aged , having been born on .

11 Now he has not come forward to the Inquiry, but he
12 made a statement to the police on 4th June of 2015. As
13 we were discussing earlier, it might therefore be it's
14 something you will be interviewed about in due course,
15 but you explain in the statement that it's said that on
16 the second night three Brothers in concert with each
17 other came into his room and abused him. That was BR26,
18 BR94 and one other. His police statement can be found
19 at 26824 to 26826, and then that was repeated on
20 an escalating basis three or four times per week.

21 You address that in your Inquiry statement at
22 paragraph 26, if we can look, please, at 2196. So the
23 allegation does not go as far as rape, but that you
24 three came in and you fondled him on a number of
25 occasions over a period of time during his short stay in

1 St. Patrick's.

2 You say of that that it is simply untrue that three
3 or four times a week you and others were coming in to
4 this boy's room to abuse him. That's just not true.

5 Is there anything else you want to say about that,
6 BR26, or is that ...?

7 **A. Just simply not true.**

8 Q. The tenth allegation is made by HIA51, who is your
9 complaint number 3. His allegation is of sexual abuse.
10 As you know, he gave evidence to the Inquiry yesterday
11 and you are aware of what he said. I am not going to go
12 into the detail of the background, which the Panel are
13 aware of, but he came to St. Patrick's for what he
14 accepted was five weeks from 8th July until 13th
15 August , when he was aged You are at
16 that point in time. As I said to you, I am not going to
17 go through the background of it, but I am going to just
18 draw to the Panel's attention again that on
19 11th August 1993, , detectives went to
20 speak to HIA51 as part of their 300-odd witness trawl
21 arising from the SPT134 allegations. He said to the
22 police, having come down from
23 to meet the officers, that he would like help but
24 he couldn't. The statement of the police officer
25 confirming that can be found at 22897 to 22898, but then

1 he did make allegations in June of 1996, having
2 disclosed matters to and then to .
3 That police statement can be found at 22899 to 22905.

4 The -- he makes three allegations, the third of
5 which relates to his time in St. Patrick's, and in
6 relation to you, BR26, and that is at 2293 and 4 in the
7 police statement.

8 You were interviewed then about those matters on 5th
9 September 1996. You were also interviewed about the
10 SPT154 matter that we will come to, but on 5th
11 September 1996 the interview runs from 22919 to 22947.

12 In respect of the allegations of HIA51 he was saying
13 that you -- and it is not always clear whether it's on
14 one occasion or two occasions or perhaps three
15 occasions, the third occasion you being prevented from
16 coming in, or the second occasion you being prevented
17 from coming in, and you are aware of the reference to
18 the third occasion being to do with a birthday cake.
19 That may be an earlier occasion, but the allegation is
20 that you were coming in to distribute comics and that
21 was on a -- clearly identified on a Sunday night,
22 according to HIA51, and you address the allegations that
23 he makes, which is that you would have put your --
24 having given him the comics, that you would have put
25 your hand underneath the quilt and fondled him.

1 You said, apart from agreeing that you did deliver
2 comics, though rarely on Sunday night, you -- the
3 allegations that he makes were in your words absolute
4 lies.

5 I was talking to you. You agreed that in reference
6 to -- there was no need for someone to blockade their
7 door, because a boy could lock their door from the
8 inside, although members of staff could always unlock
9 the door with their key, but you were explaining to me
10 that boys were discouraged from locking their doors
11 because of the fire hazard if something happened at
12 night-time and they then found themselves behind
13 a locked door and panicked to get it open.

14 You and I were having a discussion about the comics,
15 because you heard me talk to SPT26 about what today
16 would not happen in terms of a member of staff going
17 into a boy's room necessarily at night or one might do
18 it rather differently than the way it was done in the
19 '50s, '60s, '70s and '80s. I was asking you, "Did the
20 comic round only start whenever the single rooms became
21 the norm in St. Patrick's?" and you were explaining to
22 me -- perhaps do you want to just explain to the Panel
23 how long the comic round type approach had been going
24 on?

25 **A. It started long before that when the boys were in the**

1 **open dormitories. That's when they started.**

2 Q. The comics were got from -- was it the local

3 newsagent's?

