

20 (2.50 pm)

21 WITNESS HIA83 (called)

22 CHAIRMAN: Mr Aiken.

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

24 The next witness today --

25 CHAIRMAN: Sit down for a moment.

Page 71

1 MR AIKEN: -- please sit down, HIA83 -- is HIA83, who is
2 "HIA83". He has travelled from today or last
3 evening to speak to us. He is going to preserve his
4 anonymity and he is aware, Chairman, that you are going
5 to ask him to take the oath.

6 WITNESS HIA83 (sworn)

7 CHAIRMAN: Thank you, HIA83. Please sit down.

8 Questions from COUNSEL TO THE INQUIRY

9 MR AIKEN: Now, HIA83, as I was explaining to you, the Panel
10 understand these can be difficult experiences for people
11 to go through, as much as we try to minimise that. So
12 if at any stage you have any difficulty, you just let me
13 know and we can sort that out and we'll take a break if
14 we need to do that. Okay?

15 **A. Yes.**

16 Q. Okay. Coming up on the screen will, all being well, be
17 the first page of your witness statement that you
18 provided to the Inquiry. If you just check the hard
19 copy that you have in front of you, HIA83, and just make
20 sure that save for the black marks on the screen the two
21 statements are the same.

22 **A. Yes.**

23 Q. Yes. If we look at the last page, please, on 009, again
24 if you'll check for me that the last page you have looks
25 the same as this one except for the black box.

1 **A. Yes.**

2 Q. And that you have signed your statement?

3 **A. Yes.**

4 Q. And you want to adopt it as your evidence before the
5 Inquiry?

6 **A. I do.**

7 Q. Right. Now bear with me for a moment, HIA83, so that
8 I can give the Panel Members the location in the bundle,
9 our big electronic bundle of material where relevant
10 information about you can be found, the type of stuff
11 that's in the lever arch file we were working through
12 earlier today.

13 **A. Okay.**

14 Q. Okay? So just bear with me for a moment.

15 Chairman, Members of the Panel, the -- HIA83 spoke
16 to the police,

17 , on 15th February 2013. He was explaining to me
18 that that was the first time he'd talked about what
19 happened in Rathgael. Isn't that right, HIA83?

20 **A. That is correct.**

21 Q. And that police interview can be found at 33161 to
22 33172. In that police interview HIA83 talks about RG31
23 and RG74, who were housemasters in the reception unit of
24 Rathgael Training School.

25 **A. Yes. Correct.**

Page 73

1 Q. Then as a result of giving that interview to the
2 Police the matter was referred to the
3 Police Service of Northern Ireland and an Achieving Best
4 Evidence interview was conducted with HIA83 on 5th March
5 2013, so about three weeks later. That is of typically
6 significant length and runs from 33072 to 33160 and
7 again focuses on RG31 and RG74. We will come back to
8 talk about those two men shortly, HIA83.

9 The Health & Social Care Board statement with their
10 relevant material can be found at 577 to 580 with
11 exhibits from 581 to 588. I am not going to go into the
12 background with HIA83, but the Panel are aware, HIA83,
13 of the background with adoption and with time in a
14 children's home as well as Rathgael and we are not going
15 to go into the detail of that today. Okay?

16 A. **Yes.**

17 Q. Then the Department of Justice statement can be found at
18 756 to 758 with exhibits from 759 to 766. The
19 Department of Justice has produced to the Inquiry those
20 records relating to HIA83's time in Rathgael that they
21 have been able to find. As with others, those records
22 include an admission history, medical records from
23 various times that HIA83 would have received medical
24 treatment, the marks and rewards log, which records
25 an incident of caning, although HIA83 was explaining to

Page 74

1 me he does not remember a caning incident in Rathgael,
2 and then welfare and aftercare records of engagement
3 after HIA83 leaves Rathgael. Those run -- quite
4 a significant number of them run from 40044 to 40057.
5 HIA83 was explaining to me that he himself does not
6 remember any aftercare involvement with Rathgael.

7 **A. Correct.**

8 Q. Then, Members of the Panel, as a result of the interview
9 that HIA83 gave to the police in March of 2013 RG74 was
10 interviewed by police on 31st October of 2013 about the
11 allegation that HIA83 makes in respect of him, and there
12 are two transcripts for that interview. The first runs
13 from 37041 to 37066 and then the second tape and
14 transcript runs from 37028 to 37040. In that interview
15 RG74 is asked to and does address the allegation that
16 HIA83 makes, which we will turn to shortly.

17 RG74 subsequently passed away in 2014 and
18 equally by the time that HIA83 was interviewed by police
19 RG31 had also passed away and therefore could not be
20 spoken to in respect of these matters.

21 HIA83, that all being set out for the Panel, who are
22 aware of the background, and having had an opportunity
23 to look at some of the material relating to your time in
24 Rathgael, I am just going to summarise the main issues
25 that you identify and hopefully that will make it as

Page 75

1 easy as possible for you to give your evidence.

2 Just to confirm you were born on ?

3 **A. Correct.**

4 Q. And the period that you spent in Rathgael was between --
5 there were two periods. The first was for seven weeks
6 between 23rd October 1976 and then 10th December 1976
7 and that seven-week period you spent in the reception
8 unit in Rathgael.

9 **A. Yes. Correct.**

10 Q. The Panel are aware of the difficult background that is
11 set out in some of the reports and I'm not going to open
12 that beyond making reference to the fact there was
13 various problems as you were going out round the towns
14 collecting money and that was getting you into
15 difficulty and then difficulty at home with your
16 adoptive father.

17 **A. Yes. Correct.**

18 Q. As a result Social Services became involved at your
19 father's request and you were taken to Rathgael for that
20 seven-week period.

21 **A. Yes. Correct.**

22 Q. It is during that period that there is issues with RG74
23 and RG31.

24 **A. Yes.**

25 Q. Then the court looking at your case decides on 10th

Page 76

1 December 1976 on the recommendation of the Rathgael
2 headmaster and deputy headmaster that, having assessed
3 you, if a place could be found in a children's home,
4 that might be better for you than being in Rathgael, and
5 as a result the court directs and Social Services
6 arrange for you to live in initially Bawnmore Children's
7 Home --

8 **A. Yes. Correct.**

9 Q. -- and when it closed down, then you went to live in
10 Coulters Hill Children's Home in Ballyclare.

11 **A. Yes.**

12 Q. And again we will not go into the detail of it. The
13 Panel are aware that there was a lot of -- you absconded
14 a lot from the children's home and you explain that you
15 felt bullied by a particular family of boys --

16 **A. Yes.**

17 Q. -- and as a result of that absconding the Social
18 Services arranged for you to go back to Rathgael, and
19 you went back there for the second period on
20 15th June 1977. By this stage you are just about to
21 turn 15, and you stay there until 11th September 1978,
22 which was one year and three months. In that second
23 spell in Rathgael again you spend your time -- first
24 period for a few weeks in the reception unit.

25 **A. Yes.**

1 Q. That's where again RG31 and RG74 worked.

2 A. **Yes. Correct.**

3 Q. And then at the end of that period in the reception unit
4 you move out into House 8.

5 A. **Yes. Correct.**

6 Q. And House 8 was where RG39 was the housemaster that you
7 remember.

8 A. **Yes.**

9 Q. And you spent the rest of your time, about a year and
10 two months, in House 8 being looked after by RG39.

11 A. **Yes.**

12 Q. And you were explaining to me earlier that you never had
13 any difficulty of any kind with RG39.

14 A. **Yes.**

15 Q. I was asking you could you remember the occasion when in
16 the records towards the end of your time at Rathgael --
17 the Panel have seen this type of record before of the
18 marks log -- but could you remember an incident where as
19 a result of an allegation of bullying that you'd got
20 caned and you said to me you can't remember ever being
21 caned in Rathgael.

22 A. **No, I cannot remember that incident.**

23 Q. The record, if we just look at 40125, it is in the type
24 of handwriting you and I were looking at earlier, HIA83.
25 It's quite hard to make out. You and I were looking at

1 the bottom entry on this page, which records how you
2 were getting on. I was saying to you it shows that
3 generally speaking during your time in Rathgael in
4 House 8 you were making continually good progress, and
5 you were telling me you could remember getting weekend
6 leave, where you would go out to stay with
7 , your adoptive mother, who re-engaged, and you
8 and her saw each other during your time in Rathgael.

9 A. Yes.

10 Q. And you earned the marks from your good behaviour to get
11 out on weekend leave.

12 A. Yes.

13 Q. And there was one occasion towards the end of your time
14 -- 31st July it's recorded as -- that as a result of
15 what had occurred there was a loss of weekend leave,
16 a caning, but you don't remember that incident
17 occurring?

