
HISTORICAL INSTITUTIONAL ABUSE INQUIRY

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Wednesday, 4th November 2015

commencing at 10.00 am

(Day 157)

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

1 Wednesday, 4th November 2015

2 (10.00 am)

3 REMARKS BY THE CHAIRMAN

4 CHAIRMAN: Good morning, ladies and gentlemen. The Inquiry
5 has now been conducting public hearings since the
6 beginning of January 2014 and today is Day 157 of our
7 sittings.

8 Last year the Northern Ireland Assembly gave the
9 Inquiry an extra year to carry out our work, and that
10 new timetable means that we must conclude the
11 investigative part of our work by mid-July next year and
12 deliver our report in January 2017. We appreciate that,
13 as the Inquiry will take a year longer than originally
14 planned, this means that those who have given evidence
15 some time ago and those who may be affected by our
16 report have to wait longer than everyone anticipated
17 before the report is published. Although it would not
18 be feasible to prepare a full interim report of the type
19 suggested by some when the Assembly considered our
20 request for a year's extension, at this stage we feel it
21 is appropriate to provide an overview of the work of the
22 Inquiry so far.

23 The investigations of different homes and
24 institutions carried out so far have not just involved
25 157 days of public hearings; they have also involved the

1 Inquiry in gathering an enormous number of documents
2 from many different sources. These documents have then
3 to be collated and analysed in order to decide which are
4 relevant to the institutions, individuals and issues we
5 are investigating. As those who have been present at
6 our hearings know only too well, this process is an
7 extremely demanding one in terms of time and resources.

8 We have now dealt with 263 of 333 applicants who
9 have applied to speak to the statutory or Public Inquiry
10 part of the overall Inquiry process. In addition, all
11 of those who asked to speak to the Acknowledgment Forum
12 part of the process have now done so, and there are 129
13 of them. This means that of the overall total of 524
14 applicants who applied to one or both parts of the
15 Inquiry 392 have engaged so far with one or other of the
16 two parts of the Inquiry, and of that total 129 have
17 only spoken to the Acknowledgment Forum.

18 We are pleased to report that we are currently on
19 schedule within the timetable we prepared last year when
20 we asked for an extra year to complete our work.

21 In a few minutes I will explain what we intend to do
22 during the eight months left to us to complete our
23 investigations and public hearings, but before I do that
24 I want to say something about the subject of redress.

25 One of the topics raised by many witnesses who have

1 spoken to the Inquiry and by others is whether we will
2 recommend a redress scheme involving a form of financial
3 payment by way of compensation to those who have
4 suffered abuse within the residential homes for children
5 and other institutions within our terms of reference.

6 Although our terms of reference provide that the
7 Inquiry will make recommendations and findings on
8 a number of matters, the final decision as to whether
9 there should be any form of redress, and what form it
10 may take, are matters for the Northern Ireland Executive
11 to decide, as can be seen from the following extract
12 from our terms of reference:

13 "However, the nature or level of any potential
14 redress, financial or the provision of services, is
15 a matter that the Executive will discuss and agree
16 following receipt of the Inquiry and investigation's
17 report."

18 From the beginning of our work we have given
19 considerable attention to the subject of redress and
20 have been conducting our own researches into redress
21 schemes in other jurisdictions. Part of this process
22 has involved discussions with those who have been
23 involved with or who have studied redress schemes for
24 the victims of sexual and other forms of abuse in
25 Canada, Australia, the Republic of Ireland, the

1 Netherlands and Germany.

2 Because our investigations are not complete, we are
3 not yet in a position to say what our findings of
4 systemic failings will be or what our recommendations
5 will be.

6 However, what we can now say is that from the
7 evidence we have heard so far we will recommend that
8 there should be a scheme to award financial compensation
9 to those children who suffered abuse in children's homes
10 and other institutions in Northern Ireland between 1922
11 and 1995.

12 Because we believe that any recommendations for
13 a redress scheme that we may make to the Northern
14 Ireland Executive should take into account the views of
15 those who may be affected by such a scheme, when
16 witnesses who give evidence during the public sessions
17 say they have been abused, they are asked for their
18 suggestions as to what form of redress might be
19 appropriate.

20 We recognise that witnesses who have already spoken
21 to the Inquiry in public sessions may on further
22 reflection have further suggestions or comments to make
23 on the issue of redress, but the witnesses who speak to
24 the Public Inquiry part of our process are not the only
25 ones whose views we want to hear. The 129 applicants

1 who have only spoken to the Acknowledgment Forum have
2 not had the same opportunity to make comments and
3 suggestions on the subject of redress, and because they
4 are equally entitled to make comments and suggestions,
5 we want to give them the same opportunity to give us
6 their views on this subject.