4 **A. Marshalls of Donegall Street every week.**

5 Q. Then they would be given out to --

6 **A. They would, yes.**

7 Q. -- the boys in the senior dormitory.

8 **A. Correct.**

9 Q. You didn't deliver the comics in the junior dormitory?

10 **A. Nothing whatsoever in the juniors.**

11 Q. So always in the senior dormitory?

12 **A. Yes.**

13 Q. What you were explaining to me was essentially that

14 practice continued after the senior dormitory was split

15 into the individual rooms?

16 **A. Correct.**

17 Q. You continued to go in --

18 **A. Distribute them, yes.**

19 Q. -- and give the boy a comic.

20 **A. Yes.**

21 Q. Essentially you have done that practice for thirty,

22 forty years.

23 **A. Absolutely, yes.**

24 Q. I was asking you -- obviously the suggestion that has

25 been made is that that was an opportunity for you to

1 take advantage of the boys, that you would go in with
2 the comics as a guise or a ruse to being able then to
3 interfere with them, to fondle them and sexually abuse
4 them, and the point you made to the police about this
5 was that nothing could be further from the truth. That
6 was not the purpose of taking the comics, and at no time
7 did you interfere with any boy in that way.

8 I was asking you -- you mentioned when you were
9 talking to the police about this whether there was any
10 occasions whenever you could have patted a boy on the
11 shoulder or patted him on the legs. You would have been
12 touching somebody when you were giving a comic or saying
13 "Goodnight", and you said certainly you could well have,
14 but in no circumstances was it under the clothes. There
15 was nothing sexual about it. It was never near anyone's
16 private parts.

17 I was asking you just to explain in your own words
18 what you mean by that. When you'd gone in to talk to
19 a boy, given the comic, checked on whether there were
20 any issues -- you were explaining to me about whether
21 something had happened at home, or whether there was
22 a problem in the training school, or worried about
23 court, or whatever the subject matter was. I was asking
24 you when you say you would have touched them
25 potentially, what did you mean by that? Do you want to

1 just explain to the Panel how that worked?

2 A. Chairman, it might be an opportunity to get talking to
3 a young lad who obviously was shall I say upset or
4 worried or whatever, you know, or alternatively he may
5 not even show those signs, but he might have mentioned
6 it himself, "What do you think is going to happen when
7 I go to court on Tuesday or whenever? Will I be sent to
8 Hydebank? Will I be sent to Lisnevin or whatever?", you
9 know, and we would talk about it for a while, or
10 alternatively his problem might be about home. He
11 hasn't been getting visits. "Could you arrange for
12 somebody to go down and see what's wrong?" or somebody
13 else has got into trouble at home or whatever. Dad has
14 been lifted by the police and taken in and they haven't
15 had a word from him for two or three days, all things
16 like that. It was an opportunity talk to the young lad,
17 you know, and to listen to him more than to talk to him.
18 He was getting these worries off his chest. At the end
19 of it all, you know, whatever I said by way of
20 reassuring him insofar as I could reassure him about
21 anything, you know, at the end of it all they would say,
22 "Right, young man. We will pick up on this tomorrow.
23 We will make enquiries about home or make enquiries
24 about your dad or whatever. Have a good night's rest".
25 I might tap him on the shoulder, the head or whatever,

1 **"Goodnight".**

2 Q. So it's not --

3 **A. I had no problem with that. I wouldn't have any problem**
4 **with that today, even though it might not be the culture**
5 **of today. Right? I personally would have no problem**
6 **with that.**

7 Q. There is nothing sexual to it.

8 **A. None whatsoever.**

9 Q. I was asking you whether you could have ended up giving
10 a boy a hug at night-time. You said to me you don't
11 recall that ever arising.

12 **A. No, no, that did not arise.**

13 Q. But certain you could well have said "Goodnight" in a --

14 **A. Of course. I've tapped him on the shoulder, the head or**
15 **whatever, you know.**

16 Q. And I was asking you in that context -- we will come to
17 it slightly later -- in fact, we will leave it and come
18 to it slightly later, but the allegation that he made,
19 HIA51, was about this comic round and that that gave you
20 the opportunity to interfere with him, which he claimed
21 you did, and you've explained to the Inquiry, as you did
22 to the police, that at no stage was there anything
23 untoward about doing the comic round at night-time in
24 the senior dormitory or in the senior rooms that were
25 then there instead of the dormitory.