18 A. No.

19 Q. No. Then you are licensed to leave Rathgael in
20 September 1978. You went to live with

21 = =

22 A. Yes.

23 Q. -- your adoptive mum, and you took up the role as
24 an apprentice baker --

25 A. Yes.

Page 79

1 Q. -- an employment that Rathgael had organised. The Panel
2 are aware, HIA83, of, and you have set out in the
3 Inquiry statement, which I am not going to open today,
4 the significant difficulties that you have had in adult
5 life.

6 **A. Yes.**

7 Q. And with -- that has made circumstances very difficult
8 for you and has resulted in you on a number of occasions
9 being admitted to hospitals for periods of time.

10 **A. Yes. Correct.**

11 Q. And what I want to do, HIA83, is to go back then to your
12 time in Rathgael. I am going to do it in reverse order.
13 I am going to ask you first of all about RG74, who you
14 deal with in paragraph 10 of your statement, if we can
15 go, please, to 003, and you describe how on one occasion
16 you were in -- you had gone on a -- you said to me you
17 were on a break and you smoked in the toilets in the
18 reception unit.

19 **A. Yes.**

20 Q. And the rules were at the time that the individuals who
21 were on the junior side where you were weren't allowed
22 to smoke --

23 **A. Correct.**

24 Q. -- but on the senior side they could smoke.

25 **A. Yes.**

Page 80

1 Q. And you were caught smoking by RG74.

2 A. Yes.

3 Q. What you describe him is as a result he hit you on the
4 backside with a bat.

5 A. Yes.

6 Q. I know there's reference in one of the police interviews
7 and you mentioned to me today the word "baseball bat".

8 A. Yes.

9 Q. But you don't mean he hit you with a baseball bat.

10 A. Not a baseball bat, no.

11 Q. What he used when we work through it, and I am just
12 going to cut through it, and you tell me if I am right
13 or not, was there was something called patter tennis.

14 A. Yes.

15 Q. It was like a big table-tennis bat.

16 A. Yes. Correct.

17 Q. He hit you on the backside with that --

18 A. He did.

19 Q. -- for smoking.

20 A. Yes.

21 Q. He struck you a number of times that one occasion --

22 A. Yes.

23 Q. -- when he caught you smoking.

24 A. Yes.

25 Q. And I was discussing with you -- I am not going to open

Page 81

1 it now, but I was discussing with you earlier that in
2 the police interview that you gave in you said
3 that he did that to you a number of times. There was
4 reference to a dozen times, but when I clarified that
5 with you today, you're not saying that RG74 hit you on
6 a dozen different occasions with this table-tennis type
7 bat.

8 **A. No.**

9 Q. It was just one occasion.

10 **A. Yes, for smoking.**

11 Q. For smoking, and he hit you two or three times with the
12 bat --

13 **A. Yes.**

14 Q. -- on the backside, and you said to me you were also
15 sent to bed early --

16 **A. Correct.**

17 Q. -- over that.

18 **A. Yes.**

19 Q. Now I was explaining to you that RG74, having been
20 interviewed by the police about this in 2013 -- and the
21 Panel will have the opportunity to read his interview --
22 because what it explains -- I am just going to summarise
23 it at this stage -- he explains that he was known as
24 someone who had a black belt in judo. I think, in fact,
25 he says he didn't, but he didn't ever disavow the

Page 82

1 children in Rathgael of that fact, and therefore he
2 never ended up in fights or difficulty with boys except
3 for one example that he gives where he got a kung fu
4 kick in the back in the canteen, and as a result of
5 swinging round to deal with that he bled the nose of the
6 boy who had kicked me, and a scramble ensued, where
7 various members of staff had to restrain that boy. He
8 sets out in the police interview the detail of that
9 event and what happened in its aftermath in terms of the
10 investigation, but that that was the only occasion that
11 he ever had any physical exchange with boys. So what he
12 is saying is, "I had this reputation for being someone
13 to not cross. While I probably wasn't like that,
14 I didn't ever persuade anybody I wasn't like that and as
15 a result I was able not to have physical altercations
16 with the boys, which were banned". That's what he says
17 in the police interview.

18 Then he is asked about what you say. If we look,
19 please, at 37065, he's asked -- it's talking in the
20 general about some of the types of boys and how he found
21 it useful that some of them were scared of him, because
22 some of them came from very violent backgrounds or a
23 violent propensity and were quite capable of physical
24 violence. Then the police officer asks:

25 "Well, HIA83 says you used to hit him with a bat

Page 83

1 quite regularly."

2 Now that's because the police had been told it had
3 happened many times, but you are saying, "No, they've
4 misunderstood that. It just happened on one occasion",
5 but what he then says is:

6 "I bought --

7 Q. That's just the allegations.

8 A. Well, that is definitely untrue."

9 He then asks:

10 "Well, do you think HIA83 has a grudge against you
11 or why would he say those things?"

12 He was then asked -- he asked the question:

13 "A. Well, was there any reason given?",

14 and the police officer said:

15 "Well, he mentioned about he was caught smoking in
16 the toilets. Oh, right. Sorry. He did. He said he
17 was caught smoking in the toilets."

18 If we scroll down on to the next page, we can see
19 that RG74 points out:

20 "Well, at that time there was a very contentious
21 issue about under 14s weren't allowed to smoke.

22 Q. Right. Okay.

23 A. The over 14s got smoke breaks."

24 So he does not accept, HIA83, he ever hit you with a
25 patter tennis or big table-tennis bat, but your

1 **recollection is he did do that?**

2 **A. Yes, he did.**

3 Q. Then I am going to deal with RG31, and you talk in your
4 police statements and your Inquiry statement about RG31
5 at paragraphs 7, 8, and 9, if we look at 002, please.

6 Can we just scroll down a little until paragraph 7? You
7 talk about two different things that this man did --

8 **A. Yes.**

9 Q. -- HIA83. The first was -- and this happened the very
10 first day you were there --

11 **A. Correct.**

12 Q. -- and then a number of times after that.

13 **A. Yes.**

14 Q. You would be in the shower in the reception unit.

15 **A. Yes.**

16 Q. And that was on the ground floor.

17 **A. Yes.**

18 Q. On the ground floor you also had the office where the
19 housemasters would have worked.

20 **A. Yes.**

21 Q. And you had the dining area and the sitting area and you
22 also had the showers.

23 **A. Yes.**

24 Q. And you were having a shower, and you explain in the
25 police interview that the shower room would have been

Page 85

1 locked and it was unlocked by the members of staff so
2 that you could then go in and shower.

3 **A. Yes.**

4 Q. And you explain that when you are in showering, so you
5 have no clothes on and are washing yourself, in comes
6 RG31.

7 **A. Correct.**

8 Q. And you say that he then used -- in the police interview
9 you talk about using his left hand to touch your private
10 area.

11 **A. Yes.**

12 Q. And you don't say he touched himself, just that he was
13 touching you.

14 **A. Yes.**

15 Q. And on one occasion the police ask you, "Well, how --
16 how did it come to an end this first time?" and you say,
17 "Somebody walked in". Can you remember telling the
18 police that, that somebody came walking into the shower
19 room?

20 **A. I can't remember.**

21 Q. You don't remember?

22 **A. No.**

23 Q. As a result he just turned and left.

24 **A. Yes.**

25 Q. But then the same thing happened on a number of

1 different occasions.

2 **A. Correct.**

3 Q. And you didn't feel able at any stage, HIA83, to talk to
4 anyone about the fact this man was coming into the
5 shower room.

6 A. **No. I felt scared. I felt -- I felt humiliated.**

7 Q. That that's what he had done.

8 A. **Yes. I felt dirty.**

9 Q. Yes. The -- if we look, please, at 33164, you were
10 speaking to the police about this, HIA83, and you
11 explain to them about the showering. If we just scroll
12 a little further down, you explain that you were
13 frightened.

14 "What was said between you?", you were asked, "when
15 this was happening?"

16 and you said that okay, you were frightened.

17 "Q. What made him stop?

18 A. **Someone else opened the door.**

19 Q. Okay, and what happened then?

20 A. **He walked out. I didn't know -- I was
21 frightened. I didn't know what to do.**

22 Q. Did you tell anyone about this?

23 A. **No, because I was never believed by my father
24 when I was younger. I was scared that people wouldn't
25 believe me."**

Page 87

1 I was asking you earlier, HIA83, and you were saying
2 to me that you don't remember ever seeing any other boy
3 hit --

4 **A. No.**

5 Q. -- by anyone at Rathgael and you don't remember seeing
6 anyone else being interfered with in this way in the
7 shower area at any time.

