
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Monday, 2nd November 2015

commencing at 10.00 am

(Day 155)

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

1 Monday, 2nd November 2015

2 (10.00 am)

3 WITNESS HIA389 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. Before we
5 start this morning's session can I remind everyone to
6 ensure that if you have a mobile phone, it has either
7 been turned off or placed on "Silent"/"Vibrate", and
8 also remind you that photography is not permitted either
9 in the chamber or anywhere on the Inquiry premises.

10 Yes, Ms Smyth.

11 MS SMITH: Good morning, Panel Members, ladies and
12 gentlemen. Our first witness today is "HIA389", HIA389.
13 There are some appearances to be announced this morning,
14 Chairman.

15 MR LOUGHREY: Good morning, Mr Chairman, Panel Members. My
16 name is Michael Loughrey. I have an interest on behalf
17 of witness RG24. I am instructed and attended this
18 morning by Miss Stewart from MD Loughrey Solicitors.

19 CHAIRMAN: Thank you.

20 MR DUNCAN: Good morning, Mr Chairman. Darren Duncan,
21 solicitor at McConnell Kelly Solicitors. I appear and
22 act on behalf of the interests of RG5, RG5.

23 CHAIRMAN: Thank you.

24 MR MCGUICKAN: Good morning, Chairman. My name is Carl
25 McGuickan of counsel. I appear instructed by Jack

1 McCann & Sons Solicitors. I appear for the interested
2 party HIA236, HIA236.

3 MS McCAUSLAND: Good morning, Mr Chairman. I am Jenny
4 McCausland from Denis Humphrey Solicitors and I appear
5 for RG20, RG20.

6 CHAIRMAN: Thank you.

7 MS SMITH: Chairman, HIA389 wishes to take a religious oath
8 and she also wishes to maintain her anonymity.

9 WITNESS HIA389 (sworn)

10 CHAIRMAN: Thank you. Please sit down.

11 Questions from COUNSEL TO THE INQUIRY

12 MS SMITH: Now, HIA389, I know you are very nervous this
13 morning, and I just wanted to let you know that if at
14 any stage you feel you need to take a break, then please
15 just tell us --

16 **A. Yes.**

17 Q. -- and we can take a short break. Okay?

18 But I am just going to tell the Panel where there
19 are -- various documents relating to your evidence can
20 be found in our bundle of papers.

21 HIA389's statement is at 087 to 092.

22 The Health & Social Care Board response is at 485 to
23 526.

24 The DoJ response is at 929 to 950. There is
25 material received from the DoJ at 44649 to 45088, and

1 there is Social Services material at 51066 to 51195.

2 Now the Inquiry has received statements from some of
3 the people for whom appearances have just been
4 announced.

5 In respect of RG20, his statement can be found at
6 4793 to 4794.

7 The statement of RG24 is at 4834 to 4835.

8 The statement of HIA236 I think it is is at 4839 and
9 the statement of RG5 is at 4859.

10 Now, HIA236 (sic), just on the screen here is the
11 witness statement that you provided for the Inquiry and
12 as I explained to you -- sorry. "HIA236". I should
13 have called you HIA389. Apologies. Your witness
14 statement is here on the screen. As I explained to you,
15 we have blocked out those details to try to protect your
16 identity. I just remind everyone that although it is
17 easier for us to use names in the chamber, those names
18 are not to be used outside of this room, and that
19 includes the people who looked after you in Rathgael as
20 well as your own family members. Okay?

21 **A. Uh-huh.**

22 Q. Now, as I said, your personal details are set out in
23 this statement. Can I just confirm, HIA389, that this
24 is the statement that you want the Inquiry to consider
25 together with anything else that you have told us this

1 morning after you have given your evidence?

2 **A. Uh-huh.**

3 Q. Thank you. Well, your statement was signed there on the
4 last page on 1st May of this year. Isn't that correct?

5 **A. Uh-huh.**

6 Q. And your paragraphs 1 and 2 set out your personal
7 details. You also talk about being in Carnview
8 Children's Home in 1991. You have no complaints about
9 the treatment you received there.

10 **A. No.**

11 Q. You were also in Ballee Adolescent Unit. You talk about
12 that in paragraphs 4 through to 8 of your statement.
13 You were unhappy there, and the Inquiry is aware of what
14 you have to say about the time that you were there,
15 HIA389.

16 In paragraph 9 you start to talk about your time in
17 Rathgael. Now you say that you were initially sent to
18 Rathgael on a Training School Order. You say that you
19 spent six months in Juvenile Justice in Rathgael before
20 being moved to the Care Unit and placed in House 3. You
21 know from the discussion we had earlier that the
22 documents show that, in fact, you went into Rathgael on
23 9th August 1993 and you were there in total until
24 14th December 1994.

25 Now the records show that the reason you went to

1 Rathgael was not for criminal offending but because you
2 had been truanting from school and because your
3 behaviour in Ballee was such that they felt they could
4 no longer look after you. A Training School Order was
5 indeed made, but you actually went in as a care -- to
6 the Care Admission Unit in Rathgael, and the admission
7 record can be seen at 44650. You will see you were
8 committed on a Fit Person Order. There was numerous
9 short abscondings before you were removed to the Simon
10 Hostel in in December 1994, and then the Training
11 School Order came to an end in March 1995.

12 Now there's also a record at 44656 which shows that
13 you were brought into the Care Unit. I don't think we
14 need to call it up, but in any event you know from the
15 discussion I have had with you, HIA389, that that was
16 how you came to be in Rathgael and not because you had
17 offended in any way.

18 Rathgael -- you did have various court appearances
19 and Rathgael did prepare reports for you during your
20 time there asking the court to allow you to remain on
21 the Care side of the centre rather than go to the
22 Juvenile Justice Centre. I don't think we need to call
23 these up, but I will just tell the Panel where they are.
24 They are at 44779 and 44780, for example.

25 We have been discussing the type of records that

1 were kept on you during your time in Rathgael, HIA389.
2 We can see that there were weekly record sheets were
3 being kept. We can see those at 44791 through to 44836.
4 There are records of case reviews that were held
5 throughout your time there at 44732 to 44746, and there
6 is a Licensing Review Committee report of 3rd February
7 of '94, which would have been prepared after you had
8 been there for about six months. That's at 44748 to
9 44752. Now I am not going to open that. The Panel
10 Members can look at these documents later, but that sets
11 out your family background and it talks about your
12 personality and the behaviours that you were exhibiting
13 while you were in Rathgael.

14 We also see records of primary worker sessions that
15 you had at 44841 to 44866, and there's some education
16 reports at 44873 to 44882. We also have various
17 incident reports recording, for example, when you
18 absconded or when certain behaviours were sufficiently
19 bad that they had to go on to an incident report rather
20 than just be marked down as you, for example, being
21 cheeky in the weekly records. We have looked at some of
22 those and we will look at some more now as we go
23 through, HIA389. Okay?

24 **A. Yes.**

25 Q. Now at paragraph 10 of your witness statement, if we can

1 go back to that, you describe the bedroom that you had.
2 If we can just scroll down to paragraph 10, please,
3 there. You say that your bedroom was very bleak. You
4 had a blue gymnastic mat for a mattress with a sheet for
5 warmth. The window in your room could only be opened
6 a small amount, which meant you could not get much fresh
7 air.

8 I was asking, HIA389 -- whenever you came in, you
9 say that you were in the Assessment Unit when you came
10 into -- you thought it was the Juvenile Justice Unit,
11 and the reason you thought that was because you were
12 locked up a lot of the time. I was asking was this
13 bedroom that you are describing in that initial place
14 that you went to before you went over to the house? Can
15 you remember?

16 **A. Yes.**

17 Q. So it was the first bedroom that you went into?

18 **A. Yes.**

19 Q. When you moved to the house, was the bedroom better?

20 **A. No. It was the same.**

21 Q. The same. Okay. You talk here in paragraph 11 about:

22 "If I misbehaved in Rathgael, I would have been
23 restrained by staff. For example, if I disobeyed staff
24 or was cheeky, I would have been restrained. This
25 involved being thrown to the ground, usually having my

1 arm twisted behind my back and sat on. I was not able
2 to breathe and was left bruised from these ordeals.
3 Often depending on what I was wearing when I was being
4 restrained, staff did not care if my private parts were
5 exposed."

6 You say you would have been restrained at least once
7 every fortnight. I am going to come back to that in
8 a moment, but paragraph 12 you go on to say:

9 "One form of punishment in Rathgael was to be sent
10 to the D room. The room was empty with the exception of
11 a gymnasium mat on the floor. It was like a prison
12 cell. The room had no windows and the door had a spy
13 hole. I would be locked in the D room for a few days at
14 a time. When I had to use the bathroom, I would have
15 had to press a buzzer to gain a member of staff's
16 attention, although staff often never responded. At
17 meal times staff would throw in food to the room as if
18 they were feeding animals. Staff would check on me by
19 looking through the spy hole. On one occasion a member
20 of staff called RG2" -- and just so that you know who we
21 are talking about, that was RG2 --

22 **A. Uh-huh.**

23 Q. -- "threatened me whilst looking at me through the spy
24 hole by saying, 'I am going to get you'. I would have
25 been sent to the D room at least once a month."

1 Now I am going to show the Inquiry a document that
2 we have received in material that has come through to
3 the Inquiry, which is at 4 -- sorry -- 53732, please.
4 If we could perhaps turn that round, you will see that
5 this is a document that was kept in Rathgael. It is the
6 Close Supervision Unit, which was known as Shamrock
7 House. That's where the D room was, in Shamrock House,
8 HIA389.

9 **A. Uh-huh.**

10 **Q.** Isn't that right?

11 **A. Yes.**

12 **Q.** If we can scroll down, please. We may have to invert
13 this also. Yes. So you will see that this is the --
14 this is signed by the Deputy Director, Head of Care,
15 RG16, and the Director, **RG 173** . This document is not
16 undated -- sorry -- is undated, but it basically sets
17 out the criteria for admission to the D room in Shamrock
18 House. Now you would never have seen this, HIA389, but
19 it is a general document that was kept in Rathgael. It
20 says that a number of -- I will just read it out for the
21 Inquiry:

22 "It is recognised that some young people for whom
23 residential accommodation is the preferred form of care
24 require more intensive social work support or other
25 professional assistance in order to help them through

1 difficult periods. Restricting the liberty of any
2 individual is a serious matter and therefore strict
3 criteria of admission have been drawn up, which must be
4 satisfied before placement in this unit."

5 So, in other words, they are saying they didn't put
6 anybody into the D room into Shamrock lightly. It was
7 something that was done in accordance with rules and
8 regulations, if I put it that way, and it said:

9 "A number of general principles underlie the use of
10 the Close Supervision Unit and the use of this
11 accommodation is not intended as a punitive measure.
12 The function of this unit is to provide a controlled and
13 safe environment in which the care and treatment of
14 those children who satisfy the admission criteria is
15 undertaken. It is seen as part of the continuum of the
16 totality of residential childcare provision. While
17 security is important, it does not override the
18 requirements of good childcare practice and the use of
19 a close supervision unit for children is seen as a very
20 exceptional measure and only those children who
21 genuinely need such accommodation are placed and kept
22 there. Where it proves necessary to use this
23 accommodation, the length of time during which any child
24 stays in it is kept to a minimum."

25 Then it says:

1 "No child admitted to the centre for care reasons"
2 -- and you were one of those children, HIA389 -- "can be
3 placed or retained in the Close Supervision Unit unless:

4 (a) he or she has a history of absconding and is
5 likely to abscond from any other description of
6 accommodation, thereby placing himself or herself in
7 physical, mental or moral risk; or

8 (b) he or she, if kept in any other description of
9 accommodation, is likely to cause self-injury or injury
10 to other persons."

11 So, in other words, Shamrock was only to be used for
12 basically people who were either a threat to the safety
13 of others or to themselves or who kept running away.
14 Then it goes on to:

15 "Referrals can be received either externally or
16 internally and admissions can be either planned or on
17 an emergency basis and the following procedures are to
18 apply."

19 Now in your case where you were talking about being
20 restrained and put into the D room, that would have been
21 an emergency admission and that's -- sorry. It said --
22 yes. Then a case conference would have to be held
23 within 42 hours of admission. That's if you were to be
24 in Shamrock for any long-term spell. Now when you went
25 in, was it Shamrock that you went into?

1 **A. Yes.**

2 Q. So you were in the Close Supervision Unit from the
3 outset of your time in Rathgael?

4 **A. Uh-huh.**

5 Q. That presumably was a planned admission, because you
6 were brought there from another institution, from
7 Ballee. Isn't that right?

8 **A. Uh-huh.**

9 Q. Now the records that we have found in respect of you,
10 HIA389, show that there were a number of occasions that
11 you were put into the D room and were restrained. If we
12 could look, please, at 44820, this is from 30th
13 December. If I can just scroll down, please, to 30th,
14 it says:

15 "Placed in Shamrock after incident where she
16 assaulted **RG 226** . See incident report."

17 I will come back to that in a moment. Then there is
18 another one, and while we have this page up, I am going
19 to read the next entry. You were placed in Shamrock on
20 30th December 1993. Then 31st December 1993 it says:

21 "Taken to swimming pool. Involved in incident where
22 staff were threatened with broken bottles (see incident
23 report). Had to be restrained from injuring RG5, during
24 which HIA389's arm was hurt, activating a previous
25 injury. Taken to Ards Casualty as a precaution. Soft

1 tissue injury."

2 It goes on to say that you had a terrible Christmas
3 and New Year.

4 So those were two occasions where you are taken to
5 Shamrock or where you were restrained and I will come
6 back to that, but if we can look, first of all, at
7 44963, please, this is the incident involving **RG 226** .
8 Do you remember **RG 226** at all, HIA389?

9 **A. Yes.**

10 Q. And you will see this is a pro forma that they had where
11 if someone absconded or where there was a serious
12 incident, there was a report filled in on this form.

13 **A. Uh-huh.**

14 Q. You were in House 9A in December of '93 and that was
15 Shamrock.

16 **A. Uh-huh.**

17 Q. And it said:

18 "I had confronted HIA389 about wearing her night
19 clothes in the common room.

20 I escorted HIA389 down the corridor. She became
21 physically and verbally abusive and ran off to the
22 laundry room. She came up to me from behind and placed
23 a plastic bag over my head. I removed the bag and
24 warned HIA389 of the seriousness of the incident.

25 HIA389 again became physically abusive to me, lashing

1 out at me in a very uncontrollable manner. HIA389 was
2 then physically restrained by myself and ."

3 I am not sure who that was.

4 "Shamrock contacted and she was removed."

5 That's signed -- that was reported by **RG 226** . So
6 do you remember that incident at all, HIA389?

7 **A. No. I remember messing about one time and that was it.**
8 **I was joking.**

9 Q. Do you remember putting a plastic bag over **RG 226**
10 head?

11 **A. No.**

12 Q. When you -- when I was talking to you earlier about
13 this, you said that if you did do something like that,
14 you were just messing about.

15 **A. Yes.**

16 Q. It wouldn't have been something serious.

17 **A. Uh-huh.**

18 Q. Then there's another incident of 3rd January '94.

19 I will come back to the incident involving RG5 at
20 a later stage, but there's an incident where it's
21 recorded at 44821 that you punched **RG 227** on the
22 back and barricaded yourself, you and others, in the
23 bathroom. That's 3rd January there. If we can just
24 scroll on down, you see:

25 "Punched **RG 227** on the back and barricaded in

1 bathroom with two others. Removed to Shamrock
2 overnight."

3 Again it says:

4 "See incident report."

5 I think that can be found at 44965. You see

6 " RG 227 " -- " RG 227 " .

7 "HIA389 had been unsettled throughout the evening
8 shift.

9 At bedtime while staff were opening bedroom doors
10 and settling residents ..."

11 Can I just -- you see the staff were opening the
12 bedroom doors. You were locked in at night, HIA389. Is
13 that the position?

14 **A. Yes.**

15 Q. You say (sic):

16 "Three young people ran into the girls' bathroom and
17 locked the door. After staff requested open the door,
18 were refused, staff managed to unlock the door and gain
19 entry. RG14 asked HIA389 to remove in the bathroom and
20 she was escorted to Shamrock for the night.

21 RG14 removed HIA389 to Shamrock."

22 So that's another example of you being put into the
23 D room. Do you remember that at all?

24 **A. No.**

25 Q. Or punching RG 227 or anything like that?

1 **A. No.**

2 Q. Then just one other example of you being put into
3 Shamrock for time out can be seen at 44830, which is
4 16th March 1994. If we can scroll down, please, these
5 are the weekly reports that were being kept:

6 "Another bad day in class. Placed in Shamrock for
7 a couple of hours."