1 Now --

2 **A. Could I -- could I interrupt for a moment?**

3 Q. Yes, of course.

4 **A. I have actually no recollection of that lad, but I have**
5 **no doubt whether he was there and I have no doubt**
6 **whether he got comics from me and that same as everybody**
7 **else. I have no recollection of him, but I do very well**
8 **remember an _____, who never gave us the**
9 **slightest bit of trouble.**

10 Q. So what you are talking about when you are explaining
11 the process that you would have gone through at
12 night-time, and you were explaining to the police that
13 it was really a Monday or a Wednesday night normally,
14 not -- you wouldn't say for certain it never was
15 a Sunday night, but it generally was a Monday or
16 Wednesday, because you explained to the police that at
17 the weekend boys coming back, as it were, would have had
18 their own comic potentially with them. There was not
19 the same need for the movement of material.

20 **A. Precisely.**

21 Q. And that you don't remember him specifically, but your
22 point is you never touched any boy inappropriately while
23 doing the comic round --

24 **A. Never.**

25 Q. -- and therefore you can say with certainty you never

1 did that to him --

2 **A. Never.**

3 Q. -- even though you don't have a specific recollection of
4 him.

5 The police concluded on 14th November 1996 that
6 there should be in their recommendation no prosecution
7 for a variety of reasons that the Panel are aware of
8 from the material which was endorsed by the senior
9 officers in respect of the allegations that were being
10 made, and the DPP on 25th November 1996 directed that
11 there should be no prosecution. That can be found at
12 90341.

13 The same allegations essentially made in the Inquiry
14 statement, as you know, perhaps in a slightly modified
15 form, at paragraph 12 at 166, and he gave evidence, as
16 I said, yesterday on Day 146 of the Inquiry's public
17 hearings. Your statement deals with his allegations.

18 The eleventh allegation, BR26, is made by SPT154,
19 and he -- you were interviewed about him at the same
20 time as HIA51 in that he was in St. Patrick's between
21 , having been born in So he was
22 aged between while he was there and you are
23 between during that period.

24 The allegation that he makes in his police statement
25 of 18th May 1995, which can be found at 22909 to 22911,

1 is of being taken out by you in a Peugeot car. He said
2 that you squeezed his shoulder and rubbed his thigh.
3 That was then put to you at your interview with the
4 police when you were also asked about HIA51. So that's
5 on 5th September 1996 at 22919 to 22947.

6 You explain that it was absolute lies that you
7 touched any boy inappropriately, that -- but you also
8 went on to explain it was highly unlikely that when you
9 asked the to get you someone to come on
10 a run with you down the town, that they would ever have
11 picked SPT154. Can you just explain briefly to the
12 Panel why you say he would not have been a boy who would
13 have been sent on an errand with a member of staff?

14 **A. Because it was well known that he as light fingered.**

15 Q. So you could have been taking a boy and getting him to
16 do a message in a shop while you are doing another
17 message or sending them to do a message. The point you
18 are making is a bit of common sense would be exercised
19 by the staff and you wouldn't send someone with
20 a propensity for stealing into a shop.

21 **A. I always looked upon the as being the**
22 **people who had the pulse of the boys. They knew who was**
23 **who.**

24 Q. You were explaining to me then that the process of
25 taking somebody out -- you would have gone down into

1 Belfast and that was at a time when -- again to make
2 sure the context of this is understood, in the '70s and
3 '80s leaving a car unattended somewhere might result in
4 the army taking to it.

5 **A. It was not the thing to do.**

6 Q. Therefore there was again common sense of either you or
7 the boy being in the car while the other one perhaps did
8 a message if there wasn't somewhere suitable to park.
9 That might involve either an errand in a store or
10 perhaps documents --

11 **A. Correct.**

12 Q. -- that had to be picked up about a boy or on occasions
13 picking up a boy to come to St. Patrick's.

14 **A. Correct, yes.**

15 Q. But the police then, whenever they dealt with this
16 allegation, the recommendation on their part was that it
17 did not even amount to an indecent assault and in any
18 event they recommended no prosecution for other reasons
19 that are the same as those that applied to HIA51.

20 You deal with this in your Inquiry statement at
21 paragraph 22 in any event.

22 The twelfth individual, BR26, that I am going to
23 deal with is SPT136 and I'm going to deal with --

24 CHAIRMAN: Before we pass to SPT136 we should clarify for
25 those who are not as old as BR26 and myself if in the

1 '70s you left your car unattended in certain parts of
2 Belfast, you were very lucky if it was towed away,
3 because normally it would be blown up by the army as
4 a possible risk.