8 **A. Correct.**

9 Q. The other part of what you say about RG31 is what
10 happens in the dormitory --

11 **A. Yes.**

12 Q. -- and in the reception unit in the dormitory -- and
13 this is the eight-bedroom dormitory.

14 **A. Correct.**

15 Q. And there would have been about -- there was
16 an eight-bedroom, a six-bedroom and then some smaller
17 rooms. There would have been about twenty boys in total
18 --

19 **A. Correct.**

20 Q. -- living in Rathgael in the unit, the reception unit.
21 You explain to the Inquiry, if we go back, please, to
22 002 -- in paragraph 8 you describe being sent early
23 upstairs to the dormitory for smoking.

24 **A. Yes.**

25 Q. I was asking you were the main punishments that were

Page 88

1 used either going to bed early or losing your weekend
2 leave, things like that, and you said yes, that was the
3 main way you got punished for things.

4 **A. Correct.**

5 Q. And you had been sent up to your dormitory and you were
6 the only person there.

7 **A. Yes.**

8 Q. And you explain that the dormitory itself, when you came
9 up the stairs to it, it had a door in --

10 **A. Yes.**

11 Q. -- and the door had a window in it.

12 **A. Yes.**

13 Q. And that is what you remember, and when you're talking
14 to the police, you tell them about the fact it's a door
15 with a window that you can see in and the night
16 supervisors might have looked in through that window to
17 see where the boys in bed.

18 **A. Correct.**

19 Q. You're -- you have gone up to the dormitory and you
20 are sitting on your bed.

21 **A. Correct.**

22 Q. And you explain to the police that you are only wearing
23 a tee shirt. Do you remember telling the police that
24 you were only wearing a tee shirt?

25 **A. No, I can't remember.**

Page 89

1 Q. You don't remember that. If we look, please, at 33093,
2 if we just scroll down to the bottom, you explain to the
3 police, HIA83:

4 "Q. And what were you wearing?

5 A. I was wearing my tee shirt",
6 and the police officer says:

7 "Just a tee shirt?"

8 Then if we move on to the next place -- page, he
9 says:

10 "Yeah."

11 If we just move down to the next page, please, he is
12 asked then:

13 "Q. Did you have anything on your bottoms, on your
14 legs?"

15 A. No.

16 Q. And were you sitting on top of the bed clothes?

17 A. Sitting on top."

18 He asks again:

19 "Q. Sitting on top. Okay, and all you had" -- if
20 we scroll down -- "was -- all you had on was a tee
21 shirt."

22 If we scroll down, we can see that sentence. You
23 replied to that:

24 "Yes."

25 The police officer then returns to that issue with

Page 90

1 you. Just bear with me one moment, HIA83, to make sure
2 I get the right ...

3 HIA83, whenever you are sitting on the bed and he
4 comes in and he is -- yes. If we go to 33115, please,
5 you explain that when he came in, you were sitting on
6 the bed and he locked the door --

7 **A. Correct.**

8 Q. -- because he had keys and was able to lock the door.

9 Then the police officer goes back to the issue of the --
10 what you were wearing, and he asks you about -- if we
11 just scroll down a little bit, please, you said to him:

12 "I would normally have pyjamas on."

13 Then the police officer asks you:

14 "So tell me about when RG31 comes in, you just have
15 a tee shirt on, nothing else. How did that come about?"

16 You said to him:

17 "We didn't get our pyjamas till late at night."

18 Do you remember telling the policeman about that?

19 **A. No, I can't remember.**

20 Q. You can't remember. Okay. If we scroll down a little
21 more, please, and the police officer asks:

22 "So would it have been usual for you to be in bed
23 with just a tee shirt on?"

24 and you said:

25 "It would have been",

Page 91

1 and you explain part of your uniform was you had
2 a tee shirt and a grey shirt, a pair of jeans and
3 baseball boots. You explained in your police interview
4 that one of the changes to that routine was if you were
5 an absconder, you would be made wear shorts as well as
6 baseball boots without laces.

7 **A. Correct.**

8 Q. And the police officer then asks you:

9 "And what about pants, wearing pants? Where were
10 they?",

11 and you explain to the police officer, if we scroll
12 down, that -- there we are at the top:

13 "They were folded up."

14 So you were explaining when he came in, you weren't
15 wearing any underwear, and then he began to touch you
16 and was touching himself.

17 **A. Correct.**

18 Q. And you explain to the police about the window on the
19 door to the area. Do you remember telling the police
20 what he did to stop people looking in the door?

21 **A. I can't remember.**

22 Q. You don't. If we look at 33114, you explain to the
23 police that there was a window in the door and it was
24 like a piece of perspex, rectangular shape. The police
25 officer asked you:

Page 92

1 "Well, when he came in, did he do anything with the
2 door?

3 **A. He had a piece of card stuck up on the door."**

4 **He asks then:**

5 **"Whereabouts was it stuck?"**

6 **If we scroll down please, top of the next page, we**
7 **will see you say to the police that:**

8 **"It was stuck over the perspex so that people**
9 **couldn't see in. Then the door was locked."**

10 **You don't remember telling the police about that,**

11 **HIA83?**

12 **A. No.**

13 Q. No. Okay. You explain to the police that he did this
14 to you a number of times --

15 **A. Correct.**

16 Q. -- in the dormitory when you were there on your own.

17 **A. Correct.**

18 Q. And I think you say possibly a dozen times in certainly
19 one of the police interviews and maybe a few more times
20 than that in the second interview, but it is something
21 in your mind that happens a lot during your time in the
22 reception unit.

23 **A. Yes.**

24 Q. You go on to explain in your Inquiry statement, if we go
25 back, please, to the Inquiry statement I think at

Page 93

1 paragraph 19, 005, that after your time in -- you spend
2 your seven weeks in the reception unit where these two
3 things happen to you with RG74 and RG31, and you then
4 leave to live in Bawnmore and Coulters Hill.

5 **A. Correct.**

6 Q. Then you come back to Rathgael in June of 1977 --

7 **A. Yes.**

8 Q. -- and at that stage the same type of activity is
9 engaged in by RG31 in the reception unit again.

10 **A. Yes.**

11 Q. So he gets you on your own in the dormitory and
12 interferes with you in the same way a number of
13 occasions until you move out into house number 8.

14 **A. Yes.**

15 Q. And thereafter you didn't really see him again.

16 **A. No.**

17 Q. HIA83, I am not going to go through the detail of the
18 medical records. As you know, and I was explaining to
19 you, we have various records that explain people's
20 circumstances, and you have had the opportunity and have
21 spoken to doctors at various times about what happened
22 to you when you were younger.

23 **A. Yes. Correct.**

24 Q. And I was asking you if you remember -- and I not going
25 to bring this up on the screen, but the Panel are aware

Page 94

1 of it, and I am just going to give the Panel the
2 reference so they are clear about the page I am talking
3 about. Please don't bring it up on the screen. It is
4 50607. You are explaining to a psychiatric unit about
5 what happened to you as a child. You explain in that
6 your background, the adoption, difficulty with your
7 adoptive father, involvement of Social Services, going
8 to Bawnmore after a period in Rathgael and then going
9 back to Rathgael, and you just explain that history
10 without making any reference to anything being wrong in
11 Rathgael. Then you're asked by the doctor about sexual
12 abuse taking place. You are recorded as telling the
13 doctor about a caretaker of a school tried to sexually
14 abuse you when you were 10 and offered you money and you
15 didn't take the money, but nothing actually happened,
16 but you felt very frightened. I was asking you today do
17 you remember telling -- do you remember that incident
18 and do you remember telling the doctor about it? You
19 were saying to me you didn't really remember that.

20 **A. Correct.**

21 Q. You have no memory of those events at this -- at this
22 point.

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

24 Q. And that -- I think we covered this -- but the first
25 time you felt you wanted to talk about what happened in

1 Rathgael was to the police in 2013.

2 A. Yes, because I would like people to be brought to
3 justice.

4 Q. HIA83, you will be very pleased to know I am going to
5 ask -- only going to ask you two more questions. The
6 first is at the end of the Panel's work the Panel has to
7 consider what recommendations it might make to the
8 Northern Ireland Executive, to the government about
9 three areas: some form of apology, some form of memorial
10 or some other means of redress for individuals who have
11 been affected by the things that are being investigated.
12 The -- is there anything that you want to say to the
13 Panel about what recommendations they might consider
14 making? Some people do want to say something; some
15 people don't. Is there anything you'd like to say about
16 that?

17 A. Well, over the years all the hospitals I have been in
18 all because of -- because I have ended up drinking to
19 block all this out, to block memories of the past out,
20 I have had numerous detoxes and, you know, I got more
21 depressed through it, you know, remembering everything,
22 but I would like Larne Social Services to be held
23 accountable, because they never gave me any support
24 whatsoever. When I was in Rathgael, Bawnmore, Coulters
25 Hill, they never came to visit me once to ask me how

Page 96

1 **I was doing, and I feel I would like apology from Larne
2 Social Services, and somehow I feel because of all this
3 I should be compensated --**

4 Q. Okay.

5 A. -- because I don't want this -- any of these things to
6 happen to anyone else. I would like Social Services to
7 take more control and to support people when they're --
8 with their vulnerability. I was vulnerable.