8 Do you see that? I mean, was that the kind of
9 thing? If you were misbehaving in class, you would have
10 been taken out of class and put in Shamrock for a few
11 hours?

12 **A. Yes.**

13 Q. That's the kind of thing that you were saying happened?

14 **A. Yes.**

15 Q. Paragraph 13, if we can go back to your statement at
16 089, HIA389 -- just before moving on, those incidents
17 that I have been reading out, you don't remember any of
18 those. Isn't that right?

19 **A. No.**

20 Q. You go on to say that your younger sister, who you name
21 here, and I am just going to use her first name, HIA386:

22 "... was also a resident in Rathgael and a glass
23 panelled door separated us. On one occasion I saw her
24 being restrained on the floor by members of staff --
25 staff members, RG4 and RG20. She was face down on the

1 floor and could not breathe. This angered me so much
2 that I kicked the glass panel, breaking it, in order to
3 try to save her. Her chest was left bruised as a result
4 of this."

5 Now you don't know why she was being restrained.

6 **A. I think she wanted to see me before I went down the**
7 **hill, so I do.**

8 Q. You were saying that you felt that you were being kept
9 separate from her.

10 **A. Yes.**

11 Q. We know -- we were looking at a statement that we will
12 come to see -- that when children were first brought
13 into the Assessment Unit, they were actually kept
14 separate in the Assessment Unit from all the other
15 children in Rathgael until they were moved into one of
16 the houses.

17 **A. Yes.**

18 Q. And I was wondering was this the reason why you and she
19 were separated, but you were saying you were actually in
20 the same house but separate.

21 **A. Yes. This door separated us, fire doors.**

22 Q. You will know we were looking at some of the documents
23 that show that you and your other sister certainly were
24 visiting each other regularly --

25 **A. Uh-huh.**

1 Q. -- within Rathgael, but these doors that were between
2 you, can you describe where exactly this was and what it
3 looked like, HIA389?

4 **A. There was like a reception and there was two fire doors**
5 **here and two fire doors over this way. So you just**
6 **looked through the windows. You couldn't open them.**
7 **You weren't allowed to open them, but they weren't**
8 **locked or anything.**

9 Q. But this was your younger sister that you are talking
10 about here?

11 **A. Yes.**

12 Q. Your other sister was also in Rathgael, wasn't she,
13 HIA503?

14 **A. Uh-huh. She was in a different unit.**

15 Q. She was older than you. You and she certainly visited
16 together. Isn't that right?

17 **A. No, I don't remember visiting her.**

18 Q. You don't remember that?

19 **A. No.**

20 Q. Well, just to be clear, there is a document at 44833
21 which records that you visited with HIA503 regularly.
22 There's also an entry -- I don't think we need to call
23 these up; you and I have talked about them and looked at
24 them -- at 44818, which describes your behaviour in
25 Rathgael deteriorating after HIA503 was admitted.

1 There is one incident at 44968, if we can look at
2 that, please. This is another incident report and it's
3 from 31st January 1994. It is reported by an RG80. It
4 says:

5 "HIA389 was very agitated and unsettled over being
6 kept waiting to be transferred to House 3. HIA389
7 making demands and constantly pushing the limits.
8 HIA389 became abusive when refused use of the phone.
9 Kicked glass door and shattered glass. While HIA389 and
10 sister HIA503 was being restrained -- while HIA389 and
11 sister HIA503", I should say, "was being restrained by
12 RG 80 for abusive and aggressive behaviour HIA389 became
13 very angry and kicked the other glass door and shattered
14 glass. HIA389 was prevented from going to aid her
15 sister. HIA389 became very aggressive, throwing punches
16 and trying to kick. Had to be restrained by ^{RG 80} and ",
17 that might be. "HIA389 held until calm and it was
18 reported to senior staff."

19 Now this was about HIA503 and not HIA386.

20 **A. Uh-huh.**

21 Q. But I was wondering had you maybe mixed up your two
22 sisters --

23 **A. I think maybe I was mixed up, yes.**

24 Q. -- when you were talking to the Inquiry about which
25 sister it was.

1 **A. It was HIA503.**

2 Q. It was HIA503?

3 **A. Yes.**

4 Q. And that is the incident you are talking about?

5 **A. Yes.**

6 Q. But that didn't involve RG4 and RG20. It seemed to
7 involve RG80 and somebody else, . Might you have got
8 the staff names mixed up or --

9 **A. No, it was definitely RG20 and RG4.**

10 Q. But you think it was HIA503?

11 **A. Yes, it was definitely HIA503, yes.**

12 Q. You were -- when we were talking earlier, you felt that
13 the reason you behaved in this way is because they were
14 hurting your sister --

15 **A. Yes.**

16 Q. -- and that you felt that she was crying for you to
17 help.

18 **A. Yes, she was wanting me to help her.**

19 Q. That's why you were trying to help. You felt that was
20 only the natural thing for you to do as the big sister.

21 **A. Yes.**

22 Q. You talk in paragraph 14 about observing other staff
23 members -- observing staff members retraining other
24 residents. That is at 089. You recall a pregnant girl,
25 whom you name there. I am not going to give her name,

1 but you say she was dragged by her hair to the D room.

2 You remember:

3 "... a staff member called RG4, who was an ex-prison
4 officer, had her by her arms and another male staff
5 member had her by the leg. She was wearing a maternity
6 dress, which was pulled up to expose her private parts.
7 She begged for them to cover her up, but they didn't."

8 They didn't do that. You also go on to say:

9 "This member of staff was harsh to all the
10 residents. On one occasion he was very harsh to another
11 female resident" -- I will just give her first name,
12 **RG 22** -- "and that resulted in herself self-harming."

13 She sliced her arm open with a razor blade in front
14 of you and received treatment in hospital for injury.
15 You found that experience very disturbing.

16 I was showing you some documents that showed that
17 you and **RG 22** were friendly and you were absconding from
18 school, for example, together. I am not going to call
19 those up, but they can be seen at 45078 and 45079.

20 If we look at 44721 -- sorry. That's in relation to
21 you, but what you were telling me, HIA389, was that you
22 were very friendly with this girl, **RG 22**, and because
23 she could not talk to you is why you felt that she had
24 cut herself --

25 **A. Uh-huh.**

1 Q. -- because she was not able to have contact with you --

2 **A. Yes.**

3 Q. -- out of the school setting.

4 **A. Yes.**

5 Q. You were in different houses and you weren't allowed to
6 mix. Is that right?

7 **A. Yes.**

8 Q. You told me that when you were in the reception unit,
9 you were locked up. You said it was like a prison.

10 **A. Uh-huh.**

11 Q. The school was upstairs and you weren't allowed out for
12 fresh air even.

13 **A. Yes.**

14 Q. But we looked at some documents, HIA389, and they seem
15 to suggest that there were -- while you were in --
16 certainly at the early part of your time in Rathgael --
17 we know you went in in August -- and certainly in
18 September and October you were going out on outings.
19 Your family were coming to visit. You were taken out to
20 see your father at one stage and there were, for
21 example, an outing to Millisle, which can be seen at
22 44797. So that suggests that you did actually get out
23 of the reception unit. Can you remember that?

24 **A. It wasn't very often. It was an odd time.**

25 Q. At paragraph 16 of your statement you say that on one

1 occasion you had a nightmare and couldn't sleep. You
2 were slapped across the face and kicked on the leg by
3 a member of staff because you wouldn't go back to bed.

4 **A. Uh-huh.**

5 Q. Now you don't name that staff member, but our
6 understanding is, HIA389, that there were night
7 supervisors who looked after the children at night in
8 Rathgael,

9 **A. Yes.**

10 Q. I presume that you are talking about one of the night
11 supervisors then.

12 **A. Yes.**

13 Q. You say:

14 "It was normal for staff to allow peer bullying."

15 You were bullied by a resident called HIA236 -- I am
16 just going to use the first name, which is HIA236 --
17 from the Youth Justice side of Rathgael. You say she
18 often attacked you and would pull your hair. You felt
19 you could not approach staff when you were bullied by
20 other residents, and the pressure of being constantly
21 bullied by both staff and residents drove you to
22 overdose on tablets and self-harm on several occasions.
23 You attended hospital on these occasions to receive
24 treatment.

25 "During my time in Rathgael there was no-one there

1 to protect me."

2 I am going to look at documents that we were talking
3 about earlier, HIA389, in respect of these issues. If
4 we look, first of all, at 44810, this is one of the
5 weekly record sheets. You will see that it is covering
6 the period from 8th to 14th November 1993. If we can
7 just scroll down there just to 14th November, it says:

8 "Visit to HIA503 in House 5."

9 That's your sister.

10 "This did not go very well, as HIA389 was threatened
11 by another resident."

12 That was reported to YT staff. So there's an
13 example of it having been recorded that you were being
14 threatened by somebody in the same house that your
15 sister HIA503 was in. It also goes on to record you
16 being visited by other family members. I know you have
17 no recollection of this.

18 **A. Uh-huh.**

19 Q. You have no idea who your -- it looks like this is your
20 cousin , but you don't know any
21 .

22 **A. Yes, that's right.**

23 Q. Then 44982, please. This is from March of '94 and it
24 says:

25 "RG20 brought HIA389 to school. She was frightened

1 because of threat from Fox Lodge girls",

2 which would have been the Juvenile Justice side,
3 the Youth Treatment side of Rathgael.

4 "HIA389 refused to go to class this morning and was
5 on low marks, so had detention.

6 After meeting with RG39 and RG20 and assurances made
7 regarding her safety if she stayed in class HIA389
8 joined the rest of pupils.

9 At the end of parade HIA389 absconded from school.

10 Unit contacted. Work given for completion at
11 night."

12 So this is an example, as I was saying to you, of
13 you being fearful certainly and staff members apparently
14 trying to protect you by RG20 walking you over to school
15 to get you into school really, because you were refusing
16 to go because you were scared of these other girls. You
17 don't remember that?

18 **A. No, I never felt protected or anything.**

19 Q. You don't -- what you said to me, HIA389 -- and I don't
20 want to put words in your mouth, so please correct me if
21 I get anything wrong -- you don't remember ever being
22 protected while you were in Rathgael or being made to
23 feel safe by staff. Is that right?

24 **A. Yes.**

25 Q. Talking about the girl HIA236, who you complained about

1 in your statement, you also said something more to me
2 when we were talking, and that was that you say that you
3 remember a teacher grabbing -- you don't remember any
4 teacher grabbing her when she had you by the hair.

5 **A. I do remember that, yes.**

6 Q. Sorry. You do remember it?

7 **A. Yes.**

8 Q. You say she attacked you any time she wanted.

9 **A. Uh-huh.**

10 Q. You described her to me as a nut case. You barely knew
11 her you said, though, and she said (sic) she would give
12 you funny looks. You were threatened that she was going
13 to get you, and you said that staff found that funny.

14 **A. Uh-huh.**

15 Q. You said they actually encouraged you to fight back.

16 **A. Yes.**

17 Q. You are not friendly with her and to this day --

18 **A. Uh-huh.**

19 Q. -- you say you remain scared of her.

20 **A. Uh-huh.**

21 Q. Now you will know that she has given a statement to the
22 Inquiry and that can be seen at 4838 and I read what she
23 said out to you. Just to be clear, you in your Inquiry
24 statement had named her as someone who you encountered
25 in Ballee Adolescent Unit.

1 **A. Uh-huh.**

2 Q. But when we were talking earlier, you were saying no, it
3 was not her. It was her cousin who had been involved
4 with you in Ballee Adolescent Unit. You gave the name,
5 and I am going to use the first name, and that was
6 a girl called RG 45.

7 **A. Uh-huh.**

8 Q. This girl, in respect of Rathgael, what she says at 4839
9 at paragraph 4 of her statement, said:

10 "I was resident at Rathgael on several occasions
11 between October 1993 and 2nd November 1995 both on
12 remand and under Training School Orders.

13 I do not remember encountering anyone by the name of
14 HIA389 while I was in Rathgael.

15 I deny her allegation that I attacked her and pulled
16 her hair and I also deny her allegation that I bullied
17 her.

18 I deny bullying any individual during any of the
19 times I was resident in Rathgael Training School."

20 That's what she says about the allegation that you
21 make that she bullied you. Is there anything you want
22 to say in response to that, HIA389?

23 **A. She did. She threatened me all the time and I was**
24 **petrified.**

25 Q. I just want to reassure people also that their names --

1 full names are being given on the document that is on
2 the screen, but before they are put on to our website
3 those names will be blacked out so that they can't
4 identify people.

5 You were talking about -- in your statement about
6 self-harming and there is some evidence of that in the
7 papers at 44801, where on 18/9/1993 this is recorded
8 here that:

9 "Staff became aware HIA389 had taken a quantity of
10 Migralve tablets. These had been taken from RG 228
11 first aid kit on 17th September '93.

12 HIA389 taken to Ards Casualty. Given vomiting
13 induced -- vomit inducing medication.

14 HIA389 refused to remain in hospital overnight and
15 was ambivalent with regard to the possible consequences
16 of her actions."

17 Now we were talking about this and I was explaining
18 to you that the Ards Hospital records show that you
19 discharged yourself after thirty minutes, but you were
20 saying, "That can't be right, ^{RG 2} because I was given
21 medicine" --

22 **A. Uh-huh.**

23 Q. -- "to make me sick". Certainly RG 229 , who was
24 your key worker, has recorded that you were, in fact,
25 given vomit medicine --

1 **A. Yes.**

2 Q. -- to induce you to be sick.

3 **A. Uh-huh.**

4 Q. But certainly the medical records show that because you
5 left, they were not able to do paracetamol level tests
6 to see just how great the overdose you had taken was.
7 I don't think we need to call that up. That's at
8 45099 -- sorry -- 009.

9 44951 is the incident report in relation to that,
10 and there are other records which at 45010 shows you
11 going to the hospital for an injured elbow. 45020,
12 45039 and 45056 are also medical treatment that you got
13 during your time in Rathgael.

14 Just coming back to general terms, when you moved
15 into House 3, the position you say was different there,
16 because you were allowed to mingle --

17 **A. Uh-huh.**

18 Q. -- with other -- other children.

19 **A. Yes.**

20 Q. And you had more freedom I take it from when you had
21 been in the reception unit.

22 **A. Uh-huh.**

23 Q. Is that right, HIA389?

24 **A. Yes.**

25 Q. In paragraph 18 you say that:

1 "In Rathgael" -- that's at 090 -- "In Rathgael there
2 were about 10 children in each unit, and if one child
3 misbehaved, all the residents were punished and that
4 resulted in us being locked in. There was no alone time
5 in Rathgael. If I wanted to go to my room, I would have
6 to be accompanied by a member of staff. If I was taking
7 a shower or bath, a member of staff had to stand at the
8 door of the bathroom, and as most of the staff members
9 in Rathgael were male, I believe this was most
10 inappropriate."

11 I just wanted to be clear about this, HIA389,
12 because we have been talking about you self-harming, and
13 I wondered when we were talking earlier if this sort of
14 close supervision that you are talking about was because
15 of that. They were keeping an eye on you as to what you
16 might do because you had been involved in these
17 incidents of self-harming.

18 **A. No, I don't think it was anything to do with that, no.**
19 **They done it with everybody.**

20 Q. Was this in House 3 as well as in the Assessment Unit?

21 **A. No, just reception.**

22 Q. Just reception that close supervision?

23 **A. Uh-huh.**

24 Q. So everybody one who was in reception was subjected to
25 this close supervision?

1 **A. Yes, yes.**

2 Q. But not House 3? You had more privacy there?

3 **A. Yes.**

4 Q. Paragraphs 20 and 21 of your statement you go on to talk
5 about another member of staff, and I am going to use her
6 first name, and that's RG5, RG5. You say that she used
7 to bully you. On one occasion she took a group of
8 residents swimming.

9 "I wanted to spend longer in the pool. She dragged
10 me out of the pool using a long-handled net before she
11 grabbed me and twisted my arm up my back. I screamed in
12 pain. Other residents tried to release her grip on me.
13 I had to be taken to hospital following this incident,
14 as my arm was badly bruised.

15 In Rathgael she constantly physically and mentally
16 abused me. Her constant abuse left me feeling so low
17 that I felt I could not cope any longer and overdosed on
18 tablets. I still find it difficult to understand that
19 my abuser was allowed to take me to the hospital,
20 although at the time I felt I had no choice. If I had
21 not gone with her, I have no doubt that she would have
22 physically dragged me."