5 MR AIKEN: Yes.

6 CHAIRMAN: And at the very least would cause enormous
7 disruption to traffic and be exceptionally embarrassing
8 to the owner of the car at best.

9 **A. And be brought to book for it.**

10 CHAIRMAN: Indeed.

11 MR AIKEN: The -- so the taking of boys on errands was not
12 an unusual thing by any means, but there was nothing
13 inappropriate to it. I am not sure that any other
14 allegation of a similar kind has been made about you,
15 but in any event you are saying, "I didn't do that", and
16 you also don't believe that boy would have been sent,
17 because that would have been rather counter-productive
18 for the training school either in terms of absconding or
19 perhaps something worse in terms of stealing.

20 **A. Correct.**

21 Q. The twelfth individual is SPT136. He is your complaint
22 number 8. He makes a sexual allegation. I am going to
23 deal with this briefly, BR26, because I opened this to
24 the Panel through the evidence of SPT26. It is
25 important that I still give you the opportunity to deal

1 with it, but SPT136 came forward as part of the SPT134
2 investigation. He was one of the six individuals out of
3 155 who made allegations. Four of those, as we know,
4 related to DL137. So he was one of two who made
5 allegations other than in respect of DL137, and he was
6 in St. Patrick's between May and March between
7 the ages of when you were .

8 I dealt with SPT26 about it because -- and opened to
9 the Panel the detail of SPT136's police statement. You
10 are aware from it that he makes very serious sexual
11 allegations in it of 21st September 1993 at 20734 and 5.
12 We looked at them because of -- he alleged that he had
13 told SPT26 of the sexual abuse that you had perpetrated
14 on him, and the police then spoke to SPT26. His
15 statement is of 28th September 1993 at 20737, where he
16 says that he was never told by SPT136 of sexual abuse by
17 you, and if he had been, he would have treated it with
18 some suspicion, because the boy was not truthful.

19 The police summarised it this way, if we can look,
20 please, at 20596. So the summary report just records
21 the allegation that's made and you will immediately see
22 the person who was said to have done this was

23 You still haven't reached that stage even
24 today, BR26.

25 **A. Thank you.**

1 Q. And if we scroll down to the next page, please, where
2 reference is made to SPT26, he says:

3 "During the interview with SPT26 he indicated that
4 he had not received that complaint, but he would have
5 treated it with suspicion. He explained this by adding
6 that through his dealings with SPT136 that he knew he
7 was not a very truthful person. ... reinforced by the
8 fact that SPT136 was convicted of

9 ."

10 He received then another Training School Order in
11 St. Patrick's. So he was effectively in St. Patrick's
12 , amongst other things. His record is
13 available at 21003.

14 But you were interviewed about SPT136's allegations
15 in respect of you on 15th April 1994, and that was at
16 the same time as SPT96's allegations were put to you,
17 and you dealt with them at 21098 to 21106.

18 As to SPT136, you said to the police that what was
19 being alleged of you was total lies and the description
20 that was being put forward towards you was not of you.

21 You did say that you at that stage were

22 ey, but certainly were by

23 any means , but you did agree and drew to the

24 police's attention that you had for been

25 going on a Sunday morning to ,

1 where you would have taken those wheelchair-bound to
2 mass on a Sunday morning.

3 You then also describe the comic round, because he
4 alleged that you made use of the comic round to sexually
5 abuse him, and you explained it wasn't just you who did
6 the comic round. It wasn't exclusive to you, that all
7 of the would have been involved in the
8 doing of it, and it was generally done at the beginning
9 of the week on Mondays, Tuesdays and Wednesdays.

10 Then the police referred to the fact that -- and if
11 we just look at 21105, as I was explaining to you
12 earlier, BR26, whenever they spoke to the 155, they then
13 marshalled the information they had got. They explained
14 to you that about nine or ten boys who had been
15 interviewed had told police that they had heard rumours
16 that when you were doing the comic round, you were
17 inclined to touch the boys on the leg when they were in
18 bed.

19 Now the police put that to you and then you
20 explained that there was no truth to the rumour that you
21 touched the boys in some inappropriate way. You may
22 have touched some of them, but in a completely innocent
23 fashion.

24 I was asking you whether at the time -- so these are
25 boys who are in the home in whether at the

1 time you had you ever been made aware of the rumour
2 that, "Oh, you had better watch BR26 when he is doing
3 the comics", whether it was unfair and untrue or not,
4 whether you'd actually ever heard that whisper or rumour
5 being said, and you explained to me that you'd never
6 heard it.