9 Q. Okay. As I said to you earlier, and I am not going to
10 go into the detail of it, but the Panel are aware of it,
11 HIA83, the Social Services would say to the Inquiry,
12 "Well, we were involved in HIA83's life". There are
13 various reports that are available to the Panel that
14 were written. We were talking, for instance, about
15 and his work, and you didn't have a high
16 regard for him, but his work in providing reports and
17 information and the detail of that is available to the
18 Panel. I am not going to open that further, but you
19 felt enough wasn't done, albeit Social Services would
20 say they did the best they could.

21 A. Yes, I do feel strongly that enough was not done.

22 Q. Right, and the last question I'm going to ask you,
23 HIA83, is whether there's anything else about your time
24 in Rathgael that maybe I haven't covered, or haven't
25 accurately described, or that you want to draw to the

Page 97

1 Panel's attention about Rathgael. Now is your
2 opportunity to do that. Is there anything else that you
3 want to add to what we've already covered?

4 **A. I think people should be given more freedom in places**
5 **like this, like Rathgael. People should be given more**
6 **freedom and not be locked up at any time.**

7 Q. Okay. HIA83, bear with me for a moment. I am not going
8 to ask you any more questions. The Panel Members may
9 want to ask you something. Just bear with us for
10 a short time, if you would.

11 Questions from THE PANEL

12 MR LANE: Thank you very much for giving us your views.
13 That has been very helpful. Just a very small point
14 I wanted to ask about and that is that you said that the
15 food was horrible.

16 **A. Yes. The food was horrible. It was watery.**

17 Q. Uh-huh.

18 **A. It was served on plastic plates --**

19 Q. Uh-huh.

20 **A. -- and you had to drink out of plastic cups.**

21 Q. And was this done in each separate house? Did each
22 house do its own catering?

23 **A. Yes. They had a kitchen in the grounds, but the food**
24 **was horrible.**

25 Q. Right. So when you say there was a kitchen in the

Page 98

1 grounds, did they supply the food from there to the
2 houses?

3 **A. Yes, yes.**

4 Q. Okay. Thank you.

5 CHAIRMAN: Well, HIA83, I am sure you will be glad to hear
6 we don't have any more questions for you today. I know
7 it's been a difficult experience for you. We can see
8 that, and we are grateful to you for having come over
9 from to speak to us. It's made it a long trip
10 from your point of view, but thank you very much for
11 coming to speak to us today. That's all. Thank you.

12 **A. Thank you.**

13 (Witness withdrew)

14

15

16

17

18

19

20

21

22

23

24

25

Page 99

unfortunate that it will make it a very long day, but it
is because of the time difference between here and
Canada. So we'll sit again some time later this
afternoon.

5 (3.35 pm)

(Short break)

7 (4.15 pm)

WITNESS HIA434 (called - by video link)

9 MS SMITH: Good afternoon, Chairman, Panel Members. Our
10 final witness today is HIA434, who, as you can see, is
11 present on the live link. HIA434 wishes to affirm and
12 he also wishes to maintain his anonymity.

13 WITNESS HIA434 (affirmed)

14 CHAIRMAN: Thank you very much, HIA434.

15 A. You're welcome.

Questions from COUNSEL TO THE INQUIRY

17 MS SMITH: There are bundles of evidence. HIA434 spent time
18 in Rathgael, Lisnevin and Hydebank. So his statement is
19 in each bundle. It is at RGL111 to 118. It can also be
20 found at LSN035 to 042 and HYD029 to 036.

21 There is material -- response statements in the RGL
22 bundle at 285 to 286 which show there was no social work
23 involvement in HIA434's time in Rathgael.

24 There is DoJ response at 994 to 1009. There is DoJ
25 material in two places in the Rathgael bundle at 45627

Page 100

1 to 45774, but, as HIA434 has some documentation in front
2 of him which is from the LSN bundle, I will be referring
3 to it when I ask him about some of that documentation.

4 Now if we can put up HIA434's statement, first of
5 all, which is -- we can use the LSN number for this. It
6 is 035. That's LSN035. We will end up getting confused
7 here maybe, but we'll -- I haven't got it. I have got
8 the RGL one. I think it might be better to go to the
9 RGL.

10 CHAIRMAN: Go through each section separately when we get to
11 it.

12 MS SMITH: Sorry, HIA434. We have on our screen here a copy
13 of your witness statement, which I know you have in
14 front of you over there.

15 **A. Yes.**

16 Q. Your personal details are set out there in paragraph 1.
17 If I have got my maths right, you are now aged 43. Is
18 that right?

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

20 Q. You have another document there before you which I am
21 going to call up on the screen. This is the admissions
22 history of your time in the three institutions that we
23 are talking about. That can be seen at -- I will just
24 call it up in our bundle, but you know the document that
25 I am talking about.

1 **A. Yes.**

2 Q. If we call up RGL45631, which is also -- you have it
3 marked as LSN21251.

4 **A. Correct.**

5 Q. And you will see, HIA434, just as we are scrolling down
6 this you were admitted to Rathgael in May of 1986. You
7 went home on summer leave and you returned to Rathgael,
8 but you had regular weekend leave. Then from
9 November 1986 you started to abscond.

10 **A. Yes.**

11 Q. Just I notice there there is a week where you were
12 sailing in Scotland. Do you remember that?

13 **A. I do, yes. I got the faster sail speed of the week.**

14 Q. Sorry. You got?

15 **A. I got the fastest sail speed of the week.**

16 Q. The fastest sailing?

17 **A. Speed.**

18 Q. Speed. Sorry. I couldn't hear you very well. That was
19 something that was organised from Rathgael, was it?

20 **A. It was, yes.**

21 Q. And I take it that certainly with your success you
22 probably enjoyed it very much.

23 **A. I did.**

24 Q. But nonetheless you continued to abscond, and we can
25 just look down through this document and there is quite

Page 102

1 a lot of absconding, and then on 21st February 1989 you
2 were remanded to Lisnevin Training School, and then you
3 were sentenced for something I will talk about later and
4 went to the YOC on 9th May.

5 **A. Yes.**

6 Q. You were released you were telling me from the YOC on
7 your 17th birthday, which would have been then in
8 September of that year.

9 **A. August.**

10 Q. August. Sorry. August of 1989.

11 **A. Yes.**

12 Q. Going back to your statement, HIA434, then, if we may,
13 just I should say you were aged 13, almost 14, when you
14 first went into Rathgael. Isn't that right?

15 **A. Yes.**

16 Q. And I was explaining to you that we have other documents
17 relating to your time in Rathgael, which we have been
18 looking at. I was asking you when I spoke to you
19 earlier about an incident where you fell and hit your
20 head going down from the dining room to the kitchen.

21 **A. Yes.**

22 Q. That's in the medical notes and records. You ended up
23 getting three stitches. I am not going to call this
24 document up, but it is at RGL45742 and 45760. I just
25 wanted to confirm with you that was a pure accident.

1 You said you slipped on the floor.

2 **A. It was, it was, it was, yes.**

3 Q. As far as you were concerned, having sustained that
4 injury, you were properly cared for and looked after by
5 those who were in Rathgael?

6 **A. I was, yes.**

7 Q. Now paragraph 2 of your statement -- and I think we will
8 just go back to RGL111 -- you say that you were taken to
9 House 9A when you initially arrived at Rathgael. You
10 were given a change of clothes, had a shower and
11 a medical examination. The reception area had two
12 classrooms, one for education and the other for
13 woodwork. You were put into a single bedroom initially
14 but moved to a bedroom dormitory after about a week.

15 "The staff locked us in our dormitories overnight
16 from about 10.00 pm until 7.30 am."

17 There was a member of staff on duty all night and
18 they would let you out to use the toilet. The quality
19 of food was generally okay and you don't have any
20 complaints about that aspect of the care.

21 Then at paragraph 3 you describe being moved to
22 House 2, which we were talking about -- that was Lislea
23 House --

24 **A. Yes.**

25 Q. -- after about five weeks in reception. You recall

Page 104

1 witnessing an incident there when a member of staff, who
2 is RG20 -- I should have paused. Chairman, I should
3 have allowed an appearance to be announced in respect of
4 this.

5 CHAIRMAN: Yes, Mr Holmes?

6 MR HOLMES: I am Chris Holmes. I am instructed by Dennis
7 Humphrey Solicitors and Ms McCausland is here from that
8 solicitors' office and we appear representing the
9 interests of RG20.