23 You go on to talk about her in a moment,
24 which I will come back to, but we were looking at some
25 records and you will know that there is this incident

1 where you ended up in Shamrock. There's two incidents
2 I am going to refer to. The first is of 15th
3 August 1993, and that's not long after you came to
4 Rathgael, a matter of days after you came there, a week
5 later. I take it she was someone who was assigned to
6 look after you in Shamrock. Is that right?

7 **A. Uh-huh.**

8 Q. If we look, please, at 44792, and again this is the
9 weekly record sheet prepared by **RG 229**, you see:

10 "Introductory primary worker session. Behaviour
11 generally acceptable throughout the day."

12 Then if we can scroll down, please, to the 15th
13 there, it says:

14 "HIA389 difficult, defiant and very aggressive.
15 Assaulted RG5 (see incident report) injuring RG5's left
16 breast. Removed to Shamrock House time out."

17 Now that seems to suggest that the Reception Unit
18 and Shamrock were separate.

19 **A. Uh-huh.**

20 Q. And they were. Is that right?

21 **A. Yes. Uh-huh.**

22 Q. If we look, please, in relation to that -- then there is
23 another incident at 44820. This is of 31st December
24 1993. If we can scroll down, please, I think this is
25 the one that we actually looked at:

1 "Taken to swimming pool. Involved in incident where
2 staff were threatened with broken bottles. Had to be
3 restrained from injuring RG5, during which HIA389's arm
4 was hurt, activating a previous injury. Taken to Ards
5 Casualty as a precaution. Soft tissue injury."

6 The incident report in respect of that is at 45010
7 I think. It might actually be the medical record. Yes.
8 That's the medical record of the same day where you were
9 taken:

10 "Injury to right elbow. Elbow is sore and painful.
11 No fracture on x-ray."

12 You were given paracetamol and a sling basically,
13 collar and cuff sling for your elbow.

14 Now we have received a statement from RG5, which is
15 at 4859. If we go, please, to 4860, she deals with the
16 allegations that you make about her, HIA389. At
17 paragraph 2 there she said:

18 "At paragraph 20 allegations are made against
19 myself. Again I confirm I never bullied any young
20 person and did not bully HIA389 in any shape or form.
21 I did not take any group swimming without the presence
22 of at least one other member of staff to ensure safe
23 practice. I have no recollection of the particular trip
24 to the swimming pool, nor of this young person wanting
25 to spend longer in the pool. I did not drag this young

1 person out of the pool using safety equipment and do not
2 believe that I would have been physically capable of
3 doing -- of so doing. I am not aware of any incident
4 which commenced in the swimming pool and resulted in
5 injury and/or a hospital visit.

6 I only have recollection of having to restrain
7 HIA389 on one occasion. This was an occasion upon which
8 I was escorting her from one building to another within
9 the confines of Rathgael. On this occasion HIA389
10 lifted a milk bottle which was sitting outside one of
11 the buildings, smashed it and threatened me with it. As
12 help at that time" -- sorry -- "As a result of this
13 I had to overpower her and restrain her. Despite my
14 shouts for help at that time, no individual came to my
15 assistance. I do recollect having to walk HIA389 with
16 her arm up her back to obtain help and avoid further
17 injury to HIA389 or myself. In the aftermath of this
18 the details were fully reported, documented and any
19 medical treatment, had it been required, would have been
20 provided. Notes and records of this incident will be
21 within the relevant paperwork in Rathgael. I believe
22 there is a possibility HIA389 may have mistaken the
23 incident as having taken place in a swimming pool."

24 Then she goes on to say that:

25 "I can confirm that I never physically or mentally

1 abused HIA389 in any form. I do not recall any
2 issues/concerns re my interactions with this young
3 person which could have been construed as abusive. If
4 I had been requested to take HIA389 to hospital, I would
5 have assisted in another member of staff taking her both
6 for HIA389's purposes and for my own protection. I am
7 not comfortable and take issue with this being referred
8 to -- with being referred to as an abuser and with the
9 assertions contained within this evidence."

10 Now, HIA389, that's what RG5 has said about the
11 allegations that you have made about her. Is there
12 anything that you want to say to the Inquiry about that?

13 **A. Just to say she is a liar.**

14 Q. Then you also at paragraph 22 of your statement made the
15 point that this to somebody else --

16 **A. Uh-huh.**

17 Q. -- who also was charged with your care in Rathgael. You
18 say that you were petrified of him.

19 "He would often beat me and spit in my face. He
20 would threaten me if I misbehaved when his was
21 working by saying that he would give me a good hammering
22 or that he would get me."

23 You say that:

24 "He treated most of the residents in this manner."

25 Now we have not received any response from RG2 and

1 so I can't tell you what he says about those allegations

2 --

3 **A. Uh-huh.**

4 Q. -- HIA389, but what RG5 has said is that she is not in
5 a position to comment on these matters and they should
6 be addressed directly with him. Now we have tried to do
7 that, but, as I've indicated, we have not received any
8 response from him.

9 If we can go back to your statement then at
10 paragraph 23 -- I think it is page 091 -- you say that
11 there was a number -- another member of staff -- and
12 this is someone we have spoken about earlier -- RG20,
13 would often pretend to tickle you.

14 "In reality he was fondling my breasts. This
15 happened throughout my time in House 3 at Rathgael.
16 There was another resident", whom you name, and I will
17 just give her first name, **RG 23**. "She had large breasts
18 and RG20 would often fondle her."

19 He has given us a statement, HIA389, and he has said
20 in his statement at 4793:

21 "So far as the allegation made against me by HIA389
22 that I inappropriately restrained her sister ..." --

23 That was in relation to the incident we were talking
24 about, HIA386 -- he says he -- he denies this
25 emphatically:

1 "... and with regard to the allegation that
2 I fondled HIA389's breasts and those of **RG 23**, this is
3 completely untrue. I never on any occasions touched any
4 of the children in Rathgael inappropriately."

5 So basically, HIA389, he has denied ever doing
6 anything inappropriate towards you or your sister or
7 this girl **RG 23**. Is there anything you want to tell
8 us about that?

9 **A. He did do it. I seen it and he done it on me too.**

10 Q. Paragraph 25 you make another allegation. You say the
11 food was poor. You turned vegetarian whilst you were in
12 Rathgael. I think there is some records of that.
13 I will come back to the vegetable soup.

14 "... because the meat was always undercooked."

15 You recall being made -- being forced to eat
16 undercooked meat by a staff member, RG24. I will just
17 use the first name. He laughed at you and spat in your
18 food and in your face and yelled at you. After that you
19 received a vegetarian dish for lunch and you received
20 that same vegetable pastry dish every day. You said
21 staff would laugh at you eating the same food every day.
22 At suppertime you received toast and you were hungry
23 a lot during your time in Rathgael.

24 He has also given a statement to the Inquiry, which
25 is at 4834, HIA389, and he sets out his qualifications

1 there, and at -- he goes on to say at paragraph 4:

2 "I deny these allegations she has made against me.
3 They are completely untrue and without any foundation
4 whatsoever. I have no memory of having any details with
5 anyone called HIA389 during my short period working in
6 Rathgael. I do have not know who this person is.
7 I have no recollection of ever being involved in serving
8 food to any children during my time in Rathgael. This
9 would not have formed part of my duties. In addition to
10 this it would have been extremely rare for me to have
11 had any interaction with any children who were in
12 Rathgael by virtue of Training School Orders."

13 Well, we know that you were there on foot of
14 a Training School Order but on the Care side, HIA389.

15 **A. Uh-huh.**

16 **Q.** "My work was with children in the Short-term Care and
17 Assessment Unit. The children in this unit would have
18 been kept separated from other children subject to
19 Training School Orders."

20 Now he was clearly there in your time and would have
21 been there for -- there in the Short-term Care and
22 Assessment Unit when you were there, but he has made the
23 point that the Assessment Unit was kept separate from
24 others. He says -- in respect of the alleged incident
25 described by you he would say that he never saw an

1 incident like that.

2 "Further, had I ever witnessed anything like that
3 occurring, I would have taken appropriate steps and
4 reported any such conduct by a member of staff."

5 He makes the point that during his time in Rathgael
6 he was never subject to any formal complaints and during
7 his entire career in social work he was never subject to
8 any misconduct or disciplinary investigations by his
9 professional body and is horrified by the allegations
10 and can't understand how they were made about him.

11 So that's what he said in respect of what you say
12 about him, HIA389. Is there anything else that you want
13 to say?

14 **A. No. Just to say it's true.**

15 Q. Paragraph 26 you say that you attended classes in life
16 skills in preparation for leaving Rathgael, but the
17 staff there didn't teach you any life skills. I was
18 asking you whether or not you accept that you weren't
19 particularly receptive to what they were trying to teach
20 you, HIA389, because we looked at some documents. We
21 were looking at those earlier. For example, at 44753
22 there's talk about planning to move you into the
23 maisonette and you say you never were in the maisonette.

24 **A. Uh-huh.**

25 Q. But we can see that you seem to have been --

1 **A. Yes.**

2 Q. -- from the records that we have seen, that you
3 certainly seem to have been put in the maisonette,
4 because it is recorded that, in fact, you were lonely
5 there and they were looking to see who they could put
6 into it with you.

7 At 44831, please, if we can look at that, this is
8 about social skills. Again it is the weekly record
9 report. You seem to be keeping your room quite tidy,
10 which was good. If we can scroll down, please, it says:

11 "HIA389's social skills have improved greatly.
12 HIA389 moved into maisonette this evening to help
13 prepare her for living independently."

14 That's 21st September '94, but you don't remember
15 being there?

16 **A. No.**

17 Q. Then it goes on on 29th:

18 "HIA389 not coping too well. Have helped her
19 prepare a menu and shopping list and had several
20 sessions regarding independent living. We feel HIA389
21 is lonely and misses the group. Will decide who can
22 move in to keep her company."

23 Then November:

24 "HIA389's social skills are slightly improved.

25 But regarding cooking, she is just so lazy she has

1 no interest. When staff show her how to cook, she is
2 prepared to let them as ..."

3 CHAIRMAN: "Continue."

4 MS SMITH: "... let them continue while she watches, and
5 when asked how to do the same meal again, she just
6 laughs and says she doesn't know."

7 If you can scroll on down, it says:

8 "I brought HIA389 in various cooked vegetables I had
9 left from the weekend. HIA389 also enjoyed a bowl of
10 homemade soup I brought her. Later in the evening
11 I discovered HIA389 had ate the lot and hadn't a clue
12 what she was having to eat the next day.

13 I brought HIA389 in stock and cut washed soup veg to
14 make herself a pot of soup.

15 5th December. Discovered the soup veg I brought in
16 last week for HIA389 in a withered heap in her cupboard.
17 When asked why she had not used them instead of always
18 complaining of having nothing to eat, she told me it was
19 none of my f***ing business."

20 So those are the records that seem to suggest that
21 they were trying to teach you some skills for leaving
22 and maybe you were not as receptive as they would have
23 liked you to be, but you don't have any memory of that?

24 **A. No.**

25 Q. There is also a court report, which I don't think we

1 need to call up, 44789, which shows that the Community
2 Care -- sorry -- the Community Care Department at
3 Rathgael were involved with you after you left. We are
4 going to come to talk about that in a moment, HIA389,
5 but this was the Department that had responsibility for
6 contact with your family, for example, arranging visits
7 for family and checking suitability of home for visits.
8 You remember some involvement with them --

9 **A. Uh-huh.**

10 Q. -- in respect of that, but what you told me was that you
11 felt that you were essentially bucked out into the Simon
12 Hostel that we know that you went to. You were
13 petrified in that hostel.

14 **A. Uh-huh.**

15 Q. You described how you would have peed in the sink rather
16 than leave your room.

17 The document at 44789, if we can just look at that,
18 please, this is part of this report that I was talking
19 about from the Community Care Department and it is from
20 a RG18, who was the social worker. It said -- this is
21 for a court report, and it says that you were presently
22 in a hostel for homeless, and he said that:

23 "Her Training School Order expired in August '95.
24 However, Rathgael's Community Care Department still
25 remain involved in providing HIA389 with social work

1 help and advice as deemed appropriate."

2 You made the point to me that he came to see you
3 twice --

4 **A. Uh-huh.**

5 Q. -- after you left Rathgael. Once he brought you some
6 food and then you didn't see him again for some time.

7 **A. Yes.**

8 Q. He didn't speak to you or talk to you about how you were
9 getting on or anything like that.

10 **A. No.**

11 Q. You talked in your Inquiry statement, HIA389, about not
12 having any visitors during your time in Rathgael. I am
13 not going to call up the documents -- we looked at some
14 of them earlier -- that show that various family members
15 came to see you while you were in Rathgael right through
16 from 44797 right through to 44826. There's numerous
17 records of people coming to visit you, but again you
18 don't remember those?

19 **A. No.**

20 Q. I was asking you, HIA389, did you have any positive
21 memories of your time in Rathgael?

22 **A. No.**

23 Q. Did you get on with your key worker, for example, RG 229
24 RG 229?

25 **A. Not really, no, no.**

1 Q. What I think you said to me is you got on with some of
2 the girls?

3 **A. Yes, the other girls, yes.**

4 Q. You had some with them, but you have no good memories of
5 any of the staff?

6 **A. No.**

7 Q. I asked how that compared -- how staff in Rathgael
8 compared to the other two places that you'd been. You
9 said that you felt that they were more -- they hardly
10 ever spoke to you in Rathgael --

11 **A. Yes.**

12 Q. -- in comparison -- whereas in Carnview, where you had
13 been, staff did engage with you --

14 **A. Uh-huh.**

15 Q. -- and you had fun with the staff in Carnview.

16 **A. Yes.**

17 Q. HIA389, your life after you left is recorded in
18 paragraphs 29 to 35 of your witness statement and I'm
19 not going to go through those. The Inquiry Panel has
20 read them, and I know what is -- what your life has been
21 like afterwards. So it is not appropriate for me to go
22 into the details, but is there anything else that you
23 feel that I haven't covered in your evidence about your
24 time in Rathgael that you want to say? Now is the
25 opportunity for you to do that.

1 **A. No.**

2 Q. One final question then that I have for you, and that's
3 something we ask people who come to speak to us about
4 their time in institutions. You will be aware that at
5 the end of its work the Inquiry has to make
6 recommendations to the Northern Ireland Government about
7 what should happen. People have various views about
8 that and the Inquiry Panel would like to know what your
9 own views are, HIA389.

10 **A. I would just like the people to be sorted out and**
11 **brought to court maybe and not let it happen to any**
12 **other kids now, you know, so they are more protected.**

13 Q. Well, HIA389, thank you very much for that. I have
14 nothing further that I want to ask you, but the Panel
15 Members may have some questions for you.

16 **A. Right. Thanks.**

17 **Questions from THE PANEL**

18 MS DOHERTY: Thanks very much, HIA389. That has been really
19 helpful. Can I just ask when you had sessions with
20 RG 229, your key worker, did you ever have conversations
21 about your behaviour and, you know, helping you to
22 manage it or ...?

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

24 Q. What did you talk about in sessions? Can you remember?

25 **A. I think it was just what to do during the day and stuff,**

1 **you know, I was up to and stuff.**

2 Q. Just about -- but not about how you were feeling or ...?

3 **A. No.**

4 Q. And in relation to your sisters, were there any
5 opportunities for the three of you to get together when
6 you were in Rathgael?

7 **A. No.**

8 Q. You were always kept --

9 **A. Yes.**

10 Q. -- separate --

11 **A. Yes.**

12 Q. -- during that time? You said in your statement that
13 you didn't have any contact with your field social
14 worker at all when you were there.

15 **A. Uh-huh.**

16 Q. Absolutely none? There was no review meetings where the
17 person came?

18 **A. No.**

19 Q. Okay. Thanks very much, HIA389.

20 MR LANE: Can I just ask: do you feel you were treated worse
21 than the other children who were in Rathgael at that
22 time?

23 **A. Yes, yes.**

24 Q. Significantly worse, or were you picked out in that way?

25 **A. By a few members of staff, yes.**

1 Q. Okay. Thank you.

2 CHAIRMAN: Well, HIA389, you will be relieved to hear I am
3 sure those are the only questions we want to ask you.
4 Thank you very much for coming to speak to us today.

5 **A. Thank you.**

6 **(Witness withdrew)**

7 MS SMITH: Chairman, I see the time is now 12.50. I know
8 there was to be another witness this morning taken by
9 Mr Aiken, but --

10 CHAIRMAN: We will rise now and we'll try to start as soon
11 as we can after 1.30.

12 (12.50 pm)

13 (Lunch break)

14 (2.00 pm)

15 [The Inquiry recommenced in closed session

16 - see separate transcript]

17 (3.30 pm)

18 WITNESS HIA198 (called)

19 MS SMITH: As I was about to say, our next witness today is
20 HIA198. She is "HIA198". HIA198 wishes to take the
21 oath and she wishes to maintain her anonymity, Chairman.