7 **A. Never.**

8 Q. And you asked you, "Well, what would you have done if
9 you had heard, you know, some boy making that type of
10 rumour about you?" and you said to me rather frankly you
11 would have ignored his untruthful rumour and got on with
12 doing what you thought was best for the boys.

13 **A. Yes.**

14 Q. Is there anything else you want to add to that?

15 **A. Just that.**

16 Q. In respect of his allegations, that is SPT136, you
17 recommended -- the RUC recommended no prosecution in
18 December of 1994, which was followed by the DPP, who
19 again directed no prosecution in January of 1995, and
20 you deal with this issue in paragraphs 18 and 19 of your
21 statement at 2194.

22 The thirteenth allegation, BR26, unless there is
23 anything else you want to add to that, is your complaint
24 number 6. It is a sexual allegation that was made to
25 the Inquiry by HIA253. He had not made this allegation

1 to the police at any stage. He was in the home between
2 26th August until January . So he's there for
3 a five-month period aged between . You are ,
4 and in paragraphs 8 and 9 of his statement, if we look
5 at 173, please, he alleges in summary, BR26, that you
6 took advantage of him while he was assisting you with
7 cleaning the handball court, and in paragraph 8:

8 "He talked with me while we were cleaning up the gym
9 and the handball courts. Told me I'd be there for
10 a while, but that he could make things easier and
11 perhaps shorten the amount of time I would have to stay.
12 He kept putting his arm round me and touching me. There
13 was no sexual touching that day, but he was trying to
14 make me believe he was helping me."

15 Then he explains how you went on to touch him lots
16 more thereafter and that was sexual touching, you taking
17 your penis out and trying to persuade him to masturbate
18 you. Scroll down a little further, please. We have
19 a problem scrolling down. There we go. Just scroll
20 down a little more, please. Well, the -- you tried to
21 persuade him to take his clothes off and you resisted
22 and wouldn't do what he asked. Then he began to abscond
23 at every opportunity he said.

24 He gave evidence to the Inquiry on Day 142, which
25 was 21st September. The relevant parts of the

1 transcript can be found at 40771 to 40773 and at 40780.

2 As to this, BR26, you explain at paragraphs 12 to 14
3 of your statement at 2193, please -- one of the points
4 you made to me without -- you wouldn't have been someone
5 who was tasked with cleaning the handball courts. It
6 just was not something that would have been there for
7 you to do.

8 **A. Correct.**

9 Q. And you explain that none of this, what he alleges,
10 happened, that you were effectively at that point
11 and you don't believe it would have
12 been your responsibility to be cleaning out the gym or
13 handball courts. You don't particularly recollect that
14 individual, but you deny that you abused him in any way.

15 The fourteenth allegation, BR26, is from SPT119, and
16 again this is something that I have opened at length
17 with the Inquiry through two witnesses yesterday.
18 Ms Smith dealt with one and I dealt with the other. So
19 I am going to deal with it in brief terms while still
20 giving you the opportunity to say whatever else you want
21 to say about it. This is your complaint number 12.

22 The allegation is from him -- he makes three
23 allegations principally and it is the first allegation
24 that involves you, and that is that you engaged in
25 a gang rape of him with BR50 and BR96, now BR96. So

1 this is now a suggestion of you involved with
2 a different consort of Brothers, because you will recall
3 an earlier allegation involved differently identified
4 Brothers and you sexually abusing. So this is now you
5 with a different set. This time it's BR50 and BR96.

6 He, having been born in went into
7 St. Patrick's in January to April for three
8 months and then again in June for two weeks and then
9 October to February for
10 between the ages of , during which point you
11 were aged I think the other two Brothers were
12 considerably younger than you. BR50 worked on the
13 junior side. So he was not someone you worked with,
14 although -- and BR96 also worked on the junior side.

15 **A. Correct.**

16 Q. And you were on the senior side.

17 SPT119 made his allegations in an ABE interview
18 given to police on 4th August of 2010. They run from
19 23601 to 23675. The allegation was he was kept back
20 whilst the rest of
21 went on holiday in the summer of . He was in the
22 junior end at that time. He was left alet on his
23 own. One night you with BR96 and BR50 came into his
24 room. You were all drunk. You gang anally raped him.
25 BR50 went first while you and BR96 held him down until

1 BR50 ejaculated and then you swapped over and you anally
2 raped SPT119 while Brother BR50 and BR96 held him down.
3 The three of you then repeated that another night or,
4 depending on how you read the interview, more often over
5 the course of two weeks.