10 CHAIRMAN: Thank you.

11 MS SMITH: What you say in this paragraph, HIA434, is that
12 you recall witnessing an incident there when a member of
13 staff, RG20 -- and I am using names inside this chamber
14 but we don't use them outside --

15 **A. Uh-huh.**

16 Q. -- assaulted another inmate, and that's a boy whose
17 first name I am just going to use and that's RG77. You
18 say that:

19 "RG20 was in his early 30s, had dark brown hair, an
20 athletic build and was about 5'8 or 9' tall. The boy
21 RG77 had broken a glass pane and RG20 restrained him and
22 put him in a lock by twisting his hands behind his back,
23 and I saw RG20 hitting RG77 by punching him repeatedly
24 in the back, and I remember seeing this assault, and
25 then two members of staff took RG77 upstairs."

Page 105

1 Now you know that we have received a statement today
2 from RG20 about this matter, and that's at RGL4833.
3 I read this to you, but I am going to read it to the
4 Inquiry as well. He says:

5 "I have heard and considered the statement of HIA434
6 that has been served on me. I remember HIA434 as one of
7 the many young people who lived in the unit. I remember
8 nothing of significance regarding my contact with him.

9 I do not remember the particular incident set out in
10 his statement. There would have been instances where
11 young people were restrained and they were always
12 restrained according to protocol.

13 I never punched RG77 in the back and I never
14 assaulted him or any young person in the unit."

15 Now I was talking to you earlier and asking you to
16 give us a little more detail about this incident,
17 HIA434, and what you remember about it --

18 **A. Yes.**

19 Q. -- if you would.

20 **A. Yes. Basically there's a -- at the bottom of the stairs**
21 **in House 2 there's a wall straight in front of you.**
22 **There's a door and then there's like a glass surround,**
23 **reinforced glass. Well, I've been going from the common**
24 **room. I was going to the office to ask for something**
25 **and it happened right in front of me. I would have been**

Page 106

1 as close as you are to your computer screen from it
2 actually happening. It lasted maybe two minutes at the
3 most.

4 Q. Did you see RG77 break the glass pane or ...?

5 A. I seen him punching the glass pane and the glass pane
6 actually cracking, so it did. It was the third pane of
7 glass away from the door, so it was. I can't remember
8 -- he just went "Ah!" and punched the pane of glass.
9 There is no explanation as to why it happened. It just
10 happened.

11 Q. Okay, and then the next thing was that RG20 then sought
12 to restrain him. Is that right?

13 A. **Restrain. Correct.**

14 Q. You say that you saw him definitely punch him in the
15 back.

16 A. **Yes.**

17 Q. I think when we were talking earlier, you also said that
18 this happened right at the base of the stairs and you
19 weren't actually able to get past this incident.

20 A. **No.**

21 Q. You weren't able to pass by and that's why -- that's how
22 close you were to it.

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

24 Q. Another incident you talk about in paragraph 4 of your
25 witness statement, HIA434, if we can go back to that at

Page 107

1 112, you say another incident involving another boy --
2 sorry -- the same boy -- no, it's a different boy called
3 RG78.

4 **A. Yes.**

5 Q. You and he absconded in the summer of 1988.

6 "Police caught us and returned us to Rathgael and we
7 were locked in separate rooms. All our normal clothing
8 was taken from us and we were left with just our
9 underwear, a plastic mattress and a sheet. We were held
10 in this way for 10 to 14 days", you think.

11 **A. Correct.**

12 Q. You didn't have a watch or clock and it was difficult to
13 gauge the time.

14 "Staff brought me food three times a day on a tray.
15 We were left isolated and a member of staff from the
16 next house kept an eye on us from time to time."

17 At times you had to wait hours to use the bathroom,
18 because there was no-one in the building.

19 **A. Correct.**

20 Q. I should have -- when I was talking to you earlier,
21 I should have said that Rathgael have -- we have seen
22 documents in respect of other people where there were
23 documents kept when children were put into isolation and
24 records kept of that --

25 **A. Uh-huh.**

Page 108

1 Q. -- and the suggestion is that nobody would have been
2 kept in isolation for this length of time, HIA434. Is
3 there anything you want to say about that?

4 A. **No. It was definitely close to ten days, maybe up as**
5 **far as fourteen, but, as I say, there was no kind of**
6 **gauge, because we were just locked away.**

7 Q. It certainly seemed that length of time to you, but it
8 was more than -- more than --

9 A. **It did. It did.**

10 Q. It was certainly overnight and into --

11 A. **Definitely. It was more -- it was more than a few days.**

12 Q. Then we know from your history, as we have already
13 looked at it, that you did abscond a lot of the time
14 that you were in Rathgael, but you go on to talk here
15 about the education system, which you said was broken
16 down --

17 A. **Yes.**

18 Q. -- into a form-based system regardless of age.

19 "If you were very clever, you were put in form 5 and
20 the children who were least able were put in form 1.
21 I was in form 4, because I was weak at English and I was
22 about 14, but the age group of the class was mixed."

23 No set curriculum, but you do remember that English,
24 maths and geography were taught. You thought the
25 teaching staff overall were quite good to you. They

Page 109

1 never hit you, although they lost their tempers, some
2 more easily than others, and that made you apprehensive
3 around them.

4 **A. Yes.**

5 Q. But presumably that wasn't peculiar necessarily to
6 Rathgael that teachers might lose their tempers and make
7 children apprehensive.

8 A. **That's very true, but given the history of Rathgael and**
9 **if you want to call them an inmate, the type of inmate**
10 **that's actually in there, it seems more like the**
11 **education staff are -- aren't regular teachers. They**
12 **are ones that deal with that sort of pressure. So maybe**
13 **the pressure broke them quicker than a regular teacher.**

14 Q. Paragraph 6 you talk about an incident where you were
15 given two Training School Orders and then you appeal
16 those and you were given an absolute discharge. You say
17 the police normally escorted you to and from court. On
18 this occasion a member of staff who you name, who was
19 RG41, she had taken you to court. She was wanting to
20 take you back to Rathgael, but the police insisted that
21 was their job and kept you in the court house until --
22 all day essentially. You say you were there until
23 midnight.

24 A. **I was there till just after midnight when they were**
25 **doing their final checks and they suddenly discovered me**

Page 110

1 **in the cell basically up in the juvenile appeal court.**

2 Q. Which courthouse was that? Can you remember?

3 A. **This is the old juvenile court on -- I can't remember**
4 **the street, but it was the old court. Is it the old**
5 **town hall?**

6 Q. In Belfast?

7 A. **The red -- yes, in Belfast -- the red building.**

8 Q. Well, then in any event, going back to your statement
9 here at paragraph 7, if we can scroll down to the next
10 page -- you have the copy in front of you. We are
11 waiting for it to come up on the screen. So there's
12 a little bit of a delay at our end, HIA434.

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

14 Q. You began a placement with the youth training programme
15 in the training centre in Dundonald. You were doing
16 some work experience in Belfast. However, that
17 placement broke down and you give the details of how
18 that broke down. You took a car from the garage and the
19 police stopped you and you were sent back to Rathgael.
20 The staff told you that you were being returned there
21 because you had been dismissed from the work placement
22 and you were then placed in House 3, because House 2 was
23 full.

24 A. **Yes.**

25 Q. You were never arrested for the theft of that car and it

Page 111

1 was never reported to the police as far as you are
2 aware.

3 **A. Uh-huh.**

4 Q. The -- after you returned to Rathgael, you were asked if
5 you could return to education and you were told no, but
6 weren't given a reason by a member of staff. You then
7 in paragraph 8 talk about getting into more trouble and
8 joyriding -- crashing a car after joyriding in
9 December '88. Taken back to Rathgael and placed in
10 House 3, but you couldn't settle. Running away a few
11 times for about a day at a time. After a couple of
12 weeks staff moved you to House 5, which is the reception
13 for the justice side of the institution. You weren't
14 given a reason for the move. You say the atmosphere on
15 the justice side of the institution was very different
16 from the one that you experienced on the care side.

17 **A. Yes.**

18 Q. You were treated as if you were a criminal. The boys
19 could be quite violent with each other, although you
20 yourself were never bullied while you were there.

21 I am going look at another document which sheds some
22 more light on these events, which is at RGL45680, but
23 I think you have it at 21258, LSN21258 in your case.

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

25 Q. If we could look at 45680, now this is headed as a

Page 112

1 "Review Committee Report". It's your sixth licensing
2 review from 17th April 1989. It talks about the fact
3 that since your last review in November your behaviour
4 had deteriorated. This is a review from 17th April
5 1989. It talks about you working in the garage in the
6 youth training scheme and taking the car and abandoning
7 it in the centre of Belfast. You lost your job due to
8 that incident.