22 WITNESS HIA198 (sworn)

23 CHAIRMAN: Thank you, HIA198. Please sit down.

24 Questions from COUNSEL TO THE INQUIRY

25 MS SMITH: HIA198, as I was explaining to you, I am just

1 going to tell the Panel Members where there are some
2 documents relevant to your evidence in our bundle of
3 material.

4 HIA198's statement is at RGL028 to 036.

5 The Health & Social Care Board's statement in
6 response is at 289 to 442.

7 The DoJ response --

8 CHAIRMAN: A little bit more slowly.

9 MS SMITH: Sorry, Chairman. There are two DoJ response
10 statements, one at 780 to 790 and then 4209 to 4217. We
11 received a bundle of material from the Department of
12 Justice at 4079... -- sorry -- ...734 to 40962, and
13 Social Services material is in the bundle at 51492 to
14 54994.

15 We have a statement from one of the people about
16 whom HIA198 speaks at 4593 to 4794.

17 Now, HIA198, you can see the document on the screen
18 in front of you. Can I just ask you to confirm that
19 this is the witness statement that you have provided for
20 the benefit of the Inquiry?

21 **A. Yes, it is.**

22 Q. And you want the Inquiry to take into account all that's
23 in this statement together with anything else you say
24 this afternoon?

25 **A. Yes, I do.**

1 Q. Now, HIA198, your personal details are set out in
2 paragraphs 1 to 5. You are now aged 35. You outline
3 the difficulties that you had as a child both medically
4 and personally, and I am not going to go into those --

5 **A. Okay.**

6 Q. -- in public, but you can be assured that the Panel are
7 aware of those from your statement.

8 **A. Okay.**

9 Q. And it's clear that you spent a number -- you spent time
10 in a number of children's homes. You were in Orana.

11 **A. Yes, I was.**

12 Q. You were in Kinhalla, Bocombra --

13 **A. Yes.**

14 Q. -- and you also spent time in St. Joseph's Training
15 School.

16 **A. Yes.**

17 Q. Because there was not a bed ready for you, you went to
18 St. Luke's in Armagh before you were eventually placed
19 in Rathgael.

20 **A. Yes. It was a secure unit for psychiatric patients.**

21 Q. You talk about all of this in paragraphs 16 to 25 of
22 your statement. If we go to paragraph 26 please, then
23 that should be on page 032. Now you have given the
24 dates there that you were in Rathgael from

25 22nd December 1994 until 20th August 1997. You say you

1 were initially placed in Rathgael under a Fit Person
2 Order and then a Training School Order was made on 17th
3 February 1995. I think, in fact, it was actually --
4 there was a Fit Person Order in respect of you, but it
5 was actually a Place of Safety Order that brought you
6 into Rathgael in the first place.

7 **A. Okay.**

8 Q. You were there over a period of time from when Rathgael
9 became Lakewood. You were there during that period.
10 Isn't that right, HIA198?

11 **A. Yes, I was.**

12 Q. I am not going call up the Order, but for the benefit of
13 the Panel the Place of Safety Order of 22nd December '94
14 can be seen at RGL302. The Fit Person Order we think
15 was 17th February 1995, which expired on 17th
16 February 1997, is at 40740.

17 Now, as I have explained to you, HIA198, the Inquiry
18 is dealing with events that occurred during the first
19 year of your time in Rathgael and only that time,
20 because what happened to you after December 1995 falls
21 outside the terms of reference of the Inquiry, but it is
22 not clear from your statement and I know it is not clear
23 from talking to you when certain events that you
24 complained about happened.

25 **A. Yes.**

1 Q. So we'll deal with them as we go through. I mean, for
2 example, there is one thing that I have been able to
3 ascertain happened in 1996, which is technically outside
4 the terms of reference, but we will go through them in
5 any event.

6 You say here in paragraph 27 that some of the staff
7 in Rathgael were kind and others used to antagonise
8 children to the point where the children required to be
9 physically restrained.

10 A. Uh-huh.

11 Q. You say there was a member of staff called RG2 and you
12 used to dread him working, because he would flirt with
13 all the teenage girls. As a result of everything that
14 happened in your life you had learned by that stage to
15 keep your head down. Before talking about him I just
16 wondered who were the good staff? Who were kind? Who
17 do you remember being kind?

18 A. I remember the part-time staff being kind. They would
19 have been not there, not used to the everyday daily
20 grind of being in Rathgael. They used to just come in
21 for a couple of hours and then you wouldn't see them for
22 about a week, you know. They were mainly kind and they
23 would have talked to you. They would have chatted where
24 the full-time staff just didn't bother. They really
25 didn't bother with you. They just didn't care that you

1 were there. They didn't -- you know, we were just jobs
2 to them in there, so we were, and there was nothing, you
3 know, that the full-time staff really did. It was
4 mainly the part-time staff who would have chatted to
5 you, maybe talked to you, you know.

6 Q. And showed a bit more interest --

7 A. Yes.

8 Q. -- in you as a person?

9 A. Yes.

10 Q. Now you were talking -- we were talking here about this
11 person who worked there, RG2. He was full-time. Is
12 that right?

13 A. Yes, but he floated round a couple of the units. He was
14 an absolute nightmare. May I talk?

15 Q. Yes, of course.

16 A. Whenever you knew that he was working, RG2, the whole
17 unit used to go, "Oh, God! No", because he was that
18 much of a thing in, you know -- he was just annoying.
19 You know, he used to flounce into there, into Shamrock
20 House when I was there at the start. You know, he used
21 to bounce into the living room and just everybody used
22 to just go, "Oh, no!", because you knew people were
23 going to get restrained. He was going to wind the kids
24 up too much too far and the child couldn't cope. You
25 know, the younger lads couldn't cope with the carry on.

1 **They would have got angry, cross and what not and it**
2 **would have led to the child needing to be restrained.**

3 Q. You are aware, HIA198, from the discussion we have had
4 earlier today that the Inquiry has not as yet received
5 any response --

6 **A. Yes.**

7 Q. -- from this man. So I can't --

8 **A. Yes.**

9 Q. -- say what he might say about what you say about him.

10 **A. Yes.**

11 Q. But you go on to talk about another member of staff here
12 and that's RG41.

13 **A. Yes.**

14 Q. You say that:

15 "She had a favourite female resident."

16 **A. Yes.**

17 Q. "She would punish and threaten to punish the other
18 residents if this girl was annoyed in any way."

19 **A. RG41 would have been a senior staff member. She would**
20 **have went to case conferences and all that there.**

21 **Whenever you needed to talk to RG41 about anything, you**
22 **couldn't get hold of her. You couldn't talk to her.**

23 **You had to actually make an appointment nearly to talk**
24 **to her, but this other girl, you know, she could run up**
25 **and down the hill and talk way to her, you know, which**

1 **wasn't fair on other kids.**

2 Q. You felt that she was given favourite treatment by her?

3 **A. Yes, yes, yes.**

4 Q. As I indicated to you, the Inquiry has been unable to
5 locate RG41 to hear what she might say about that.

6 **A. Yes.**

7 Q. But you were saying you believed she was actually living
8 in America.

9 **A. Yes.**

10 Q. You had discovered that through social media and
11 Facebook.

12 **A. Yes.**

13 Q. The other person that you speak about here is another
14 member of staff, RG20, and that's RG20. You say:

15 "We were taken to a shop once by a member of staff
16 called RG20 to spend our pocket money."

17 I will just check with you. It wasn't that you only
18 went once to the shop to spend your pocket money. It's
19 just this was one time he went with you.

20 **A. Yes, yes.**

21 Q. You say you were mouthy to him in the shop:

22 "... and when we returned to Rathgael, I refused to
23 go into House 3. I was sitting outside on the grass.
24 He came back out of the house."

25 You told him to "Fuck off" and he grabbed you with

1 both his hands around the chest area and pulled you into
2 the house. You yelled for him to stop, but he did not.
3 I was asking you how he had grabbed you.

4 **A. Yes.**

5 Q. Was it from behind or ...?

6 **A. No. He had -- say I am RG20. He had actually went like**
7 **that there (gesturing), grabbed me and pulled me into**
8 **the house right there, so he did.**

9 Q. He has given a statement to the Inquiry, because we have
10 been able to locate him. In his statement -- we don't
11 need to call it up -- but at 4793 he says that:

12 "So far as the allegation made against me by HIA198
13 is concerned I deny this emphatically. I never grabbed
14 or touched her inappropriately."

15 Is there anything you want to say to the Inquiry
16 about that, HIA198?

17 **A. I have no reason to tell lies. RG20 might, but I don't.**

18 Q. You also then go on at paragraph 31 to talk about
19 an occasion you remember falling down the stairs,
20 because you were clumsy. You say you were you fined
21 some of your pocket money as, when you had fallen, you
22 used bad language. Staff didn't help you up or check if
23 you sustained any injuries.

24 **A. Uh-huh.**

25 Q. I know you talked about a member of staff. You let out

1 an expletive --

2 **A. Yes.**

3 Q. -- because you had fallen down the stairs and that's why
4 you were fined.

5 **A. Yes.**

6 Q. Not because you had fallen --

7 **A. Uh-huh.**

8 Q. -- but because of --

9 **A. Because I used bad language when I got to the bottom of
10 the stairs, I was fined some of my pocket money for
11 swearing.**

12 Q. You say that this member of staff laughed at you or the
13 other youngsters --

14 **A. Uh-huh.**

15 Q. -- were laughing at you because you were being fined.

16 **A. Because when I got to the bottom of the stairs was the
17 smoking area door. They were all just standing there
18 smoking. I was up at the top of the stairs, fell down
19 and they were standing there laughing at me.**

20 Q. Doing the best we can looking through the records we
21 have got -- I don't think we need to call this up
22 either -- at 40908 there is a reference to you having
23 a knee injury because you had fallen down the stairs
24 from your clinical records. Maybe we should just look
25 at it. 40908. The reason I was not going to call this

1 up is, as I was explaining to you, this actually
2 happened in 1996 rather than our terms of reference.
3 You see there that the date looks to be 17th
4 January 1996.

5 "Unit 3. HIA198 complained of left knee pain. Says
6 fell downstairs last pm."

7 So it looks like you fell on 16th January '96:

8 "To confirm in ..."

9 I am not quite sure what that says. I don't know if
10 we can -- unfortunately these photocopies are not -- can
11 we just highlight it maybe? I don't think that's making
12 it any better. Certainly there is an entry confirming
13 that you did fall down the stairs and were complaining
14 of a sore knee. So certainly you seem to have seen the
15 nurse or the matron about it.

16 **A. Yes.**

17 Q. And you were telling me, and I just want to be clear on
18 this, the matron would have seen everybody every
19 morning. Is that right?

20 **A. Yes. When I was in Shamrock House, the matron was round
21 every morning, and she would have, you know, chatted to
22 the girls. If you had any problems -- or she would have
23 maybe -- if you were complaining about being sick or
24 sore, she would have taken your temperature. If you
25 didn't have a temperature, you got a Strepsil.**

1 Q. You talk about that in paragraph 34 --

2 **A. Yes.**

3 Q. -- of your statement to the Inquiry. There are
4 certainly numerous entries -- I will just deal with it
5 now as we are dealing with the issue of getting any
6 medical treatment -- there is numerous entries of you
7 presenting with a variety of illnesses and ailments and
8 receiving treatment for that. I am just going to give
9 some reference numbers, but I don't think we really need
10 to look at them. They are sort of similar to this,
11 HIA198.

12 **A. There was an injury to the foot that I received in**
13 **Shamrock House. In Shamrock house you were locked in**
14 **your bedroom every night. I was lucky enough to have**
15 **a radio in the room. Staff used to plug the radio in**
16 **from the outside. One of the staff members threw the**
17 **plug into the room. I woke up in the middle of night to**
18 **go to the toilet. The pin of that plug went up through**
19 **my foot, but I just got up to the bathroom and then went**
20 **back in. I woke up the next morning with a hole in my**
21 **foot. I got a Strepsil for that.**

22 Q. I think that's maybe what you were talking about in
23 paragraph 34 --

24 **A. Yes.**

25 Q. -- when you said -- that was the injury to the foot that

1 you were talking about.

2 **A. Yes.**

3 Q. Again we are not clear as to when that might have
4 happened --

5 **A. Yes.**

6 Q. -- whether it was in the terms -- although you were in
7 Shamrock for --

8 **A. I was in Shamrock for eight or nine months.**

9 Q. Eight or nine months.

10 **A. I was in the secure unit.**

11 Q. You do talk -- we are going to talk about Shamrock now,
12 which is paragraph 32 of your witness statement at 033.
13 I know you were present this morning when I pulled up on
14 the screen the principles about the use of Shamrock
15 House.

16 **A. Uh-huh.**

17 Q. I think you would accept that going into the D room was
18 not a normal punishment. That was something out of the
19 ordinary. Is that right, HIA198?

20 **A. Well, when I was in Shamrock and somebody had a temper
21 tantrum and what not, the kids -- you know, the staff
22 used to restrain the children and then take them to the
23 D room, but you seen that all the time. I was there for
24 eight, nine months. The time span just all seems
25 together, if you know what I mean. I can't say on**

1 **a Tuesday this happened or a Wednesday. It was almost**
2 **like a daily occurrence, the D room.**

3 Q. You say that you spent around six months in Shamrock
4 House. In your bedroom you had a plastic mattress and
5 plastic cube to place your clothes on.

6 **A. Yes.**

7 Q. You found the bed extremely uncomfortable to sleep on
8 and the bed sheet would always slide off the mattress.

9 "The doors were locked and you had to ask permission
10 for everything. If you wanted to go to the toilet or
11 get a drink, you had to ask permission. A member of
12 staff came with you. You always had to wait. We all
13 had to stay in one room and watch television and never
14 allowed to be on your own."

15 **A. Yes.**

16 Q. "The only time we were allowed out of the unit was to
17 have a cigarette and our bedroom doors were locked at
18 night-time."

19 You did say that you went to school when you were in
20 Shamrock House. We have heard that was in the unit
21 itself, the school. Is that right?

22 **A. Yes.**

23 Q. You would have coloured in pictures, completed crossword
24 puzzles and played games on the computer.

25 **A. Uh-huh.**

1 Q. "I did not receive the same education as children in
2 mainstream education."

3 You go on to talk about the poor food that you
4 received in Shamrock House.

5 Now one of the things that we have discovered in the
6 documents is a letter that you wrote to your social
7 worker, who was your social worker in the community
8 before you came into Shamrock.

9 **A. Yes.**

10 Q. I am going to look at that. That's 4... -- sorry --
11 52205. It says:

12 "Dear RG 230",

13 who was the social worker:

14 "This is a just a wee note to say hello and a Happy
15 New Year. As soon as I get some spare cash I will buy
16 you your present. Well, how are you keeping? I really
17 like Shamrock. It is like a holiday camp. The girls
18 are really good to me. They are like sisters. The boys
19 are assholes at times. The staff are dead on. They can
20 be nuts at times. Life would be very dull without the
21 fruits, headcases and sarcastic comments. Well, life is
22 okay with me. I also sent you a little reminder of 18th
23 January 1994. Better go. I will see you soon. Lots of
24 love."

25 Just scroll on down, please.

1 "HIA198.

2 PS. Thanks for sending me to another play school."

3 **A. Yes.**

4 Q. Now this letter on the face of it is suggesting that you
5 were happy in Shamrock House, HIA198.

6 **A. I had a deeply sarcastic relationship with my social
7 worker, RG 230, like. When she put me into
8 Shamrock House for that eight/nine months, she told me
9 that I was giving Newry & Mourne a break. She was --
10 I was -- the only reason I was going in there was
11 because I was giving Newry & Mourne Social Services
12 a break. Right? So I wrote something sarcastic back to
13 her. It was -- it was the nature of our relationship.
14 It was pure sarcasm, you know. There was no -- there
15 was no -- you know, it was sarcastic.**

16 Q. I mean, I was telling you there was a court report that
17 was prepared as well, which can be seen at 411 to 414,
18 where there are comments on your admission to Shamrock
19 --

20 **A. Uh-huh.**

21 Q. -- and the progress you were making there. I am just
22 going to look at 413, please, under the section
23 "Criteria for admission". You will see here, if we can
24 scroll on down, it said:

25 "HIA198 has settled easily into the safe, secure

1 environment that a unit such as Shamrock can afford.
2 The high ratio of staff (one to every two children)
3 gives her the opportunity to talk about her life, events
4 and feelings. It is envisaged that this work will
5 continue and become more intense and productive as
6 HIA198's placement unfolds."