7 We have now decided to gather additional evidence by
8 way of a consultation in which we invite comments and
9 suggestions from all our applicants on what form a
10 redress scheme might take. We believe that this may be
11 an unprecedented step for a Public Inquiry to take in
12 Northern Ireland, but it is one that we believe we
13 should engage in at this stage of our work. We hope
14 that the responses we receive will significantly inform
15 our consideration of this very important topic.
16 Although we will pay careful attention to all the views
17 expressed by those who take part in this consultation,
18 that does not mean that we will be bound by any views
19 expressed when we come to make our recommendations to
20 the Northern Ireland Executive.

21 The consultation exercise is a targeted one directed
22 at those who have contacted the Inquiry. It is not
23 intended to cover every one of the many issues that may
24 arise in any redress scheme that we may recommend. Many
25 of these issues are of a highly technical nature and we

1 still have more work to do on them. Nevertheless, there
2 are a number of broad questions of principle upon which
3 we wish to have the views of those who apply to the
4 Inquiry.

5 This morning we have placed a copy of these remarks
6 and the consultation questionnaire on the Inquiry
7 website. The consultation period runs from today and
8 will last until Friday, 8th January 2016. Over the next
9 few days we will try to contact everyone within our
10 terms of reference who has made a formal application to
11 the Inquiry. There may be some who we may have
12 difficulty in contacting because they have moved address
13 or have not kept in touch with us. Although there are
14 some who withdrew from the Inquiry or did not keep in
15 contact with us, we will send the questionnaire to them
16 as well.

17 We hope that every applicant to the Inquiry will
18 respond to our questionnaire, but there is no obligation
19 on them to do so and, of course, some may feel that they
20 have already told us their views and do not wish to add
21 to or change those views.

22 Sometimes people who approach us ask whether they
23 might be excluded from any redress scheme if they do not
24 make a formal application to the Inquiry or do not come
25 to the Inquiry to give evidence. We want to assure

1 everyone that, whatever form of redress we recommend to
2 the Northern Ireland Executive, we will make it clear
3 that anyone who might be entitled to participate in a
4 redress scheme should not be excluded because they did
5 not approach the Inquiry, or did not give evidence, or
6 did not complete the questionnaire, even if they did
7 approach the Inquiry.

8 I now want to turn to the Inquiry programme for the
9 remaining eight months. As I have already said, we are
10 in effect more than halfway through our planned
11 programme.

12 During the 22 months since January 2014 we have held
13 public hearings into the following homes and
14 institutions:

15 St. Joseph's Home, Londonderry, generally known as
16 Termonbacca.

17 Nazareth House, Bishop Street, Londonderry.

18 Nazareth House, Belfast.

19 Nazareth Lodge, Belfast.

20 These homes were run by the Order of the Sisters of
21 Nazareth.

22 The children's home at Rubane, Kircubbin, County
23 Down, run by the De La Salle Order.

24 We have almost completed that part of our current
25 module relating to St. Patrick's Training School, also

1 run by the De La Salle Brothers.

2 Two local authority homes in Londonderry: Fort James
3 and Harberton House.

4 We have also conducted public hearings into two
5 other matters that were relevant to the way children
6 were treated in the residential children's homes in
7 Northern Ireland that fall within our terms of
8 reference.

9 The first considered the practice of child
10 migration, when children were sent from Roman Catholic,
11 Protestant and local authority homes in Northern Ireland
12 to homes in Australia.

13 The second related to Father Brendan Smyth, a member
14 of the Norbertine Order, who was convicted of offences
15 relating to children in Northern Ireland and the
16 Republic of Ireland and who was alleged to have abused
17 children within a number of children's homes in Northern
18 Ireland.

19 At present we are investigating three more juvenile
20 justice institutions: Rathgael Training School, Lisnevin
21 Training School and Hydebank Young Offenders Centre, all
22 of which were run by the State. The examination of
23 these institutions and of St. Patrick's Training School
24 should be complete by the end of this month.

25 In terms of the amount of time given to us under our

1 revised timetable to carry out our investigation and in
2 terms of the number of applicants who have engaged with
3 the statutory part of our process we are now well over
4 halfway through our programme of work.

5 When we conduct our public hearings in respect of
6 a particular home or institution, this inevitably
7 involves a major commitment by the Inquiry in terms of
8 time and resources. For every witness and every day of
9 the public hearings a great deal of preparatory work has
10 to be done beforehand. The applicant has to be seen by
11 members of the Inquiry legal team and a statement of
12 their evidence produced. The relevant documents
13 relating to the home or institution concerned have then
14 to be obtained by the Inquiry. This involves searches
15 being carried out by our staff in the Public Records
16 Office of Northern Ireland.

17 We also require those responsible for the home or
18 institution in question, whether it is a Roman Catholic
19 religious order, another Christian denomination or the
20 successor body to a local or central government body
21 which ran the home, to carry out searches of their
22 records to provide us with relevant material. This is
23 a very demanding process for the bodies concerned.