9 Then on 4th December you and another boy from the
10 centre stole a new Astra car from the centre.

11 "After joyriding around Belfast they were chased by
12 police and finally crashed the car outside Holywood.
13 There followed a period of abscondings when HIA434 was
14 away from the centre for short periods on eight
15 occasions and this resulted in him being transferred to
16 the youth treatment side of the centre and on 12th
17 January he was placed in Grampian. However, abscondings
18 continued and these culminated with him breaking and
19 entering buildings in the centre and stealing a minibus
20 and he is at present on remand in Lisnevin for these
21 offences."

22 Now that seems to be the reason. Because you had
23 got into trouble and you were -- kept on absconding,
24 that's why they put you into the youth treatment side of
25 Rathgael, and that's certainly the explanation that this

Page 113

1 document is showing us, HIA434. I know you felt that
2 nobody ever explained that to you or explained to you
3 why this was happening.

4 **A. Sure, but can I point out one thing, but?**

5 Q. Yes, of course.

6 **A. On this document, LSN21258, is a date 17th April. I was**
7 **already in Lisnevin by this stage.**

8 Q. Yes. This is a licensing review on the basis of your
9 Training School Order as to whether or not you could be
10 released from the training school, because the training
11 school, as I am sure you will remember, was for
12 an indefinite period of time.

13 **A. It was, yes.**

14 Q. So there were reviews carried out. That's what this
15 document was, but it's setting out the history of how
16 you came to be in the youth justice side and the
17 explanation for it and that's why --

18 **A. Yes.**

19 Q. -- I thought it was appropriate that you see that, given
20 that you didn't understand how you came to be there.

21 We know then, if we go back to your statement at
22 paragraph 8, please -- it's 113 -- paragraph 9 actually
23 at 113 -- in paragraph 9 there you say that after about
24 five weeks you were moved to House 6 and you didn't get
25 along with the housemaster there, who you name as RG81.

Page 114

1 You say another boy and you broke into an office in the
2 grounds, stole a van and ran away.

3 "When we were caught, we were both remanded to
4 Lisnevin Training School."

5 That accords with what was on that document that we
6 were just looking at a moment ago.

7 **A. Yes.**

8 Q. Then you were sentenced to six months' imprisonment at
9 Hydebank Young Offenders Centre while the other boy was
10 returned to Rathgael. You thought that was wrong,
11 because he had -- he faced more serious criminal charges
12 as a result of this episode than you did.

13 **A. Yes.**

14 Q. You felt that the reason you weren't sent back to
15 Rathgael was because you had been given a bad report, as
16 it were, by RG81 that was sent into the court --

17 **A. Yes.**

18 Q. -- although you have never found that and you don't know
19 if that is the case or maybe if there were other reasons
20 why this boy BR1 actually maybe had less abscondings or
21 something that allowed him to go back to Rathgael --

22 **A. Yes.**

23 Q. -- but we are not clear on that.

24 Going on to paragraph 10 of your statement, which is
25 on the next page, 114, in that paragraph you say that

Page 115

1 you remember another boy at Rathgael. You give a name
2 here. We were discussing this earlier, because, as
3 I have explained to you, we have tried to see whether
4 there is any documentation in respect of this child in
5 Rathgael, because you say that he was bullied when he
6 was at primary school and then he was bullied at
7 Rathgael. So we have trying to see if there is any
8 evidence of him being bullied in Rathgael. So far the
9 name that you have given does not appear to relate to
10 anybody in Rathgael, and I asked you --

11 **A. Yes.**

12 Q. -- instead of the name that you have given, the surname
13 -- I am going to use these surnames. You give the name
14 of RG83. They can find -- they can find a boy called
15 , but you have told me that you know
16 and it is definitely not him. That is not the
17 person you are talking about.

18 **A. It is not.**

19 Q. You think it might actually have been .

20 **A. , yes.**

21 Q. That he was in House 3, but he was slightly older than
22 you --

23 **A. Yes.**

24 Q. -- maybe born in 1970/'71.

25 **A. Correct.**

Page 116

1 Q. And he had a sister called , who sadly had taken
2 her own life in the community as well.

3 **A. Yes.**

4 Q. That might be information that the DoJ might be able to
5 find something more on for us, but certainly the name
6 that you have given might be incorrect.

7 A. Yes. I can't see it being incorrect, because we went to
8 primary school together --

9 Q. Okay.

10 A. -- and he was a diagnosed schizophrenic, so he was. So
11 it should show up under the mental health sort of part
12 of it, you know.

13 Q. There should be some record of this in any event.

14 A. Yes.

15 Q. But whatever the circumstances of who this person was,
16 your complaint is that after he took his own life when
17 he was discharged and you were still in Rathgael:

18 "No-one on the staff at Rathgael offered us any
19 counselling" --

20 A. No.

21 Q. -- "or asked us if we wanted to go to his funeral, and
22 it was as if it had never happened",
23 and you found that very upsetting.

24 A. Very.

25 Q. That's really the complaint that you make about this

Page 117

1 detail --

2 **A. Yes.**

3 Q. -- that is in your Inquiry statement. You go on then --

4 A. To be honest, I don't think -- to be honest, I don't
5 think the staff actually told me he committed suicide.

6 I think I found out when I was out on weekend leave from
7 friends that he had actually done it.

8 Q. Well, do you think the staff knew?

9 A. Possibly. It's hard to know whether the staff
10 themselves knew at the time, but I found out from
11 friends when I was out on weekend leave.

12 Q. Did you mention --

13 A. Belfast --

14 Q. Sorry.

15 A. Sorry. I was going to say Belfast is a small area when
16 it comes to stuff like this and, as I say, I'd friends
17 over in North and West Belfast and those friends
18 actually told me. I am almost sure it was friends told
19 me that he had passed.

20 Q. Now did you ever speak to anybody in Rathgael and say
21 that this had happened to somebody you knew and that you
22 wanted to go to the funeral or ask them anything about
23 it?

24 A. It was just in general conversation -- it was just in
25 general conversation when you went back from weekend

Page 118

1 **leave, you would have mentioned, 'RG83 committed suicide**
2 **last week', you know, that type of thing, but it would**
3 **never have been followed along beyond that -- not that**
4 **I know of anyway.**

5 Q. Certainly nobody then asked you how you felt about that
6 or anything of that sort?

7 A. **No, no.**

8 Q. Okay. Well, paragraph 11 you relate another incident
9 where you were taken to the VD clinic without your
10 father's knowledge. You relate an incident about how he
11 came home and your father found evidence of this and
12 challenged you, and Rathgael did not inform your father
13 about the fact that they were sending you to the VD
14 clinic and he said he was going to speak to them about
15 it, but it never came up again.

16 Now other documents in the bundle of papers that we
17 have got, HIA434, show there were difficulties at home.
18 There were tensions at home. I was asking was it the
19 case that Rathgael tried to help in any way between --
20 the relations between you and your parents and your
21 father's new partner or what was the situation there?

22 A. **Well, at the time of this incident there was no real**
23 **incidents happening at home. I mean, we got on okay.**
24 **Do you know what I mean? It would have been a few**
25 **months after this that the relationship became strained,**

Page 119

1 because he didn't like the sort of choices that I was
2 making and some of the choices that Rathgael was making
3 he didn't approve of, but I can actually remember this
4 quite clearly.

5 I mean, it was a Friday afternoon of September.
6 I~just came home for weekend leave and my stepmother was
7 putting away my clothes in the drawer and she came
8 across it.

9 Q. Uh-huh.

10 A. It was my dad actually pulled me and challenged me. It
11 would have been sort of an easing of our views. We had
12 an argument. It was as far as I was concerned over and
13 done with, but he says he would take it up with
14 Rathgael. Nothing materialised from the Rathgael side
15 to me.

16 Q. He never asked you about it or anything?

17 A. No, and -- no, he never -- he never asked -- he never
18 talked about it basically. As far as he was concerned
19 I was a 14-year-old boy and I should have better things
20 on my mind is what he -- I can remember him saying.

21 Q. But you were saying to me earlier when we were speaking
22 that you were going home at the weekend, but you felt --
23 very rarely did you feel that Rathgael contacted your
24 family unless they had to because you were absconding or
25 something.

Page 120

1 A. That's very, very true. I mean, I can only ever
2 remember my family coming down to Rathgael once.
3 I think that was the first weekend that I went in in
4 1986. Beyond that I seen them when I went home. They
5 never came down to Bangor, so they didn't. As far as
6 I was concerned they made no contact with them unless
7 I absconded. I mean, my mum lived in north-east England
8 and as far as I am aware they never got in touch with
9 her. She can't confirm it now, because she is dead, but
10 as far as I was concerned, no, they didn't get in touch.