7 Now can I just ask you: did staff in Shamrock House
8 talk to you about your feelings and life events?

9 **A. No, there was no talking about any feelings. There was**
10 **a male psychologist there, which I just was not going to**
11 **talk to, because, one, he was a man. Right? The staff**
12 **didn't really ask your opinion on anything, you know.**
13 **You just weren't asked about anything that happened in**
14 **your life or anything that was maybe happening. You**
15 **weren't asked.**

16 Q. You weren't actually presenting any real problems for
17 the people in Shamrock House, though?

18 **A. No.**

19 Q. So they may well have felt you had settled well into the
20 environment.

21 **A. Yes.**

22 Q. Is that --

23 **A. I had learnt to keep my head down, you know, from being**
24 **in the care system, because I had been in previous**
25 **homes, and I had landed in Shamrock House and my**

1 **immediate thought was, "Oh, my God! I'm in serious**
2 **trouble here" in my head, you know. Just keep my head**
3 **down and just think. That's ...**

4 Q. If we just go on to the next page there, please, if we
5 can just scroll down, the paragraph here, it says:

6 "To date HIA198 has presented as being very happy
7 and settled within Shamrock House. She has begun to
8 work with from the Adolescent Psychology
9 & Research Unit and we hope this will continue."

10 That's the person you were saying you could not
11 confide in, because he was male.

12 **A. Yes. He was a man. I was not going to talk to a man**
13 **about anything that happened to me in my life. I had**
14 **a male psychiatrist, a male psychologist. Most of the**
15 **staff were male. There was very little female staff.**
16 **I just wasn't going to talk to a man.**

17 Q. Paragraph 35 of your statement. We have dealt with the
18 fact about the food. 034, please. You said there was
19 no medical or dental care. You make the point that when
20 you actually left Rathgael, you needed to get dental
21 treatment.

22 **A. Yes.**

23 Q. You also say there, paragraph 35, that you never
24 received a hair cut during your time in Rathgael.

25 **A. No.**

1 Q. I was asking you, "Why do you see that as abusive,
2 HIA198?", but it is not that you do. You have
3 a particular reason for putting that in the statement.

4 **A. Uh-huh. Like, there was no -- like, I was in Rathgael**
5 **and they took over the role of my parents. If I had**
6 **been at home, my mum would have taken me for a hair cut.**
7 **My mum would have showed me how to do things. My mum**
8 **would have taught me how to -- you know, wee personal**
9 **touches, how to look after myself, how to mind myself.**
10 **There was nothing like that there in Rathgael. I was in**
11 **there for two and a half years and no help, no nothing,**
12 **just -- no -- I wasn't even shown how to brush my hair,**
13 **how to put my hair up. I know that sounds silly, but,**
14 **you know, for girls and what not, you need to know them**
15 **things, and there was nothing like that.**

16 Q. Now I know that there's a lot more that you want to
17 complain about --

18 **A. Yes.**

19 Q. -- in terms of how you feel Social Services --

20 **A. Uh-huh.**

21 Q. -- generally looked after you during your time in their
22 care. I have explained to you we have not the facility
23 to go into that today --

24 **A. Yes.**

25 Q. -- although I know from your statement some of the

1 issues that you make about that, but you also -- there's
2 a school report, one school report that we found from
3 1995 and I think that's at 60127. I don't think we need
4 to call it up, but it describes you as a capable but
5 inconsistent student.

6 **A. Uh-huh.**

7 Q. You don't feel that you were getting proper education
8 during your time there or given proper life skills.

9 **A. No. Through going through Social Services' records**
10 **I found a diagnosis of ADHD on 12th March 1992. That**
11 **was never passed on to any children's home that I had**
12 **been in, never passed on to any workers that dealt with**
13 **me, and, you know, going through the education and**
14 **school in Shamrock House, nobody knew that Social**
15 **Services had it in their files, but it was never passed**
16 **on.**

17 Q. And you also make the point that you were actually --
18 Rathgael actually put you into a community school --

19 **A. Yes.**

20 Q. -- outside. Isn't that right? Certainly that school,
21 which was Holywood High School --

22 **A. Yes.**

23 Q. -- they tried to support you, but you felt at sea.

24 **A. The school did try to support me, but I wasn't aware of**
25 **what was wrong with me at this stage. I didn't know**

1 that I had ADHD. I found that out when I was maybe 26,
2 27 years of age through looking through Social Services'
3 records, and Holywood High School, they did try to help
4 me, try to support me. I wasn't doing the work.

5 I wasn't doing homework. I wasn't doing -- you know,
6 I wasn't concentrating or paying attention, but it was
7 all to do with the ADHD that we never knew about.

8 Q. Uh-huh. One other point that you make was that you had
9 been on medication for that and there certainly is
10 I think --

11 A. Yes.

12 Q. -- a report of that in the case for ADHD that you had
13 been receiving medication --

14 A. Yes.

15 Q. -- and a trainee social worker when you were in Kinhalla
16 took you off that and that's when your behaviour
17 deteriorated.

18 A. I had done very well in Kinhalla and I'd loved it.

19 Kinhalla was a good therapeutic children's home, and

20 then towards the end the trainee social worker, RG 231

21 RG 231 , thought it was better to stop my medication
22 without checking with the actual psychiatrist who issued

23 it in the first time. Dr Norman McKeown, he only ever

24 prescribed that medication to two other -- two to three

25 other children in Northern Ireland. I think that was

1 **the Dexedrine, and then RG 231 had stopped**
2 **that medication and I had reverted back to the same old**
3 **not paying attention, not -- lack of impulse control,**
4 **lack of control over myself, my thoughts and then I just**
5 **went downhill from there.**

6 Q. That's why you feel you ended up ultimately in
7 a training school.

8 **A. Yes.**

9 Q. Now, as I say, we have a social work review of your
10 progress in 1997. Now again I have explained to you
11 that's outside the terms of reference. I will tell the
12 Panel where it is so that they can look at it. That is
13 at 54104 to 54108. The review comments, as I say, how
14 you had missed quite a lot of school --

15 **A. Yes.**

16 Q. -- and you were being schooled within Rathgael. You
17 refused to tell Rathgael why you were not going back to
18 school.

19 **A. Sorry. I didn't understand why I couldn't function at**
20 **the other level of the same kids that I was in class**
21 **with. I couldn't understand why I was not able to deal**
22 **with that.**

23 Q. You do say the school -- it is recorded they were
24 supportive of you, trying to keep you on the school
25 roll.

1 **A. Yes.**

2 Q. They also recommended that your social worker be -- help
3 you find educational opportunities and giving you
4 information about various courses and that.

5 Paragraph 7 you say that you were not prepared for
6 life when you left care, but the papers that we have
7 seen suggest -- again it is outside our terms of
8 reference technically, HIA198 -- but the papers suggest
9 efforts were made to prepare you for life after care.

10 **A. Uh-huh.**

11 Q. Again in that social work review of 1997 they comment on
12 your desire to live independently and steps were taken
13 to try to achieve this by letting you participate in
14 an independence training programme --

15 **A. Uh-huh.**

16 Q. -- for six weeks while you were in Rathgael. You were
17 telling me that was the maisonette that the Inquiry has
18 already heard about.

19 **A. Yes. The maisonette. I left toast unattended and burnt
20 the kitchen. That's -- it was an accident.**

21 **I completely forget the toast was on. The cooker that
22 it was on went up in flames. That was the end of the
23 independence training.**

24 Q. You go on to describe your life after care in
25 paragraphs 38 to 48, HIA198.

1 **A. Yes.**

2 Q. I have explained to you that the Panel again have read
3 that. I am not going to go into the details --

4 **A. Uh-huh.**

5 Q. -- but essentially you feel that Social Services let you
6 down and let your family down.

7 **A. Massively.**

8 Q. You make the point in that that you want an apology to
9 your mother.

10 **A. Yes.**

11 Q. You made the point to me when we were speaking earlier
12 that you don't want any apology. You want a written
13 apology that she can look at --

14 **A. Yes.**

15 Q. -- because she told them whenever she was -- you were in
16 her care that she was concerned that you were being
17 abused --

18 **A. Yes.**

19 Q. -- and you felt that they didn't take that seriously
20 enough and that's --

21 **A. Yes. My mother reported possible abuse of me in**
22 **August 1990 and the family case was closed three weeks**
23 **later.**

24 Q. Well, HIA198, is there anything -- I know there's a lot
25 more that you feel very strongly about about the care

1 that you received, but, as I have explained to you --

2 **A. Yes.**

3 Q. -- the Inquiry is limited in what it can look at --

4 **A. Yes.**

5 Q. -- and what it can hear from you, but that's not to say
6 that your entire statement has not been considered and
7 read by the Panel.

8 **A. Yes.**

9 Q. But is there anything about your time in Rathgael that
10 you feel that we haven't covered or anything more that
11 you wanted to say about Rathgael in particular?

12 **A. There was no due care and attention. There was nothing,**
13 **you know, specific to any individual. It was all --**
14 **I can nearly say it was just all basically sitting about**
15 **doing nothing, the children. There was no activities.**
16 **Like in Shamrock House we were all just sitting in the**
17 **living room watching TV. That's what I did for eight to**
18 **nine months, and then try to go to school in the**
19 **Shamrock, and, you know, you've got other kids kicking**
20 **off and being frustrated about what they can do and what**
21 **they can't do. Then there's no teacher. The teacher**
22 **has been taken out of the classroom for a while, you**
23 **know, dealing with that situation and you are still left**
24 **there sitting.**

25 Q. Well, HIA198, you will be glad to know that that's all

1 I want to ask you save for one more question, and that
2 is that the Inquiry at the end of its work has to make
3 recommendations to the Northern Ireland Executive about
4 what should happen in respect of those children who
5 suffered abuse in institutions. Is there anything that
6 you wanted to say about that to the Inquiry?

7 **A. Well, may I speak for two to three minutes?**

8 CHAIRMAN: I appreciate you have notes there written down,
9 HIA198. I am sure there are things you would like us to
10 listen to, but, as Ms Smith has explained to you, we are
11 confined in what it is that we are allowed to look at.
12 So if you would just perhaps answer the question she has
13 posed to you.

14 **A. Okay. Go again.**

15 MS SMITH: So the question was, HIA198: what recommendations
16 do you think the Panel should make about those children
17 who were in care?

18 **A. Make changes. That's what you do. You listen to us
19 and you make changes. Listen.**

20 Q. Have you any suggestions as to what type of changes you
21 think they should be?

22 **A. Change the way that social workers do things. Change
23 the way that care homes do things. You know, like
24 seeing some people are doing their own thing that is
25 going on in their own head compared to what should be**

1 **done and what's the right thing to do.**

2 Q. Well, look, I have no further questions for you, HIA198,
3 but the Panel Members may have some questions they want
4 to ask you.

5 Questions from THE PANEL

6 CHAIRMAN: HIA198, can I ask you about one or two things you
7 have mentioned? The first one is you said that the lady
8 you call RG41 --

9 **A. Yes.**

10 Q. -- had a favourite.

11 **A. Yes.**

12 Q. Did she have other favourites or did the staff generally
13 have favourites amongst the boys and girls who were in
14 the home?

15 **A. Well, it would have been RG41 that I would have noticed
16 personally myself. The other staff I wasn't too --**

17 Q. Yes.

18 **A. You know, I was just focusing, because any time that
19 I needed to speak to RG41 about anything -- because
20 I was -- I was down living in Bangor and my home was in
21 , you know. Any time I wanted to find out anything
22 about home, I had to go to RG41, and whenever I needed
23 to speak to RG41, I could never get her, but this girl
24 always could.**

25 Q. I see, but was it just or did she seem to have

1 other favourites when you were there?

2 **A. She seemed to have one or two other favourites. I can't**
3 **really recall at the minute, but she did.**

4 Q. I see. Another thing is that you were in Shamrock for
5 quite a long time.

6 **A. Yes.**

7 Q. There were other children there as well with you, were
8 there?

9 **A. Yes. There was ten of us all in the unit at any one**
10 **time.**

11 Q. Yes.

12 **A. Sometimes it might have been eight or nine or sometimes**
13 **the maximum would have been ten.**

14 Q. And then in Shamrock there was this room called the D
15 room. Is that right?

16 **A. Yes.**

17 Q. I see. From what you have been describing to us you
18 were in the D room a lot. Isn't that right?

19 **A. No, I never was in the D room.**

20 Q. I am sorry. I misunderstood. Were others in the D room
21 that you saw?

22 **A. Yes.**

23 Q. There were?

24 **A. Yes. Others would have thrown temper tantrums and**
25 **things like that. I would have called them temper**

1 tantrums. It would have led to the staff needing to
2 restrain them. Then just the child would have been
3 trailed to the D room by about four to five members of
4 staff. You just knew that the child was going to be
5 sore after they got out.

6 Q. How long -- I am sure it was not the same length of time
7 all the time -- but in general terms how long did the
8 children stay in the D room for? Would it be a few
9 hours or overnight or what?

10 A. It would have been a few hours, but sometimes it would
11 have been overnight. It would have been maybe for
12 a 12-hour period or it would have been for a 24-hour
13 period that would have happened, and then I think --
14 I think there was one girl called . She might have
15 spent 72 hours in the D room.

16 Q. Was that unusual or exceptional?

17 A. No, it wasn't unusual or exceptional. It was just
18 normal.

19 Q. I see. Thank you very much.

20 A. Okay.

21 MS DOHERTY: Thank you very much. That has been really
22 helpful. Can I ask: I know you have not been in the D
23 room, but have you ever been restrained when you were
24 ...?

25 A. Not in Rathgael. In previous care homes, yes. In Orana

1 **House and it is brutal.**

2 Q. But not -- but not in Rathgael?

3 **A. Not in Rathgael.**

4 Q. Can I -- can I ask: did you see your social worker, the
5 social worker you wrote to? Did she come to see you in
6 ...?

7 **A. Very rarely. I would have seen her maybe for the first
8 year about a couple of times and then after that no.
9 Then the next eighteen months no.**

10 Q. So when you had case conferences and things like that,
11 did she ...?

12 **A. She attended a couple of them there and then sent
13 apologies.**

14 Q. Okay. Can I just ask about your key workers? I mean,
15 would you have had regular sessions with your key
16 worker?

17 **A. Not regular, because the key workers would have worked
18 in the unit with them, and if you needed to talk, they
19 were there, but it was nothing really -- it wasn't a sit
20 down chat, you know, going, "Are you all right? Are you
21 doing okay? Do you need anything done?" It was
22 basically, "Are you all right?" You know, it wasn't
23 anything personal.**

24 Q. So there was no formal session?

25 **A. No.**

1 Q. There wasn't like -- you didn't know every Thursday
2 afternoon you would see your --

3 **A. No.**

4 Q. So it was just when they were on duty --

5 **A. Yes.**

6 Q. -- they would ask you how you were --

7 **A. Yes.**

8 Q. -- but ...

9 **A. No formal setting or no formal sessions or anything.**

10 Q. And no kind of sittings then, "How is school work?" or
11 "How are you ...?"

12 **A. No.**

13 Q. Okay. Just the last thing was any visits from your
14 mother or other members of your family? Were they able
15 to visit or ...?

16 **A. No. I didn't see my mum for the first maybe over a year
17 after I went into Rathgael. My mum visited Rathgael
18 once and she said that she would never go back. They
19 showed her the bedroom up the stairs. She said that she
20 never cried so hard in her entire life that I was taken
21 from her home and put into a room with a mattress on the
22 floor with just a cube to set my stuff on. She said she
23 would not visit. So it was over a year before I seen my
24 mother.**

25 Q. Okay, HIA198. Thanks very much.

1 MR LANE: Just one brief question. You said that the food
2 was awful.

3 **A. Disgusting.**

4 Q. What was it like?

5 **A. It was hard. It was plastic and cold. You know, I came**
6 **out of care. I left Rathgael about 16, 17 stone,**
7 **because I lived on crisps, I lived on chocolate, I lived**
8 **on junk food, everything else other than the food that**
9 **was served by Rathgael. It was absolutely disgusting,**
10 **to be honest.**

11 Q. Thank you.

12 **A. It was more suited to -- Rathgael used to -- whatever**
13 **food that wasn't eaten, it used to go to the swill**
14 **bucket. They should have just served it to the swill**
15 **bucket first instead of serving it to the other**
16 **children. That's my personal opinion.**

17 CHAIRMAN: Well, HIA198, thank you very much for coming to
18 speak to us today. I mentioned earlier that I could see
19 you have some notes. If you would like to leave them
20 with us, we will get a copy made and give them back to
21 you in a few minutes.