6 You were interviewed about that on 6th March of
7 2015. If I just correct the reference, it's 25997 to
8 26013. 25997. What you said to the police was no child
9 would have been left in a dormitory on their own or in
10 a chalet on their own. If they were needed to be in a
11 -- they were having to stay behind, they would have gone
12 into another chalet or dormitory.

13 In relation to the suggestion that you engaged in
14 this -- I should say at the outset what you said to the
15 police was, "I did not do this. This is completely
16 untrue. I never did that to anybody with or without
17 other Brothers", but then you draw particular attention
18 to certain things about what's said that are not
19 consistent.

20 One of the points you made was that, in fact, to
21 deal with the suggestion you were drunk, you are
22 a Pioneer and you -- certainly at the time of the police
23 interview you had been a teetotaler all of your life,
24 and the police asked you about drinking and you said you
25 hadn't had one yet. So you didn't know was the answer

1 that you gave, but you explained that you were never in
2 the dorms of the junior school. That was just -- you
3 had never any reason to be there and never had been
4 there, and you said the allegations being made were
5 total lies.

6 In the police outline of case -- and yesterday,
7 Members of the Panel, I gave you references for this
8 document which have had to be corrected. So if I can
9 just draw attention to that. The outline of case is at
10 27926 to 27930 and -- we will have to change the Bates
11 number on some documents. The outline indicated to the
12 prosecutors that the individuals who SPT119 said could
13 corroborate his story did not and, in fact, one pointed
14 out that the Brothers had done everything they could to
15 help the boys. There was no reference in SPT119's daily
16 notes to remaining behind whilst the rest of his unit
17 went on holiday, and most of the witnesses spoken to,
18 although it was not recorded by the police in their
19 statements, the police record in their notes that they
20 believed the witnesses believed that SPT119 was telling
21 lies. Then there are matters connected to STP119's own
22 family background that the Panel are aware of which may
23 be telling.

24 As a result the police recommended no prosecution
25 and on 4th September of 2013 the PPS directed no

1 prosecution in respect of SPT119's allegations, and the
2 same for BR96 and BR50.

3 You deal with that in paragraph 23 of your
4 statement. You do remember this boy. Is that right?
5 Do you have a memory of him in particular or you just --
6 there were a lot of You don't have
7 a particular memory of him?

8 **A. Not particularly, no.**

9 Q. But he would have been on the junior side in any event.

10 **A. In the school, yes.**

11 Q. So he is not someone that, other than being aware of
12 him, you would have had any great interaction with.

13 **A. No.**

14 Q. The last allegation you will be pleased to know, BR26,
15 that I am going to deal with, number 15 -- we are almost
16 done -- is made by HIA384. He is your complaint
17 number 7. It's HIA384. Essentially the allegation that
18 relates to you that I just want to give you the
19 opportunity to publicly indicate your position about is
20 that what's said of you is that you were paying SPT54,
21 another boy in the school, who was said to be your pet,
22 to abuse HIA384.

23 You explained to me that you have no particular
24 memory of HIA384, but you certainly remember SPT54.

25 **A. Right.**

1 Q. He had substantial difficulties himself and you also had
2 to deal with the fact that
3 and assist that boy in dealing with that, but he
4 also had and difficulties that he was
5 involved in, and the Panel are aware of the police file
6 relating to his interactions with HIA384 and the
7 allegations and counter-allegations that were made.

8 HIA384 gave evidence on Day 142 of the Inquiry and
9 it's 21st September 2015. The relevant transcript pages
10 are at pages 68 and 69, but in your Inquiry statement in
11 paragraphs 15 to 17 you explain that these allegations
12 that you were paying another boy to abuse HIA384 is just
13 simply ridiculous. Is there anything else you want to
14 add to that, BR26, other than --

15 **A. SPT54 was a very disturbed young lad, you know, and to**
16 **compound his problems and our problems**
17 **while the young**
18 **lad was in the school, and it was no easy task to handle**
19 **that young lad at that particular time. He had to be**
20 **brought . We managed that**
21 **quite successfully I would say. In fact, we were**
22 **complimented on the way we handled things and the way we**
23 **particularly managed him, but regarding the allegations,**
24 **total tissue of lies, blatant lies.**