11 Q. They didn't help you maintain a relationship with her or
12 --

13 A. No.

14 Q. -- in that way?

15 A. I remember when mum and dad got divorced a social worker
16 coming to ask to see whether I wanted to end up to go
17 live with mum or dad, because -- as part of the divorce
18 proceedings --

19 Q. Yes.

20 A. -- but basically she was -- said, "He's got a Training
21 School Order. He won't be going nowhere for the
22 foreseeable future". Do you know what I mean? But no
23 address was ever provided then for mum, so I wasn't.

24 Q. Well, HIA434, in any event you are transferred to
25 Lisnevin. You were there on remand for two and a half

Page 121

1 months, as you say --

2 **A. Yes.**

3 Q. -- in paragraph 12 here. You describe the regime as
4 being very strict, but generally the quality of care you
5 thought was good. Everything was regulated and you were
6 given very little freedom. For example, if you wanted
7 more food in the dining hall, the staff took your dining
8 plate and then gave you whatever was available.

9 **A. Yes.**

10 Q. You weren't allowed to move from your seat and help
11 yourself, for example. All the autonomy of basic
12 decision-making was taken from you and you were treated
13 as if you were a child.

14 **A. Yes.**

15 Q. Now you go on to say that you remember that there were
16 fights on an almost daily basis between Catholic and
17 Protestant inmates at Lisnevin --

18 **A. Yes.**

19 Q. -- and:

20 "The staff did take action to break these fights up
21 and I was never personally bullied while I was there."

22 I was checking with you when we spoke earlier about
23 this and you confirmed to me that this sectarianism was
24 inter-boy. There was no suggestion of the staff
25 behaving in this way that you saw.

Page 122

1 A. No, definitely they didn't. To me I had never seen the
2 staff at all whether you want to call it sectarian or
3 you want to call them being bullies or anything like
4 that there. The staff were very, very fair and very,
5 very good, so they were.

6 Q. You go on to describe the furniture in the cells in
7 Lisnevin being basic.

8 A. Uh-huh.

9 Q. Plastic foam mattress similar to a gymnastic mattress.
10 This was used as a bed base. There were another 3"
11 mattress which you slept on. There was also a sheet,
12 a continental quilt, but you say there was no central
13 heating. Instead there were two 6" heating pipes and
14 the rooms were so cold that you slept right beside those
15 heating pipes because they were boiling hot, and I just
16 wanted --

17 A. Yes.

18 Q. -- to confirm with you in 1989 when you were in
19 Lisnevin, this was at Millisle, and it was --

20 A. Yes.

21 Q. -- a large old building -- is that correct -- a large
22 old house?

23 A. Well, it was -- it is hard to know the age of it, but it
24 was a large building, so it was, but, as I say, I don't
25 know whether you would call it old or know, because it

Page 123

1 **would have been refurbished over the years.**

2 Q. Yes. Well, one night anyway you sustained a burn on the
3 back of your arm, because you were sleeping right up
4 against the heating pipes.

5 A. **Yes.**

6 Q. You still have a scar you say as a result of that.

7 A. **Yes.**

8 Q. Now you say you remember pointing it out to the staff at
9 the time, but they just laughed it off and you didn't
10 get any medical treatment.

11 A. **Yes. I think -- I think it wasn't until the changeover
12 of staff later on that day before they actually took it
13 serious. It actually -- it was actually weeping and my
14 tee shirt at the time was actually sticking to it, so it
15 was.**

16 Q. So you then did get some medical treatment later on?

17 A. **Yes. Later on -- later on that day, yes.**

18 Q. And you say you were only allowed to shower every two
19 days. You were told to strip in your room and:

20 "The only towel we were given was a hand towel. We
21 were required to walk from our room to the shower with
22 only this small towel while passing female members of
23 staff and we had to hold our hand out to ask for a small
24 amount of shampoo, which was dispensed straight into our
25 hand. Once we were finished we had to use the hand

Page 124

1 towel to dry ourselves and then cover up again to walk
2 back to our rooms."

3 You felt that humiliated you, because you had to
4 walk past female members of staff, and you were only
5 given fresh clothes after the shower, and there were
6 bedding and clean clothes and undergarments given every
7 two days after a shower.

8 **A. Right.**

9 Q. So your complaint about Lisnevin is the temperature of
10 the room, which caused you then to suffer an injury --

11 **A. Yes.**

12 Q. -- and this humiliating practice of having to walk past
13 females when you were on your way back from the shower,
14 to and from the shower.

15 **A. Yes.**

16 Q. But other than that --

17 **A. Yes.**

18 Q. -- you felt that the food was good and so forth.

19 **A. Yes. The food was generally good, yes.**

20 Q. You then move to Hydebank. You talk about this from
21 paragraph 16 on. You say -- you describe the regime
22 there, and we can scroll on down to the next page. You
23 say that being sent there after you thought you were
24 going back to Rathgael was a complete shock and you left
25 most of your belongings in Hydebank -- sorry --

Page 125

1 Lisnevin.

2 **A. Uh-huh.**

3 Q. You were in Hydebank for three and a half months and the
4 regime was much tougher than Lisnevin and a shock to
5 your system.

6 **A. Uh-huh.**

7 Q. In those days you could be on your hands and knees
8 scrubbing floors, walls, toilets and even pipes from
9 early morning until after lock-up at supper time.
10 Officers also inspected the sales -- cells on a daily
11 basis to check that you were being -- they were being
12 kept in proper order.

13 You remember a particular incident when someone
14 deliberately set fire to the prison and everyone was
15 locked up for two days.

16 " ... complete lock-up and we did not get released
17 even for one hour in order to exercise, and they let us
18 out eventually in groups of two in order to clean the
19 rooms. There was soot everywhere. It was a horrible
20 job."

21 You still remember the taste of soot in your mouth.
22 You were always hungry at Hydebank.

23 "There was insufficient food and the quality was not
24 good. For example, the evening meal would consist of
25 a spoonful of beans, two sausages and bread with a mug

Page 126

1 of tea and more tea leaves than tea."

2 **A. Yes.**

3 Q. You describe the everyday routine there in paragraph 19.

4 You got up at 7.00 am, cleaned your cell and then were
5 given breakfast. You had to clean until lunch time.

6 Afterwards locked up again for an hour and a half and
7 allowed out again in the afternoon. Cleaned again --

8 **A. Uh-huh.**

9 Q. -- and then dinner at 4.30 and locked up again until
10 6.00 and allowed out at 7.30 and then later locked up
11 for the night.

12 **A. Yes.**

13 Q. You go on in paragraph 20 to talk about being made to
14 shave every day regardless of whether you were old
15 enough. I just wanted to clarify when you were in
16 Hydebank, you were 16 and you were released on your 17th
17 birthday after three and a half months. Isn't that
18 right?

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

20 Q. Although you say here that you were only 14. So you
21 were a wee bit older than that.

22 **A. I was, yes. I don't know how -- how 14 got into the
23 statement.**

24 Q. Okay, but you accept that that's -- that's just not
25 right. You were older than 14.

1 **A. Yes, I was older than 14.**

2 Q. Okay. Although you say you had incredibly sensitive
3 skin, given soap and a disposable razor and you had cuts
4 and sores every day. It didn't stop them making you
5 shave every day for a month. Finally the doctor stepped
6 in and you were allowed to shave every other day and
7 given cream for your face, which helped a bit --

8 **A. Yes.**

9 Q. -- but you were getting cuts and sores. That to you was
10 quite a -- that was something that really is your major
11 complaint about Hydebank, the lack of food and the
12 strictness of the regime --

13 **A. Forced.**

14 Q. -- and the shaving.

15 **A. Yes, yes, definitely.**

16 Q. I have explained to you that the Inquiry has received
17 a statement from Mr Max Murray, who is a former governor
18 of Hydebank Wood, but he wasn't there in your time.
19 He'd left by the time you came in 1989. He has given
20 a statement and at paragraph 19 he deals with what
21 you've said in this statement and that's at HYD495.
22 I can call that up, but it certainly -- I can read it.
23 He says that in regard -- sorry. It might be better
24 just to leave -- well, he says, paragraph 16:
25 "I accept there was a requirement for inmates to

Page 128

1 maintain accommodations to a higher standard".

2 and that could have involved the activities that
3 you talked about in paragraph 16 of your statement. He
4 has no knowledge of a fire, but you were telling me that
5 actually it happened in the cleaning supply cupboard.

6 Is that right?

7 **A. Yes. Cleaning supply cupboard on E1.**

8 Q. We were also clarifying at that -- this wasn't -- you
9 were in Hydebank on more than one occasion and the fire
10 --

11 **A. Yes.**

12 Q. -- happened at a later date when you were about 19 or
13 20.

14 **A. It was, yes.**

15 Q. So it doesn't relate --

16 **A. Yes.**

17 Q. -- to your time there as a child. Isn't that right?

18 **A. No, no. That's correct.**

19 Q. Then the shaving, though, you say, did happen when you
20 were there --

21 **A. It did, yes.**

22 Q. -- at the beginning. He said about that that it is
23 unlikely that a member of staff would know whether
24 an inmate had shaved, because you normally shaved prior
25 to lock -- unlocking of the cells in the morning. He

Page 129

1 thought that you would have been 17, but we know you
2 were 16 at the time.