22 **A. Yes.**

23 Q. Then you will know that we at least will have seen what
24 it is you want to say.

25 **A. You can keep this copy, so you can.**

1 Q. Are you sure?

2 **A. Yes.**

3 Q. I can easily get a photocopy and give it back to you.

4 **A. No, no. It is all in here (pointing to head). I don't**
5 **need it photocopied.**

6 Q. I see. Thank you very much.

7 **A. You're welcome.**

8 MS SMITH: Thank you, Chairman. The next remaining witness
9 today is --

10 CHAIRMAN: Well, HIA198, that's all I am sure you are glad
11 to hear that we want to ask you today. Thank you very
12 much for coming to speak to us.

13 **A. Thank you.**

14 **(Witness withdrew)**

15 MS SMITH: Today's remaining witness is to be taken by
16 Mr Aiken.

17 CHAIRMAN: Yes. We will just rise for --

18 MS SMITH: A short period.

19 CHAIRMAN: -- a very short period and then we'll resume with
20 the last witness.

21 (4.05 pm)

22 (Short break)

23 (4.35 pm)

24 WITNESS HIA503 (called)

25 CHAIRMAN: Yes.

1 MR AIKEN: Chairman, Members of the Panel, the next witness
2 today is HIA503 --

3 **A. Yes.**

4 Q. -- now HIA503, who is HIA503. HIA503 is aware,
5 Chairman, you are going to ask her to take the oath.

6 WITNESS HIA503 (sworn)

7 CHAIRMAN: Please sit down, HIA503.

8 Questions from COUNSEL TO THE INQUIRY

9 MR AIKEN: HIA503 has considered and wants to keep her
10 anonymity.

11 **A. Yes.**

12 Q. Coming up on the screen will be her statement at 126,
13 please, and while I am doing that, again RG5, who is
14 RG5, is represented by Mr Jebb and Mr Duncan. You have
15 their appearance from earlier today.

16 CHAIRMAN: Indeed.

17 MR AIKEN: On the screen, HIA503, if you can just check and
18 confirm that matches, apart from the black marks, the
19 statement that you have in front of you.

20 **A. Yes.**

21 Q. If we look at the last page at 135, please, and again if
22 you check and make sure that matches the last page you
23 have.

24 **A. Yes.**

25 Q. And can you confirm you have signed your statement?

1 **A. Yes.**

2 Q. And you want to adopt it as your evidence to the
3 Inquiry?

4 **A. Yes.**

5 Q. And I know you've been anxious. We will get through
6 this as quickly as we can.

7 **A. Yes.**

8 Q. So I will try and summarise as much of the material as
9 possible --

10 **A. Yes.**

11 Q. -- and where I get it wrong or you think that's not
12 quite right --

13 **A. Okay.**

14 Q. -- you are more than able to tell me, "No, no. Hold on
15 a minute. That's not quite right".

16 So let me just explain to the Panel --

17 **A. Yes.**

18 Q. -- where various documents relating to you can be found.

19 In addition, the Panel have access to the criminal
20 record, which can be found at 35775 and 6.

21 The statement from the Health & Social Care Board
22 can be found at 527 to 530 with exhibits from 531 to
23 576.

24 There is a substantial amount of social work
25 material which is available at 51331 to 51492.

1 There is a statement from the -- two statements from
2 the Department of Justice. The first is at RGL869 to
3 871 with exhibits from 872 to 928 and then the second
4 statement can be found at 4240 to 4241.

5 Then there's a substantial amount of -- as HIA503
6 knows from meeting with me --

7 **A. Yes.**

8 Q. -- of material relating to her time in Rathgael. That
9 runs from 46377 to 46629 and then from 46630 to 46983.
10 That material includes daily logs of her time in
11 Rathgael, medical documentation in relation to medical
12 treatment that HIA503 received while in Rathgael,
13 untoward incident reports, absconding type reports, and
14 HIA503 and I have looked at some particular ones,
15 because again her main issue is to do with how the
16 restraint exercise was performed.

17 **A. Uh-huh.**

18 Q. We have looked at some and we will look now at some of
19 the --

20 **A. Yes.**

21 Q. -- examples where restraint might have taken place
22 towards the end of an incident.

23 There is a witness statement from RG5, who is RG5,
24 who faces an allegation from HIA503. That statement is
25 at 4859 to 4862.

1 There is reference to another male member of staff.
2 RG4 is the incorrect RG 232 . There is a second
3 RG 232 which is the one HIA503 is referring
4 to. We have not been able to find as yet that
5 RG 232 although there was a member of staff was a
6 social worker in Rathgael by that name during HIA503's
7 period.

8 That all being said, HIA503, you were born on
9

10 **A. Uh-huh.**

11 Q. Now 34?

12 **A. Yes.**

13 Q. And you were one of fifteen siblings.

14 **A. Uh-huh.**

15 Q. You explained to me fourteen, but one passed away.

16 **A. Uh-huh.**

17 Q. And then there were four half siblings.

18 **A. Uh-huh.**

19 Q. You were the third youngest, but the youngest daughter.

20 **A. Uh-huh.**

21 Q. You have attended today with your husband.

22 **A. Yes.**

23 Q. And you have two children.

24 **A. Uh-huh.**

25 Q. One is 13 and the other is 14.

1 **A. Correct.**

2 Q. Your older sisters the Inquiry has heard from, HIA389
3 and HIA386 --

4 **A. Uh-huh.**

5 Q. -- who were in Rathgael occasionally at the same time as
6 you. There is an exercise to be done --

7 **A. Yes.**

8 Q. -- in the overlapping nature. You were not all there at
9 the same time --

10 **A. Yes.**

11 Q. -- but at various times you passed each other. As
12 I explained to you, HIA503, the Panel is aware of there
13 were major difficulties in your family circumstances --

14 **A. Uh-huh.**

15 Q. -- that led to you being taken into care and then times
16 in children's homes, foster placement, back to the
17 children's home --

18 **A. Yes.**

19 Q. -- which interacts with Rathgael, which was
20 , where you spent a lot of your
21 childhood, and there are three spells in Rathgael.

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

23 Q. The first was 29th October 1993 to 24th November 1993.
24 That was four weeks --

25 **A. Uh-huh.**

1 Q. -- spanning your 13th birthday. Then the second spell
2 was on 8th December 1993 to 2nd March 1994. That was 15
3 weeks and again while you were 13, and then the third
4 spell is actually outside the Inquiry's terms of
5 reference --

6 **A. Uh-huh.**

7 Q. -- because it began on 31st January 1996 to late 1997.
8 That was two years essentially from you were aged 15 to
9 17.

10 **A. Yes.**

11 Q. I know one of the difficulties with this is some of what
12 you talk about probably relates to the events that are
13 outside the terms of reference and we will try and make
14 sure --

15 **A. Yes.**

16 Q. -- we cover the issues without straying beyond the terms
17 of reference.

18 The Panel have the background information --

19 **A. Uh-huh.**

20 Q. -- and I am not going to open that. You make the point
21 in your statement you are not very clear about why you
22 ended up going to Rathgael.

23 **A. Yes.**

24 Q. You and I have discussed the first occasion when you go
25 into Rathgael in 29th October 1993. Leading up to that

1 point there had been significant difficulties that were
2 documented --

3 **A. Uh-huh.**

4 Q. -- and there's a very detailed chronology of the
5 problematic events at the children's home, which you and
6 I looked at. I will just give the Panel the reference.
7 It is at 46468 to 46473, and coupled with those
8 behavioural difficulties, which were getting into
9 trouble with law --

10 **A. Uh-huh.**

11 Q. -- assaulting staff and residents and various
12 significant behavioural difficulties that was making it
13 difficult for the children's home to continue to look
14 after you, coupled with that then was a non-attendance
15 at school over a prolonged period.

16 **A. Uh-huh.**

17 Q. The reference for that can be found at 46488. That led
18 to the decision by the Social Services to place you in
19 Rathgael with their agreement. You went into what was
20 House 5 initially. The Panel have access to the daily
21 log from that four-week spell, which is at 46921 to
22 46936. Sorry. I said Social Services. There was
23 a remand element to that first placement --

24 **A. Uh-huh.**

25 Q. -- because you had been charged with theft and forgery

1 I think to do with a cheque.

2 **A. Uh-huh.**

3 Q. That led initially to the remand in Rathgael. As I was
4 discussing with you, and which the Panel are aware of,
5 through that first four weeks there is regular medical
6 treatment being given for various -- I will call them
7 minor ailments we were discussing, the skin infection.

8 **A. I just don't recall any of these. I know they are on**
9 **file like.**

10 Q. You were telling me you don't remember them.

11 **A. Yes.**

12 Q. But as far -- to the extent the records are accurate --

13 **A. Uh-huh.**

14 Q. -- they seem to be treating you for various skin
15 conditions. I was drawing your attention to a record in
16 November 1993 of another girl pushing you against
17 a radiator in the dorm and marking your face. You don't
18 remember that?

19 **A. I don't remember that incident, no.**

20 Q. The record records the two girls laughing that off. So
21 from the records there doesn't appear to have been major
22 incidents in that first four-week period in Rathgael --

23 **A. Uh-huh.**

24 Q. -- and on 24th November 1993, following the Social
25 Services' court report, you are discharged back to

1 Rathgael -- sorry -- back to
2 and it seems that Social Services were concerned that
3 a more secure unit would be preferable --

4 **A. Yes.**

5 Q. -- but the court by arrangement no doubt arranged for
6 you to go back to . There you remained
7 for what was a short period, HIA503, because the second
8 spell in Rathgael began on 8th December 1993.

9 **A. Right.**

10 Q. So just two weeks later a 15-week spell begins. The
11 Panel have access to the referral form from Social
12 Services. I am just going to show that to the Panel as
13 an example of how this process was done --

14 **A. Right.**

15 Q. -- at 46476, please, because the records go backwards in
16 the ... This is the document you and I looked at
17 earlier, HIA503, that sets out the family background.
18 Then if we go back, please, to 46475, we looked at the
19 handwriting that sets out the reasons --

20 **A. Yes.**

21 Q. -- why the decision is being made to seek a place in
22 Rathgael and then Rathgael are agreeing to it. We can
23 see down at the bottom of that the type of behaviour
24 that was being described: verbally and physically
25 abusive to staff and refuses generally to comply with

1 the unit rules and the care plan, as it were. The
2 decision was taken to request the place in Rathgael.

3 In the records that are available the type of
4 incidents that might have involved restraint, which is
5 what you complain about, within a couple of days on
6 10th December 1993, if we look at 46650, there is
7 reference to being -- on 10th December. Just scroll
8 down a little bit so we can see. That's it.

9 "Staff coming under pressure from two female
10 residents within the group. Pushed limits with staff.

11 removed to bedroom for her unacceptable attitude and
12 behaviour in the unit. Physically removed to bedroom."

13 They took a Bic razor away. So this is in this unit
14 which may have been the Reception Unit or House 5.

15 **A. Uh-huh.**

16 **Q.** Is that where you remember restraining taking place?

17 **A. No. In the unit mostly I was mostly locked away from**
18 **the other residents in the bedroom most of the day,**
19 **because apparently I was the one causing obstruction,**
20 **which I don't remember. I mean, they could have dealt**
21 **with it better. I was only a 12, 13-year-old child.**

22 **Q.** Okay. You don't remember this?

23 **A. You can't really -- putting a 13-year-old child in her**
24 **bedroom on a continuous basis, you know, what's that**
25 **solving if you are not going to work with the child?**

1 Q. Do you want to tell the Panel what you think should have
2 been done?

3 **A. I think the child should have been -- me as a child,**
4 **I should have been talked to, maybe, you know, talked**
5 **round or something, just not put up the stairs out of**
6 **the way as if -- it was inhuman just getting put away,**
7 **just locked up. That was it.**

8 Q. Okay, and the -- very quickly a case conference takes
9 place then with the various people involved in designing
10 a care plan for you and that initial case conference
11 takes place on 14th December 1993.

12 **A. Uh-huh.**

13 Q. We can look at 882, please, which shows the type of
14 people who were involved in the care plan. So you had
15 the residential social worker from

16 You had the field social worker, who was Social
17 Services in that area, RG 233 . Then you had RG41,
18 who was the in Rathgael. I think
19 you remember RG41.

20 **A. I remember RG41.**

21 Q. Then you were able to give me the first name of

22 RG 234 It was RG 234

23 **A. Uh-huh.**

24 Q. Who was the residential social worker, key worker
25 working with you at the time. I'm not going to go

1 through -- there is many pages of this record which the
2 Panel can consider. It runs from 882 to 886. What it
3 explains is that Rathgael explained that:

4 "It had been necessary to establish physical control
5 of HIA503 as she was most physically and verbally
6 aggressive towards staff, being non-compliant with the
7 simplest of requests."

8 If we look at 884 and the bottom of that, so
9 RG 234 is saying that:

10 "He advised that it had been most necessary to
11 establish physical control because of the physical and
12 verbal aggression."

13 **A. Uh-huh.**

14 Q. So it may be that's part of the restraining exercise.
15 I am not sure if you remember how quickly the
16 restraining type behaviour began.

17 **A. Well, it was like maybe two, three staff on one child,**
18 **you know, being forced down to the floor with your face,**
19 **arms up your back, being sat on on your legs. I mean,**
20 **these were heavy members of staff. I was 13.**

21 Q. Okay. From the records I can't see the restraint
22 exercises --

23 **A. Yes.**

24 Q. -- taking place --

25 **A. But that's --**

1 Q. -- of that type --

2 **A. Yes.**

3 Q. -- at this point in time.

4 **A. Uh-huh.**

5 Q. But it's clear that steps are being taken to try and --

6 **A. Uh-huh.**

7 Q. -- curb the behaviour. They give on -- if we look at
8 the next page, second and third paragraphs, the level of
9 control exerted on HIA503 consisted of grounding, at
10 times physical removal. Then RG 41 asked for
11 clarification in respect of HIA503's aggression towards
12 staff, spitting, kicking and hitting.

13 " RG 234 advised of the need to deal quickly with
14 these situations. HIA503 needed removal to the smoking
15 area or the bedroom away from the main group. However,
16 she would greatly attempt to block the removal, but did
17 quickly come down, having ventilated towards staff."

18 Is that your memory of how you behaved?

19 **A. Well, looking at this, me looking at this now, why would
20 they not ask me why I was reacting in that way, why was
21 I behaving like that towards the staff? What was the
22 staff doing on me to make me feel that I wanted to do
23 that back to them?**

24 Q. So are you saying to the Inquiry all of this behaviour
25 was caused by the staff?

1 **A. Aye.**

2 Q. And the Rathgael recommendation is for a specialist
3 therapeutic place to be found to try to avoid you
4 entering the training school system. So that was what
5 Rathgael were wanting to see, if possible, and Social
6 Services explain in 886 that that -- there were just no
7 places of that type available that were suitable for
8 you, and consequently you stayed in Rathgael for the
9 15-week period.

10 I was drawing your attention to one of the medical
11 records of 17th December '93 shows you being -- medical
12 treatment for a cigarette burn to the finger. Do you
13 remember that --

14 **A. No.**

15 Q. -- getting that type of treatment? On 23rd December, if
16 we look at 46840, there is an incident involving you and
17 your sister HIA389 barricading yourselves into a room
18 and various sexualised talk. The way this seems to have
19 been dealt with, if we just can maximise the page back
20 out, please, it seems that they dealt with this type
21 of -- this particular incident by allowing you to tire
22 yourselves out rather than engaging in restraint and
23 removal to Shamrock. That's how this appears to be
24 dealt with. There are similar incidents that seem to be
25 dealt with in a similar way.

1 I was asking you did you remember -- for instance,
2 on 3rd January '94, if we look at 46842, there's
3 a particular incident report that records you putting
4 glass in your mouth.

5 **A. Uh-huh.**

6 Q. You don't have any memory of that yourself?

7 **A. No, I don't.**

8 Q. And again the staff are recorded as dealing with that
9 by -- it seems to be a different staff member from the
10 last one. They made no physical attempt to get the
11 glass and you eventually handed over the glass after
12 approximately ten minutes.