24 Our investigations often involve the PSNI, because
25 we are aware that the police have investigated a number

1 of allegations in the past which are now being made to
2 us, and as part of our investigations we gather
3 material, including witness statements, from the PSNI.

4 As a result of this process many thousands of pages
5 have to be gathered and examined, and the relevant
6 documents are then placed before the Inquiry during
7 a public hearing. This preparation takes a great deal
8 of time by the Inquiry team.

9 Even if only one or two individuals make allegations
10 about a home or an institution, were the Inquiry to
11 place that home or institution under a full
12 investigation with a view to holding public hearings
13 into that home or institution, that would require the
14 Inquiry to give those against whom allegations are made
15 and from those who were responsible for the home or
16 institution in question the opportunity to give evidence
17 to the Inquiry so that their version of events is
18 considered as well. Our experience has shown that this
19 process would take at least a week and often more, were
20 we to conduct public hearings into every one of the
21 remaining 54 homes or institutions in relation to which
22 at least one person has made an allegation.

23 In recent weeks the Inquiry Panel have been
24 carefully considering what the Inquiry needs to do and
25 what it can do to fulfil its terms of reference within

1 the remaining eight months of public hearings. As part
2 of that process we have considered the accounts given by
3 every applicant who has made an allegation about a home
4 or institution that we will not have examined by the end
5 of the present module. We have looked again at the
6 accounts given by applicants, whether those accounts are
7 in the form of formal witness statements or in the form
8 of their evidence to the Acknowledgment Forum, about
9 their time in those homes and institutions to see
10 whether we need to examine every one of the homes and
11 institutions we have previously said we would
12 investigate.

13 Doing the best we can with the information we have
14 at this stage, we estimate that if the Inquiry were to
15 carry out public hearings for every one of the remaining
16 54 homes and institutions in respect of which any
17 allegations have been made, this would take us until at
18 least March 2018. We would then need to allow a further
19 period during which we would prepare our report. Our
20 terms of reference only allow us six months to prepare
21 our report, and if we have to deal with another 54 homes
22 and institutions as well as those we have already
23 examined, we consider that six months would not be
24 sufficient to prepare our report and that we would need
25 at least a further nine months to complete that process.

1 This would mean that it would not be until the end of
2 2018 at the earliest that we would be in a position to
3 produce a report. That is on the assumption that we
4 would not produce an interim report on those
5 institutions we have so far examined. If we were to
6 produce an interim report as well, that would add at
7 least a further six months to the time the Inquiry would
8 take.

9 If the work of the Inquiry has to take at least
10 another two years from now, this would have serious
11 consequences. It would mean that the Northern Ireland
12 Assembly would have to agree to add at least another two
13 years to our remit in addition to the extra year we have
14 already been given. This would mean that the Inquiry
15 would take at least six years instead of the three years
16 it was hoped would be enough before we started our work.
17 It would also mean that those who are affected by the
18 Inquiry and who are waiting patiently for the Inquiry to
19 report would have to wait much longer before they know
20 the results of our work. A further two years could cost
21 the taxpayer at least another £8 million.

22 In addition, although my panel of colleagues and
23 myself are fully committed to completing the work of the
24 Inquiry by January 2017, if the Inquiry were to be
25 extended in time and scope so that it has to continue

1 after January 2017, it will be necessary to appoint
2 a new Inquiry Chairman and Panel Members.

3 We have, therefore, carefully reviewed every one of
4 the remaining 54 homes and institutions to see whether
5 or not a full public investigation of the type we have
6 conducted so far is absolutely necessary to add further
7 information to the emerging picture of the nature and
8 extent of systemic failings on the part of homes and
9 institutions and on the part of the state based on the
10 evidence we have received so far.

11 We have decided that an examination of some of those
12 54 homes and institutions will be sufficient to provide
13 the Inquiry with a broad and complete understanding of
14 the nature and extent of systemic failings not just in
15 those homes and institutions but within all the types of
16 homes and institutions that are within our remit. This
17 is because we believe that our understanding of the
18 nature and extent of the abuse and of the systemic
19 failings that allowed abuse to happen will not be
20 improved by conducting full-scale investigations into
21 other homes and institutions.

22 We can now announce that the following homes and
23 institutions are those which we propose to investigate
24 in the time left to us between now and the summer of
25 next year. Some of these homes -- some of these are

1 homes and institutions that we have already announced we
2 will investigate. Having reviewed the material
3 available to us, we are satisfied that they still need
4 to be investigated because of the particular issues
5 which the allegations raise in respect of those homes
6 and institutions.