3 **A. Yes.**

4 Q. So that's -- that's what he has -- the comments he has
5 made about your time in Hydebank.

6 Paragraph 22 of your own statement, going back to
7 page 117, RGL, you say that when you were released from
8 Hydebank, you went back to Lisnevin to collect your
9 personal belongings and you went to House 6. You found
10 that most of them were missing. I should have asked
11 this. Have you got that wrong? Is that Rathgael you
12 went back to?

13 **A. That -- I just noticed that myself. It was Rathgael,**
14 **yes.**

15 Q. That's what I thought. So it was House 6 in Rathgael
16 and you found that most of your things had gone.

17 **A. Yes.**

18 Q. You were told by RG81 not to contact them again about
19 the matter.

20 **A. That is correct.**

21 Q. Were you ever offered any explanation as to what had
22 happened to them or where they had gone to?

23 **A. No, no. I actually contacted a solicitor at the time**
24 **and I can't remember who it was he contacted in the**
25 **centre, but they basically says -- they shrugged their**

Page 130

1 **shoulders as if to say, "Well, we don't know either"**
2 **from memory.**

3 Q. Well, in paragraphs 23 to 26, HIA434, you talk about
4 your life after you were grown up and out of the
5 institutions that you were in.

6 A. **Yes.**

7 Q. I am not going to go into the details of that, save to
8 say that at paragraph 23 it is that you say -- sorry --
9 it wasn't 23 -- 25 -- sorry -- there your family life is
10 hugely affected by your experiences in care and it took
11 you quite a while to re-establish a relationship your
12 family afterwards. Is that correct?

13 A. **It did. It did.**

14 Q. Okay. Well, look --

15 A. **Even now, I mean, I only speak to my father when I have**
16 **to and he's actually coming to visit next year, which is**
17 **a good thing. We are rebonding, so to speak, but,**
18 **I mean ...**

19 Q. Well, I am not going to go into the details here, but it
20 is true to say that you have been trying to put your
21 past behind you, but you still have setbacks. Isn't
22 that right?

23 A. **Yes. I still -- I still have trust issues, you know.**

24 Q. Well, HIA434, one question we ask everybody when we get
25 to the end of their evidence is about the

Page 131

1 recommendations that the Inquiry has to make at the end
2 of its work to the government about what should be done
3 to mark what has happened to children who were in
4 institutions. I wondered what your views about that
5 were.

6 **A. Personally speaking, it's the sort of thing that you'd**
7 **never want to see happening again. Obviously it will,**
8 **because we are human, but it would be nice to know that**
9 **there is powers put in place that it is looked into, you**
10 **know, just like this Inquiry rather than just being**
11 **brushed off to the side and somebody saying, "Yes, if**
12 **somebody done something about that", but never did.**

13 Q. Well, thank you, HIA434. You will be glad to know that
14 I have no further questions for you, but the Panel
15 Members may have some things that they want to ask you
16 about.

17 **A. Certainly.**

18 **Questions from THE PANEL**

19 CHAIRMAN: HIA434, can I ask you just to think back to what
20 you were telling us about being held for quite a long
21 time in isolation?

22 **A. Presumably when you mean isolation, you mean in**
23 **Rathgael?**

24 Q. Yes, when you were kept for ten days or so?

25 **A. I can remember one of the other inmates -- we are**

Page 132

1 friends still -- him actually coming up and talking to
2 me underneath the door, so I can, and basically him
3 saying he doesn't even know how long -- they never
4 mentioned to him how long they were going to keep me and
5 RG78 locked up for, just that they are until they made
6 decisions as to what they were going to do with us.

7 Q. I can appreciate that if you didn't have a watch, it
8 might be very difficult to tell the passage of time and
9 so on.

10 A. Uh-huh.

11 Q. And is it possible that because you were absconding
12 a lot, you were put into that type of room quite a lot
13 and you just have run them all together in your mind
14 perhaps?

15 A. No, because this room is actually another boy's bedroom.
16 They had -- this particular unit had two of these
17 bedrooms that were also like -- with the plastic windows
18 and sofas like that. They would have cleared this boy
19 out knowing that we were going to be locked up in these
20 rooms.

21 Q. I see. Thank you very much, HIA434.

22 A. No problem.

23 MS DOHERTY: Thanks very much, HIA434. Can I just ask one
24 question? When you were 14 and you were having
25 a consensual relationship, sexual relationship, with

Page 133

1 another resident, was there any attempt made to stop
2 that activity? I mean, I know you were sent to the VD
3 clinic, but ...

4 A. Well, I can remember RG41 telling me in the car that
5 I may stop the relationship or I will be moved and
6 possibly reported to the police for unlawful carnal
7 knowledge.

8 Q. Okay, and did that have the impact she wanted? Did you
9 stop the relationship?

10 A. Yes, though -- I stopped the relationship, yes.

11 Q. Was that the only time that there was -- you had sexual
12 relationships when you were in Rathgael or was that
13 a more common thing?

14 A. No.

15 Q. So there were others?

16 A. That was -- there was other incidents with obviously
17 different females, so there were, but this was the only
18 incident where they insisted something happen
19 afterwards.

20 Q. Was that the only incident where they knew that it was
21 happening, that you were having sexual relationships?

22 A. The only incident that they knew it happened with me.

23 Q. But are you suggesting they knew that it was happening
24 with other people?

25 A. Yes.

Page 134

1 Q. And did they intervene in a similar way to the way they
2 intervened with you as far as you know?

3 A. **Not as far as I'm aware.**

4 Q. So was there a general acceptance that some -- some
5 residents might be having sexual relationships with each
6 other?

7 A. **Yes.**

8 Q. Okay. Thank you.

9 A. **You're welcome.**

10 MR LANE: Just as one follow-up for that, you described what
11 had happened very factually, but what did you actually
12 feel about it? Did you feel their action was
13 appropriate or did you resent it or what?

14 A. **I resented it and I actually felt very embarrassed by**
15 **it. I mean, I don't know whether you know the whole**
16 **procedure when you go to a clinic like that, but**
17 **I actually felt really, really embarrassed and**
18 **uncomfortable, so I did. Obviously it's a medical**
19 **procedure, but it's not like going and getting your 'flu**
20 **jab, so it's not, to be told four months later that you**
21 **are clear and you don't have anything, if you know what**
22 **I mean, this was every other week you were there getting**
23 **this procedure done, and as -- and even when you went**
24 **back to Rathgael, I remained in the same house, House 2,**
25 **with the girl, and she actually made me uncomfortable.**

Page 135

1 **It was embarrassing. I was a young teenager. Just even**
2 **being in the same room, it was uncomfortable, but we got**
3 **by, so we did.**

4 Q. Was she --

5 A. **But, no, I -- sorry.**

6 Q. Was she receiving similar sort of treatment then?

7 A. **She was receiving treatment for one of the venereal**
8 **diseases --**

9 Q. Yes. Right.

10 A. **-- so she was. Hence why they insisted on me going, but**
11 **I was basically told on the Monday, "Listen, you're**
12 **going to this place and that's it", if you know what**
13 **I mean like. That's -- not even an explanation why,**
14 **because they didn't know whether I had a sexual**
15 **relationship before this incident, if you know what I**
16 **mean, but I -- well, I felt really uncomfortable and**
17 **embarrassed --**

18 Q. Yes.

19 A. **-- so I was, being that age and that sort of procedure.**

20 Q. Right. Thank you very much.

21 A. **You're welcome.**

22 CHAIRMAN: HIA434, you will be relieved to hear I am sure
23 that we don't have any more questions for you today, and
24 thank you for arranging to speak to us as you have from
25 Canada. It's very helpful --

1 A. No problem.

2 Q. -- that you've done so. That's why we have been able to
3 deal with all of the institutions that you have been in
4 that you mention in your statement rather than ask you
5 to come back and go over these again with us later, but
6 thank you very much for taking the time to speak to us.

7 A. You're very welcome and have a nice day.

8 MS SMITH: Thank you very much, HIA434.

(Video link terminated)

10 MS SMITH: That concludes today's evidence, Chairman.

11 CHAIRMAN: Very well. Ladies and gentlemen, we will adjourn
12 now and we will resume tomorrow morning.

13 (Inquiry adjourned until 10 o'clock tomorrow morning)

14 --oo0oo--

15

16

17

18

19

30

21

20

23