13 **A. See, up in that there, that was like House 9A where that**
14 **woman was in. I don't even know how I would get my**
15 **hands on glass. It was full lock-up up there. You**
16 **know, I don't know where I would retrieve glass from to**
17 **put it in my mouth.**

18 Q. Do you feel -- obviously this record says what it says

19 --

20 **A. I know.**

21 Q. -- dated -- and it's dated.

22 **A. I feel it's untrue. I just don't know where I would**
23 **have got the glass from, you know.**

24 Q. You have no recollection of doing this?

25 **A. No.**

1 Q. And you think that the record is made up?

2 **A. I have no recollection of it. Beyond me where I would**
3 **get glass from, you know, in them units. They were full**
4 **lock-up. When you went out, you got took by staff.**

5 Q. And the next day, 4th January 1994, if we look at 896 --
6 sorry -- 46843, if we use that one, 46843, because this
7 is an example of a female member of staff,
8 RG 235 --

9 **A. Uh-huh.**

10 Q. -- trying to restrain a particular incident. So this
11 is:

12 "HIA503 had been continually asked to stay in House
13 9 unit. She was refusing to return to the unit.

14 RG 235 requested her return to the common
15 room. HIA503 made as if she was going to walk down, but
16 turned to run down the corridor. RG 235 asked
17 her to come with her into the interview room where
18 HIA503 jumped up on to the desk. RG 235
19 managed to get her to climb down, whereupon HIA503 hit
20 and spat at her. RG 235 got behind HIA503 and
21 attempted to restrain her. HIA503 then bit
22 RG 235 on the right arm and scratched at her left hand.
23 During the incident HIA503 fell against the wall.

24 RG 236 assisted Maureen and talked to HIA503 about
25 the incident."

1 Do you remember that incident?

2 **A. I don't remember that, but if she went behind me to**
3 **restrain me, how am I biting her?**

4 Q. So you think you didn't do what she's recorded?

5 **A. Yes.**

6 Q. Right. There then is a series of medical treatments for
7 sore throats and coughing and so on. We get to 24th
8 January. If we look at 4644, this is a record which is
9 -- this time the staff member is WS. So that's probably
10 the RG 234 that you identified to us. There is
11 another boy with you. You had been bickering over lunch
12 according to the record. You lifted a floor brush and
13 hit him on the chest. RG 234 intervened and
14 pushed you back and you then grabbed a jug of orange
15 sitting on the servery and threw it over towards this
16 other boy, RG 237. It spilled over the kitchen
17 floor. You were moved to your bedroom until calm.

18 **A. Uh-huh.**

19 Q. Cleaned up mess in the kitchen. Do you remember that?

20 **A. I don't recall that, no.**

21 Q. And then seven days later on 31st January, if we look,
22 please, at 46845, this is again involving

23 RG 235 :

24 "HIA503 was very unsettled".

25 as your sister HIA389 was moving to House 3. So

1 this is 8.30 pm in the evening.

2 "As the evening wore on, both girls became more
3 agitated, pushing limits, being uncooperative. HIA389
4 kicked in a glass door while HIA503 kicked at doors and
5 on being asked to return to the unit punched out and
6 kicked staff. She became hysterical and was removed
7 into the interview room where she kicked RG 235
8 full in the stomach and bit her right hand. HIA503 was
9 calmed down by staff. Was extremely upset when" -- it
10 says HIA503 but I presume it should read HIA389 -- "when
11 HIA389 went to House 3 at 9.00 pm. HIA503 removed to
12 interview room. Senior staff informed."

13 Can you remember that occurring, HIA503?

14 **A. I can't remember that, but for the glass doors that was**
15 **in that unit at that time, for my sister to kick them in**
16 **would have been impossible. They were wired glass.**

17 Q. I am more asking you about your involvement in this and
18 --

19 **A. No.**

20 Q. -- how it was dealt with by staff. Can you remember
21 that?

22 **A. No.**

23 Q. I was asking you -- it seems there's another series of
24 medical treatments for various things that I am not
25 going to go into now but the Panel will be aware of, but

1 it looks like during this 15-week period --

2 **A. Yes.**

3 Q. -- in Rathgael that there was still you going to school
4 in

5 **A. Uh-huh.**

6 Q. And I was asking you could you remember --

7 **A. I don't recall --**

8 Q. -- that?

9 **A. -- going back to school in at any time.**

10 Q. Because there's a letter from High School
11 principal --

12 **A. Uh-huh.**

13 Q. -- which is of 8th March 1994. If we just look at that
14 at 46765. Now the reason I am drawing this to your --
15 the Panel's attention is because it carries the
16 implication that if you were at school on 8th March 1994
17 --

18 **A. Uh-huh.**

19 Q. -- and were being suspended for a period -- the
20 suspension must have taken place on 4th March -- but you
21 are being suspended for five days because of the
22 behaviour, that would mean that you are being taken to
23 that school --

24 **A. Yes.**

25 Q. -- each day by Rathgael staff. Can you -- or

1 arrangements are being made for you to get there.

2 **A. I don't recall. I don't recall going from Bangor to**

3

4 Q. It may be part of the intention, all being well, to get
5 the behaviour under control and phase you back to

6 , which is what ultimately happened. So

7 to keep the school continuity you are going to

8 **A. Don't recall. Sorry.**

9 Q. You don't remember that. It is on 15th March then that

10 you are discharged for the second time from Rathgael

11 back to and there you remain

12 for the next couple of years.

13 **A. Uh-huh.**

14 Q. Now I appreciate this is difficult, because the third

15 spell then begins after 31st December 1995 and there are

16 a series of issues that probably are part of what you

17 are talking about --

18 **A. Yes.**

19 Q. -- in your statement, and I am not going to go through

20 the detail of that, HIA503. The Panel are aware of the

21 sequence of events that follow post-December 1995.

22 I am going to draw attention to a couple of

23 incidents, because you talk about them --

24 **A. Yes.**

25 Q. -- in your witness statement.

1 **A. Uh-huh.**

2 Q. You mention about being punched by --

3 **A. Another resident.**

4 Q. -- another girl. In fact, you wanted to clarify that in
5 the witness statement. If we can look, please, at
6 paragraph 34, which is on RGL131, the timing of this
7 statement says '94 to '97, but we can now see it began
8 in 1996 to '97. The reference in paragraph 34, you make
9 the point you were assaulted by this other girl.

10 **A. Uh-huh.**

11 Q. Now that girl the Panel have seen earlier from the
12 material relating to HIA386 --

13 **A. Yes.**

14 Q. -- was a friend of HIA386's --

15 **A. Yes.**

16 Q. -- a girl RG 238, RG 238 . Whatever occurred
17 between you, she hit you a punch.

18 **A. Uh-huh.**

19 Q. You were taken to see the medical staff and the medical
20 staff then referred you on to A&E. You went to A&E on
21 15th November 1996, but the other point you wanted to
22 draw attention to was that the statement says that you
23 came back and this girl continued to bully you.

24 **A. No.**

25 Q. That's not right.

1 **A. No.**

2 Q. This was just one incident.

3 **A. Yes.**

4 Q. There were no other problems between you.

5 **A. Yes.**

6 Q. You draw attention to having hurt your wrist and you
7 believe one of the restraining exercises you hurt your
8 wrist.

9 **A. Yes.**

10 Q. I was explaining to you that the only record I can find,
11 if we look at 913, please, three days after you had been
12 to hospital for the punch the A&E see you again, having
13 been referred by the Rathgael medical staff.

14 **A. Yes.**

15 Q. I am not bringing up the previous document that's the --
16 you and I were looking at the very small print document,
17 which is the matron --

18 **A. Uh-huh.**

19 Q. -- recording what treatment --

20 **A. Yes.**

21 Q. -- to give on a particular day. So you see the matron
22 for what's recorded in that record as a fall on ice.
23 Then in the A&E is a reference to having slipped on ice.
24 "Injury to the wrist" and you fractured your right
25 wrist. That's what was being treated.

1 **A. Uh-huh.**

2 Q. I was asking can you remember falling on ice --

3 **A. No.**

4 Q. -- and fracturing your wrist?

5 **A. No.**

6 Q. But you do have a memory of a future -- a splint being
7 put on your wrist.

8 **A. Yes, due to after restraining.**

9 Q. But your recollection is it was after being restrained.

10 **A. Yes.**

11 Q. I can't find that in the records. What I can find where
12 a splint is involved --

13 **A. Yes.**

14 Q. -- is this reference to having fallen on ice, but you
15 don't have a recollection of that?

16 **A. No.**

17 Q. You went for a check-up in relation to that on 27th
18 November '96, which is at 919. There is one reference
19 and I am going to show it to the Panel, albeit it's 11th
20 March 1997, because it shows how a complaint, were it
21 made, was dealt with at 46884. So there were this
22 statement of complaint made by and on behalf of a child
23 in residential care. This is about an escapade that
24 occurs in the classroom with the teacher. You have
25 taken paper from his desk, him grabbing it back and him

1 it seems reporting that he touched your leg in getting
2 the paper back, and the sequence of events as we scroll
3 down involves RG20 speaking to you about it and that you
4 apparently stated you did not want to make a complaint
5 regarding the incident and agreed that the complaint
6 could be withdrawn. You don't have any memory of any of
7 this?

8 **A. No.**

9 Q. Then if we scroll on to the next page, we can see --

10 **A. Uh-huh.**

11 Q. -- you signing off on it. If we move on to the next
12 page after that, please. Move on down, please. We can
13 see that RG11 and RG20 were involved in dealing with it.
14 The advice that you are given then is --

15 **A. Uh-huh.**

16 Q. -- if you don't want to make a complaint about it, there
17 shouldn't be any further mention about it.

18 **A. Yes.**

19 Q. But you have no memory of it at all?

20 **A. No.**

21 Q. But it shows you were prepared to raise an issue if
22 there was one --

23 **A. Uh-huh.**

24 Q. -- it would seem certainly by that stage. The Panel can
25 see then the material that follows leading up to you

1 being licensed from Rathgael, and one of the points you
2 make, and we will finish with it at the end, is you
3 don't feel enough was done for you --

4 **A. Yes.**

5 Q. -- when you were leaving Rathgael. If we look at
6 paragraph 21 of your statement, please, at 130, you --
7 as I understand it, HIA503 -- I am summarising it as
8 best I can -- what you are saying is that how some
9 members of staff dealt with the restraining was what you
10 are unhappy about.

11 **A. Uh-huh.**

12 Q. And you identify a particular man, RG2.

13 **A. Uh-huh.**

14 Q. And you say:

15 "He was heavy-handed. He would verbally abuse you
16 and shout and swear and calling you names."

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

18 Q. And on one occasion -- was he involved in the
19 restraining when you say he was heavy-handed or was it
20 just --

21 **A. He would have been, yes.**

22 Q. Okay, and then you mention another member of staff.
23 I think we can give a first name for that person, who
24 was ex-military. He put your arm up your back and
25 pressed on a pressure point on your thumb which

1 paralysed you with pain.

2 **A. Uh-huh.**

3 Q. On another occasion you were getting out -- didn't get
4 out of the swimming pool and RG 232 took you
5 out of the pool using a large hook and sat on you.

6 **A. Uh-huh.**

7 Q. Your face was pushed up against the tiles.

8 **A. Yes.**

9 Q. Was this to restrain you --

10 **A. Yes.**

11 Q. -- after the -- why was he needing to restrain you?

12 **A. Because we wouldn't come out of the swimming pool.**

13 Q. Okay, but you have presumably come out of the swimming
14 pool. Why --

15 **A. No, he put a hook over me and trailed me out. It is
16 like a big metal bar with like a wide hook thing on it.
17 Put it over the top of my head and pulled me in.**

18 Q. Right. So -- but once he brings you out, why does he
19 need to -- can you remember that?

20 **A. Because I wanted to get back in the pool.**

21 Q. So he's preventing you from going back in?

22 **A. Uh-huh.**

23 Q. Is he telling you, "You are not going back in"?

24 **A. Yes.**

25 Q. And are you determined you are going back in?

1 **A. Yes, which resulted in me getting restrained.**

2 Q. And you say that RG5 was also present -- she is RG5 --

3 **A. Yes.**

4 Q. -- and did nothing to help you.

5 **A. Yes.**

6 Q. In her statement in paragraph 3, if we look at that,
7 please, at 4861, she says -- refers to your paragraph 23
8 that you -- you say she was present when an alleged
9 assault/restraint took place and did nothing to help.

10 She says:

11 "I have no recollection of any such event as set out
12 within that allegation. If any such matter had
13 occurred, it would have been documented and reported by
14 me in the established and required manner. I have no
15 such knowledge of making any report similar to that."

16 She explains in paragraph 4 of her statement about
17 the approach that she -- how she adopted dealing with
18 the individuals in Rathgael and how she saw them treated
19 properly and well and that's how she would expect it and
20 would approach it the same as treating her own children.
21 That's not your experience.

22 **A. No.**

23 Q. And you draw attention -- if we just scroll back up,
24 elsewhere she explains about the cigarettes --

25 **A. Uh-huh.**

1 Q. -- and the process of either taking cigarettes off you
2 --

3 **A. Uh-huh.**

4 Q. -- or cutting cigarettes down so there was less of them
5 as part of the punishment system, the rewards and
6 privileges system, to try and get behaviour. You were
7 saying to me earlier -- do you want to just explain to
8 the Panel that that was --

9 **A. That wasn't part of rewards. That was her way of doing**
10 **it. I mean, these -- well, me and other residents in**
11 **there had an addiction of nicotine and to get your**
12 **cigarette maybe cut down to there (gesturing), it was**
13 **only going to cause tensions in the unit.**

14 Q. So she was the only person who did this?

15 **A. Yes. She was the only person that cut them down.**

16 Q. Right. Did other people take them off you completely?

17 **A. Other members of staff would have confiscated them, but**
18 **you would have been able to earn them back that way, but**
19 **she actually cut them. There was no coming back.**

20 Q. It is that, the doing -- the cutting of the cigarettes,
21 that you regarded as --

22 **A. Yes. It would have caused tensions, because if you were**
23 **going in to have a smoke, you maybe had that left in**
24 **your cigarette (gesturing).**

25 Q. In paragraph 30 of your --

1 **A. Sorry. As it states there -- sorry -- you were only**
2 **allowed so many cigarettes a day. So with that**
3 **addiction, with it being cut right down, so you were**
4 **actually just running round, you know, wanting**
5 **a cigarette. So everybody was sort of worked up.**
6 **That's what she done to people.**

7 Q. What would have been the reasons why she cut down the
8 cigarettes?

9 **A. I don't know why she would cut them down.**

10 Q. Would it have been behaviour that had been engaged in --

11 **A. It could have been.**

12 Q. -- or would she have done it just for badness to cut
13 them down?

14 **A. Well, I have could have said something to another**
15 **resident in there and next thing all the cigarettes came**
16 **down. It might have been a joke. She never asked.**
17 **Just snip, snip. You know it's ...**

18 Q. So there were no -- there was no good or compelling
19 reason for cutting the cigarettes down?

20 **A. No, no.**

21 Q. You talk in paragraph 30 in your statement at 131,
22 please, that during the entire -- now this is I think
23 meant to be the first or second occasion.

24 **A. Yes.**

25 Q. So when you are 13, you were bullied by three other

1 residents.

2 **A. Uh-huh.**

3 Q. I was asking you, "Were the staff aware of that?" You
4 said they would not necessarily have been aware that's
5 what was happening.

6 **A. Uh-huh. Yes.**

7 Q. I said to you I can't find in the records any reference
8 to bullying being an issue --

9 **A. Uh-huh.**

10 Q. -- but that's your recollection that that's what
11 occurred?

12 **A. Well, I did say to a member of staff, but he just says**
13 **it couldn't have been happening, because it was full**
14 **lock-up. The way they looked at it they were constantly**
15 **watching you in the YT end. He never seen it happening.**
16 **So in his eyes it wasn't happening.**

17 Q. Who was the member of staff you told?

18 **A. RG6, RG6.**

19 Q. So you told him that you were being bullied and what did
20 he tell you?

21 **A. Yes. He told me basically he doesn't see it going on.**
22 **He's the one there. The members of staff were in the**
23 **room, but the members of staff were only watching TV and**
24 **stuff. So I was getting called names and stuff.**

25 Q. Was that the form of the bullying? It was calling of

1 names?

2 **A. Yes, yes. It was actually the same girl that was**
3 **bullying my sister.**

4 Q. Who was that?

5 **A. HIA236, a girl HIA236.**

6 Q. Right. So you can see from the records --

7 **A. Yes.**

8 Q. -- a lot of people called names --

9 **A. Yes.**

10 Q. -- including, if the records are true, you were calling
11 people a lot of names.

12 **A. Uh-huh.**

13 Q. So is that something that went on quite a bit between --

14 **A. This was -- this was the first time in Rathgael. This**
15 **was my first visit.**

16 Q. Yes. We have only looked -- the records we have looked
17 at are only from your first time.

18 **A. Yes.**

19 Q. Do you remember that being part of life, that there was
20 a lot of name calling that went on between each other?

21 **A. No, not really.**

22 Q. Not really.

23 **A. Not when you've three against one. It's bullying.**

24 Q. Right. We've dealt with paragraph 34. You talk about
25 the incident with RG 238 and we have covered that

1 already with the reference to hospital that took place.