25 Q. That, BR26, concludes the fifteen allegations that you

1 have had to deal with, and what I want to do just before
2 I finish is highlight -- and you have agreed that we
3 will find a window for you to come back and assist the
4 Panel with more general matters, but so that it is
5 understood in the context of the allegations that you
6 face, the -- as I opened to the Panel during the opening
7 week, there are a number of instances in the papers
8 where you are involved in sexual activity taking place
9 between boys that's caught by members of staff that's
10 then brought to your attention and you take the matter
11 to the police, and I was asking you -- because the Panel
12 can consider that in the context of a suggestion you
13 were yourself someone who was abusing boys -- and I was
14 asking you about sexual activity going on between boys
15 and you were saying it was not -- it was not seen as
16 a major problem at the time in that it wasn't affecting
17 a vast swathe of the boys who were in the home, that up
18 to -- again this is with hindsight, BR26, and that's the
19 difficulty with some of this in terms of context. You
20 were explaining to me that in the earlier time, the
21 , if there had been that type of
22 activity between boys, you could have talked to them
23 about it and told them to catch themselves on and not to
24 engage in that type of activity. It would not
25 necessarily have been something that would have been

1 referred to the police, but by the it was something
2 that was referred to the police, albeit in all of the
3 instances that we can see you doing that it does not
4 seem that the police prosecuted anyone at any stage in
5 terms of the boys for the activity.

6 Is that a fair summary, that over time the way of
7 trying to handle the fact that some boys where boys were
8 all living together would engage in that type of
9 activity, that's how it would be dealt with?

10 **A. I think you've outlined it very, very fairly actually.**

11 Q. But that is in the context of what we are dealing with
12 today, and the Panel are aware of the detail of that,
13 that you did bring those matters to the attention of the
14 police.

15 In that context the Panel is also aware of evidence
16 that it has received from individuals who have been
17 before the Inquiry who explain the assistance that you
18 gave to them in their life as they passed through the
19 training school and the encouragement that you gave to
20 them. So that positive evidence is also available to
21 the Panel in the context of the allegations that you
22 face, because obviously the Panel is dealing with
23 allegations of abuse, and therefore not the point you
24 make in your statement that, in fact, you would have
25 been involved in the care of not hundreds of children

1 but more than likely thousands of children and the
2 allegations are limited to the fifteen people that
3 I have taken you through today.

4 Now I am not going to ask you any more questions
5 about the allegations, because I know you have said to
6 me we will find a window for you to come back and talk
7 about more general matters to assist the Panel.

8 If you bear with us for a short time, the Panel
9 Members may want to ask you something about the
10 allegations.

11 **A. Of course.**

12 **Questions from THE PANEL**

13 CHAIRMAN: BR26, there is only one thing I want to ask you
14 about. It is in relation to something you have not
15 actually been asked about so far. That is in relation
16 to HIA58, who you have been speaking about earlier
17 today, one of the things that he said in his statement
18 to the Inquiry, and you will probably remember this, you
19 would come round and wake him by hitting him on the legs
20 with a stick and so on. That's not what I want to ask
21 you about, but he went on to say that he thought Father
22 Brendan Smyth had said mass in St. Patrick's on
23 occasion. Have you any recollection of Father Brendan
24 Smyth ever saying mass in St. Patrick's?

25 **A. We have -- no, no. Chairman, not alone have I not any**

1 **recollection, but we have discussed this fairly**
2 **recently. There is nobody in St. Patrick's Training**
3 **School has any recollection of the late Father**
4 **Brendan Smyth being in St. Patrick's on any occasion.**

5 Q. Well, subject to correction, because we have passed on
6 from dealing with Father Brendan Smyth's behaviour,
7 I don't recall it ever being suggested in anything
8 I have seen that that was the case, but I thought
9 I would take this opportunity, since this particular
10 witness did mention it --

11 **A. Of course, Chairman.**

12 Q. -- admittedly in a rather tentative way, but your answer
13 is that no-one has ever recalled him being in
14 St. Patrick's --

15 **A. No.**

16 Q. -- for any purpose?

17 **A. Any purpose, yes.**

18 Q. Thank you very much.

19 MS DOHERTY: Thanks, Brother. I just wonder if you have --
20 I am sure you have thought about why these boys, men
21 would have made these allegations about you, would have
22 picked you out of all the range of Brothers to make
23 these allegations against.

24 **A. A politician would say, "That is a very good question"**
25 **and I have been thinking about that myself, and I have**

1 come to the conclusion that there is a small cohort of
2 young people -- of people who have, for reasons best
3 known to themselves, decided that they will try and
4 pinpoint me as being the person that would do that to
5 them and to vilify me as far as they could possibly take
6 it, again for reasons best known to themselves.

7 Furthermore, and related to that, and this is
8 probably the most important thing I have to say today,
9 I don't hold the slightest grudge or animosity towards
10 any one of them, not for one moment. That is the road
11 they have chosen to go. That's all I want to say about
12 that.

13 Q. Okay. Thank you.

14 A. Could I just --

15 CHAIRMAN: Yes, of course.

16 A. Could I just ask you to bear with me for just two or
17 three moments, please?

18 CHAIRMAN: Yes, of course.

19 A. In the presentation of events relating to St. Patrick's
20 Training School I would really have to say that the
21 school perhaps has been portrayed as being fairly
22 punitive and that. It was never really that. It was
23 the place to give people enormous amount of satisfaction
24 to work in, and the vast majority of parents were very
25 happy that their youngsters were there. In fact, they

1 had other members of the family that were in other
2 institutions and they had only wished that they would
3 have been in St. Pat's. We got fantastic support from
4 the vast majority of the parents, especially the
5 mothers. One really has to tribute -- pay tribute to
6 them and the enormous problems that they had in their
7 own life and the situation pervading, especially all
8 during the years of The Troubles, and the tension and
9 problems of rearing teenage children. We got fantastic
10 support from the vast majority of them really and truly.

11 In my latter years working I used to visit
12 on occasions to see fellas who got
13 kneecapped and it was well-known that e
14 was referred to as You would
15 meet fellas there and och, they did this and did that
16 and caught doing this and caught doing that and
17 whatever, but the parents were always very appreciative
18 that somebody called to visit them even when they were,
19 dare I say it, crippled and some of them almost crippled
20 for life.

21 Finally, reference has been made here and there to
22 the openness of the school and absconding and all that.
23 We were a huge institution sitting in -- an open
24 institution sitting in the middle of 100 acre site, and
25 while there was only one official entrance leading on to

1 the Glen Road, there were unofficial entrances, and one
2 of them particularly leading on to the nearest estate,
3 Monagh Road, where Turf Lodge estate is built. It
4 became known as the Ho Chi Minh Trail, because the
5 solders were using it by day and by night.

6 There is a palisade fence dividing our property from
7 the Monagh Road, but young lads had no problem in
8 driving a car up against that and that opened it up
9 again as a pathway.

10 I would also have to say that at that time we would
11 have had a number of lads from that area: Turf Lodge,
12 leading on to Ballymurphy, leading on to New Barnsley,
13 to Whiterock. It was always a shortcut for them going
14 home officially and for others going out unofficially
15 and for parents coming in and for some ancillary staff
16 who are living locally coming in. It was just simply
17 known as the Ho Chi Minh Trail from the number of times
18 that the soldiers were using it by day and by night.

19 Thank you, Chairman.

20 CHAIRMAN: Well, thank you very much, BR26. As you
21 appreciate, we have today been dealing with the matters
22 that concern you as someone who has been named by
23 various individuals, but there are I think a number of
24 general issues about the way St. Patrick's was run and
25 so on that we would be grateful for you to help us with,

1 and therefore we look forward to hearing you again.
2 I am sorry that it does require you to come back again,
3 but as you will appreciate, it is now 4.10, and you have
4 been here one way or the other speaking to Mr Aiken and
5 then speaking to us. I think that is enough for you
6 certainly today, and we will see you probably within the
7 next sitting week or not long thereafter. Thank you for
8 coming today.

9 **A. Thank you, Chairman.**

10 **(Witness withdrew)**

11 MR AIKEN: Chairman, Members of the Panel, that concludes
12 the oral evidence for this week. The next sitting week
13 is the week after next, which will be the week
14 commencing 12th October.

15 CHAIRMAN: Yes. Very well. We will rise now until 12th
16 October.

17 (4.10 pm)

18 (Inquiry adjourned until 10.00 am
19 on Monday, 12th October 2015)

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WITNESS BR94 (called)2
 Questions from COUNSEL TO THE INQUIRY2
 Questions from THE PANEL51

WITNESS BR26 (called)59
 Questions from COUNSEL TO THE INQUIRY59
 Questions from THE PANEL135