2 In paragraph 37 you make the point, HIA503, that you
3 felt you weren't listened to by the staff in Rathgael
4 and I was asking you, "Do you remember the primary
5 worker system where you would have had meetings about
6 how you were getting on and" --

7 **A. Uh-huh.**

8 Q. -- "talking about issues that were relevant to you?"

9 **A. I remember having key workers, like, but I don't**
10 **remember all these big one-to-one sessions that you were**
11 **explaining up the stairs.**

12 Q. Well, I am just looking at what's in the records and
13 they seem to have primary worker time. You and I looked
14 at one where RG 235 seems to have been the
15 primary worker.

16 **A. Yes.**

17 Q. You can remember her.

18 **A. Yes, I can remember her, yes.**

19 Q. But you don't really remember the primary worker system.

20 **A. No, I don't remember a primary worker system, no.**

21 Q. The main complaint you have is about the way restraint
22 was dealt with. I have covered what I can find from the
23 medical records in terms of wrist injury that seems to
24 be to do with ice, and you refer in paragraphs 45 to
25 being taken to hospital because of the restraining

1 techniques that were employed. I can't find any
2 documents in the records in relation to that.

3 **A. Uh-huh.**

4 Q. In paragraph 46 you talk about having strained muscles
5 in your back --

6 **A. Yes.**

7 Q. -- as a result of -- and was that the restraining that
8 did that?

9 **A. I actually -- we were actually playing basically outside**
10 **and I hurt my back, but due to that I was restrained,**
11 **and then I ended up with the muscles all twisted in my**
12 **back, having to get cream and stuff put on my back.**

13 Q. So you had hurt your back outside?

14 **A. Well, it wasn't actually -- my muscles wasn't twisted**
15 **out playing. I actually hurt my back outside and during**
16 **coming in something kicked off and I ended up being**
17 **restrained for it and after that my back -- I couldn't**
18 **move the muscles in my back.**

19 Q. And the -- you mention -- I think it is paragraph 47 --
20 about if you were restrained during the night-time --

21 **A. Yes.**

22 Q. -- staff would drag you and -- where would they be
23 dragging you to?

24 **A. Shamrock.**

25 Q. Shamrock?

1 **A. Yes.**

2 Q. How often would you have been taken there?

3 **A. I was taken a few times, like, from down the hill.**

4 Q. The records we looked at before the end of the Inquiry's
5 terms of reference --

6 **A. Yes.**

7 Q. -- the behaviour seems to have been dealt with in the
8 unit --

9 **A. Yes.**

10 Q. -- without you being taken away to Shamrock.

11 **A. Uh-huh.**

12 Q. So would these be things that happened in your third
13 spell in Rathgael then?

14 **A. Yes. Well, I was taken up from the down hill. I was
15 out of the lock-up units at this time. I would have
16 been taken up from Malone House unit.**

17 Q. In paragraph 28, if we go back to 131, you say that the
18 medical treatment was inadequate. What was it about the
19 medical treatment that you regard as inadequate?

20 **A. I only ever remember the matrons giving me Strepsils.**

21 Q. You know that -- I am not going to do it now, but you
22 know that I walked you through --

23 **A. Yes. I understand that.**

24 Q. There's a huge volume of medical records.

25 **A. I understand that.**

1 Q. They run from 46938 to 46983. They obviously don't all
2 relate to --

3 A. During the time the matron came down you had no privacy
4 with the matron. So even if you did have a problem, it
5 was in front of the whole unit. She seen you in front
6 of everybody. Do you understand? Everybody was there
7 in that room.

8 Q. There is about fifty pages of medical records where you
9 are --

10 A. Yes, I understand that there.

11 Q. -- telling the matron about various medical conditions.

12 A. Yes. Uh-huh.

13 Q. You are saying you did that every time in front of other
14 people.

15 A. As I say, all I remember -- yes, we would have spoke to
16 -- in front of people. If I asked for Strepsils, she
17 would have given me it in front of everybody else. Do
18 you know what I mean?

19 Q. If we can try and separate out, HIA503, there is her
20 coming round and you asking for a Strepsil, but the
21 documents we were looking at are you getting medical
22 treatment for various types of illness.

23 A. I don't recall having skin conditions or anything in
24 Rathgael. I don't recall having cold sores or anything,
25 as you explained to me up the stairs. I don't recall

1 **any of them.**

2 Q. In paragraph 20 at 129 you talk about you were sent to
3 chapel every morning.

4 "I couldn't understand, as I am not a Catholic."

5 I was discussing with you what seems to have been --
6 there was a room called the chapel --

7 **A. Yes.**

8 Q. -- which is where the assemblies for the school were
9 held.

10 **A. Uh-huh.**

11 Q. Why did you think it was related to Catholicism?

12 **A. Because it was a chapel. It was called the chapel.**

13 Q. So it was just because of the name as opposed to what
14 went on in it?

15 **A. Yes.**

16 Q. Because what -- there's a report -- it's outside the
17 terms -- from October '96. I will just give the Panel
18 the reference to it: 583. It talks about you being
19 offered the opportunity to develop faith, but you didn't
20 really have any interest in that, but you did
21 participate in assemblies in the centre's chapel.

22 **A. Uh-huh.**

23 Q. The Department of Justice draw attention to the fact
24 that it seems to be assemblies that were held in --

25 **A. We actually had no choice. We had to go.**

1 Q. To the assemblies?

2 **A. To the chapel.**

3 Q. To the chapel?

4 **A. Yes.**

5 Q. In paragraph 40 of your statement you talk about at
6 132 -- well, I think if they were school assemblies, you
7 probably are -- as would have been the case in
8 you can't not go.

9 **A. Uh-huh.**

10 Q. And is that really what happened each morning then? You
11 were made --

12 **A. There was a chapel. That is what it was, a chapel. We**
13 **had to go into it. You learned about whatever they were**
14 **saying at the time. I can't recall what they were**
15 **talking about, but you are stating it was assemblies.**

16 Q. I am just telling you what's being said --

17 **A. Yes.**

18 Q. -- but I am -- in any school you would know you don't
19 get not to go to assembly.

20 **A. Yes.**

21 Q. That's what I'm drawing to your attention.

22 **A. Uh-huh. No. That's --**

23 Q. I think you'd agree with that?

24 **A. Yes.**

25 Q. In paragraph 40 you talk about the education. I am not

1 going to go through the detail of it, but it seems that
2 in Rathgael you did get some qualifications and you
3 brought to the Inquiry and also the Inquiry got through
4 the Rathgael papers you seem to have done a GCSE English
5 --

6 **A. Yes.**

7 Q. -- and documents for communication skills, life skills,
8 numerical skills. Do you remember getting those?

9 **A. I remember sitting them, but I don't know whether it's**
10 **of an outside school standard, you know. I remember**
11 **doing the paperwork, but I don't know whether it was for**
12 **an outside GCSE out of a proper school or what we had**
13 **actually done that day for them grades.**

14 Q. And you in paragraph 48 make the point that you were
15 never offered counselling when you were in Rathgael?

16 **A. I don't recall ever being offered counselling, no.**

17 Q. And I was drawing your attention to records that are
18 available to the Panel -- I am not going to open them
19 now --

20 **A. Yes.**

21 Q. -- of being offered the opportunity to work with the
22 APRU, which was the psychologists.

23 **A. Uh-huh.**

24 Q. One record indicates you refused to attend to do that.

25 **A. Uh-huh.**

1 Q. And in another you seem to have engaged in a course that
2 they were running --

3 **A. Yes.**

4 Q. -- to do with anger management. Do you remember doing
5 the course?

6 **A. I don't recall doing the course, no.**

7 Q. Well, the references for the Panel are at 924 to 927.

8 We were discussing you reference Rathgael that you
9 were involved in swimming.

10 **A. Yes.**

11 Q. You got your 400 metre swimming badge.

12 **A. Uh-huh.**

13 Q. You did your 800 metre and then you were doing a course
14 outside.

15 **A. Yes.**

16 Q. You were saying to me that was run by someone outside of
17 Rathgael.

18 **A. Yes.**

19 Q. But it was something Rathgael organised.

20 **A. Well, yes, it had to be, yes.**

21 Q. And swimming was something you said to me --

22 **A. Uh-huh.**

23 Q. -- you thoroughly enjoyed doing.

24 **A. Yes.**

25 Q. I was asking you -- the records seem to suggest you were

1 doing outdoor pursuits camps that they organised. You
2 don't have a memory of that yourself?

3 **A. No.**

4 Q. As far as aftercare is concerned, in paragraph 50 at 134
5 you make the point that really when you left Rathgael,
6 you weren't really prepared for leaving and you felt
7 more could have been done to prepare you for leaving.

8 **A. Uh-huh.**

9 Q. And I was saying to you -- again I am not going to go
10 into it. The Panel can look at the aftercare records
11 that are there, but that's your recollection --

12 **A. Uh-huh.**

13 Q. -- that more could have been done to help you --

14 **A. Yes.**

15 Q. -- than was done.

16 The Health & Social Care Board, for instance, have
17 drawn attention to a letter of 10th March 1998. Do you
18 remember RG 239, social worker?

19 **A. I vaguely remember him, yes.**

20 Q. He wrote saying by that date in March '98 you were no
21 longer a child in care, but while that meant they didn't
22 have to visit you, he would be available for guidance if
23 you needed it.

24 **A. Yes.**

25 Q. Do you remember engaging with him?

1 **A. No.**

2 Q. You will be pleased to know, HIA503, I have done my best
3 to get through it as quickly as I can, because I know
4 that is what you wanted.

5 There are two questions that we ask each person at
6 the end of their evidence.

7 **A. Yes.**

8 Q. The first is about recommendations, that the Panel has
9 to consider what in three areas it might recommend to
10 the Northern Ireland Government. The first is some form
11 of apology; the second, some form of memorial; the
12 third, some other means of redress. Is there anything
13 you want to say to the Panel to help their thinking
14 about what recommendations they might make?

15 **A. Just not for any other kids to go through what we had to**
16 **go through while being in the care of Rathgael**
17 **(inaudible) and various other children's homes.**

18 Q. Then the last question I ask I was explaining to you
19 beforehand is whether there's anything else about -- we
20 are looking at Rathgael today -- whether maybe I have
21 not summarised it correctly or brought out a particular
22 issue you wanted to talk about. Is there anything else
23 you want to say that perhaps I haven't covered in the
24 way that you would prefer it was covered? Now is your
25 opportunity to draw the Panel's attention to that if

1 there's anything else.

2 **A. Only -- only about the assault. I was actually**
3 **assaulted in my eye, and I was actually brought back to**
4 **the unit that night and had to be put in with the same**
5 **girl that actually assaulted me. Tempers were still**
6 **flying. There was nothing done to help me. You know,**
7 **I was still scared, because I had just been assaulted**
8 **and I was put back in that unit with that girl. I think**
9 **that could have been dealt with a bit better.**

10 **Q. What do you feel they should have done?**

11 **A. They should have maybe separated us. I mean, there was**
12 **three units.**

13 **Q. They should have taken her out of --**

14 **A. They could have took me out of that unit and put me in**
15 **one of the other two units.**

16 **Q. On a permanent basis or just --**

17 **A. Temporary basis till things settled down.**

18 **Q. Right, but you said to me that you didn't have any other**
19 **problem with that girl.**

20 **A. Yes. After that I didn't, but that night I was going**
21 **home with a black eye. You know, tempers were still**
22 **flaring that night, you know, when I came out of the --**
23 **basically the hospital. It just didn't settle down that**
24 **night, but, you know, no more bullying or anything took**
25 **place after that.**

1 Q. Is there anything else that maybe I have not covered or
2 have we covered most of the ...?

3 **A. No, that's everything. Thanks.**

4 Q. Okay. Well, look, bear with me for a moment or two.

5 **A. Yes.**

6 Q. The Panel Members may want to ask you something.

7 **A. Yes.**

8 **Questions from THE PANEL**

9 MS DOHERTY: Thanks very much. That has been really
10 helpful. Can I just ask: was restraint something that
11 happened every day? Was it like a common occurrence?

12 **A. Well, it could have been, like.**

13 Q. Not meaning just about you, HIA503; just generally.

14 **A. Other kids. It wouldn't have only been me being
15 restrained. It was all kids in the unit.**

16 Q. It would be something that was kind of -- you know, that
17 you would nearly expect or ...?

18 **A. Yes. It didn't matter how little thing you done. You
19 got restrained.**

20 Q. Did you ever get a warning? Did you ever get a warning
21 like, "HIA503, if you don't calm down, we're going to
22 have to restrain you"?

23 **A. Well, there sort of was nowhere really to calm down down
24 the stairs, because every -- all the residents were sort
25 of locked down. You were not allowed up the stairs by**

1 **yourself unless they put you up there for obviously**
2 **being contrary --**

3 Q. Right.

4 A. **-- but down the stairs you had your common room. There**
5 **was no real place to go, because the middle door was**
6 **locked. You couldn't go into the other unit. So you**
7 **really had no place to vent.**

8 Q. So when things started to fire up, there wasn't anywhere
9 ...?

10 A. **Yes.**

11 Q. But were children put upstairs to their bedroom to calm
12 down? I know the bedrooms were locked --

13 A. **Yes.**

14 Q. -- but could you be put up? So that might happen
15 sometimes?

16 A. **They would put you up there and lock you up there, yes.**

17 Q. Okay, and can I ask, like, afterwards -- so you are
18 restrained. You are put wherever. Was there any
19 conversation with you afterwards about, "Why did it
20 happen? or "What was it about?" or ...?

21 A. **No.**

22 Q. So there was no --

23 A. **You were sort of let back into the unit again.**

24 Q. But there was no debrief about that or ...?

25 A. **No.**

1 Q. No, and the -- and the incident with RG 238, you know,
2 this bit about you both being put back into the same
3 unit that night, was there any attempt to talk to you
4 about what happened or to settle things between you?

5 A. No. The staff member says, "She's some right hook",
6 because my eye was sitting fairly out and the staff
7 member says, "She's some right hook on her" and I had to
8 share the unit with the girl, you know. So she was
9 being thingied up on one hand and I was sitting with my
10 eye all --

11 Q. Okay.

12 A. -- which I didn't think was very right either.

13 Q. Uh-huh. I just have one last question. Were other
14 staff aware of RG5 cutting the cigarettes?

15 A. Yes. There would have been other staff present, yes.

16 Q. She was the only one that did it? The other --

17 A. She was the only one that did it, yes. As I said, other
18 staff would have confiscated, but she cut the -- there
19 was no coming back with a cigarette once it was cut.
20 You were only entitled to a few cigarettes a day. The
21 ones that were cut, they weren't coming back. There is
22 a difference being confiscated. You would get it back.

23 Q. But if they're cut, that's it.

24 A. That's it. They're away.

25 Q. Thanks very much.

1 **A. Okay. Thank you.**

2 MR LANE: You mentioned in paragraph 11 of your statement
3 that staff falsified records.

4 **A. Yes.**

5 Q. Did you see the records at the time when you were there
6 or is that what you have seen since?

7 **A. I would have seen them in the office writing records,
8 but we never got to see what was wrote on them.**

9 Q. Right.

10 **A. So they could have been writing anything. We didn't see
11 them, like.**

12 Q. When you say they falsified them, do you mean that what
13 they wrote was wrong or do you mean they changed them
14 afterwards, having written a proper record?

15 **A. No, I would probably say the words were twisted to suit
16 their needs --**

17 Q. Right.

18 **A. -- rather than why the reason the resident was maybe
19 kicking off. It was -- they were the ones that was
20 getting this punishment. They were --**

21 Q. It was their viewpoint that they were giving there?

22 **A. Yes.**

23 Q. Right. Thank you.

24 **A. They were putting their viewpoint, but not the resident.**

25 Q. Okay. Thank you very much.

1 **A. Okay. Thank you.**

2 CHAIRMAN: Well, HIA503, you will be glad to hear I know
3 that that's the last question we have to ask you. It's
4 been a long day for you I know, but thank you very much
5 for coming to speak to you -- speak to us.

6 **A. Thank you. Thank you.**

7 MR AIKEN: Chairman, Members of the Panel, that concludes
8 today's evidence.

9 **A. Yes.**

10 CHAIRMAN: Thank you very much, HIA503.

11 **A. Okay. Thank you.**

12 **(Witness withdrew)**

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