7 We confirm that we are still going to investigate
8 the following homes and institutions:

9 The homes at Sharonmore and Macedon run by
10 Barnardo's.

11 Lissue.

12 We must make it clear that we are not concerned with
13 the medical aspects of the way Lissue was run. This
14 Inquiry is not the appropriate Inquiry to examine the
15 propriety of particular forms of psychiatric treatment
16 of children. We do not have the necessary expertise to
17 do that, and if these matters are to be explored, they
18 should be explored in a different Inquiry equipped with
19 medical expertise in children's psychiatric medicine.

20 Bawnmore House at Newtownabbey.

21 Kincora Children's Home.

22 Irrespective of the outcome of the judicial review
23 proceedings relating to Kincora which are presently
24 underway, there remain issues relating to Kincora which
25 are firmly within the terms of reference of this Inquiry

1 and we propose to deal with those matters and Bawnmore
2 House at Newtownabbey together.

3 We are also going to investigate some homes and
4 institutions that we have not named before. These are:

5 Manor House, a children's home near Lisburn
6 associated with the Church of Ireland.

7 Millisle Borstal.

8 St. Joseph's Training School for Girls in
9 Middletown, County Armagh, run by the Sisters of
10 St. Louis.

11 Three Good Shepherd convents at Londonderry, Belfast
12 and Newry.

13 We must make it clear that we are only going to
14 investigate the allegations made to us in relation to
15 Good Shepherd convents by those witnesses who were under
16 the age of 18 when they were placed in one of these
17 convents. Only they are within our terms of reference.
18 We are not engaging in a wider investigation into what
19 are commonly called Magdalene homes or laundries,
20 because those institutions contain adults and are
21 therefore outside our terms of reference.

22 Those responsible for these homes and institutions
23 will receive formal requests for information in the near
24 future.

25 We have given a great deal of thought as to whether

1 we can accommodate the homes and institutions that we
2 have added to our list today as well as those we have
3 confirmed we are going to investigate within the eight
4 months remaining to us. Although it will be difficult,
5 we believe that we can complete our investigation into
6 these extra homes and institutions within the last eight
7 months allowed by our terms of reference.

8 In addition, there are a small number of other homes
9 or institutions where we have identified specific issues
10 which we consider need to be investigated, but which do
11 not justify being investigated in full-scale public
12 hearings. We are carrying out a number of targeted and
13 specific inquiries by requesting witness statements and
14 gathering documents from those homes or institutions
15 relating to the issues we have identified. As these
16 targeted investigations will not involve public
17 hearings, we can accommodate them within our existing
18 timetable.

19 We do not propose to have public hearings into 43
20 homes or institutions, because we consider that any
21 further investigations into them would not be justified.
22 This is because we are satisfied that further
23 investigations are neither necessary nor proportionate
24 and will not add to our understanding of the nature and
25 extent of systemic abuse of children in homes and

1 institutions in Northern Ireland within our terms of
2 reference.

3 We want to emphasise that this does not mean that we
4 have decided that abuse did not occur in those homes or
5 institutions, nor will it have any effect on
6 recommendations we may make for compensation or other
7 forms of redress. Any recommendations that we make for
8 any form of redress, including compensation, will apply
9 to any person who was abused within a children's home or
10 other institution within our terms of reference, whether
11 or not that home or institution was investigated by the
12 Inquiry.

13 Many of those who make allegations about these 43
14 homes or institutions have already given evidence in
15 relation to other homes or institutions that we have
16 already investigated or will have the opportunity to do
17 so in respect of one or more of those homes or
18 institutions on the list of those that are going to be
19 investigated between now and the summer of next year.

20 We recognise that there may be a number of people
21 who will be disappointed that we are not going to hold
22 public hearings into every home or institution against
23 which allegations have been made, but, as we have
24 explained, we are satisfied that to extend the Inquiry
25 for at least another two years at a cost of at least

1 working in St. Patrick's. He is already sworn. Today
2 he is going to assist the Panel with some general issues
3 about that long tenure that he had working in
4 St. Patrick's and some of the systems issues that arise
5 for the Panel's consideration.

6 Before we go into that, it is the case, as BR26 is
7 aware, that there is one additional individual
8 allegation which he was not asked to address, which he
9 has now been asked to address, and has done so. On the
10 last occasion you had me indicate there were fifteen
11 allegations. This now brings that there are sixteen.
12 It arises from a civil claim brought by an individual.

13 CHAIRMAN: Yes. Just before we do that, since BR26 is
14 resuming his evidence, just for record I take it he
15 still wishes to preserve his anonymity?

16 MR AIKEN: Yes.

17 **A. Yes. Thank you, sir.**

18 CHAIRMAN: Yes.

19 MR AIKEN: The sixteenth allegation, the civil papers
20 relating to it can be found in the bundle at 31016 to
21 31307. The point that BR26 makes in his additional
22 response statement that he has provided to the Inquiry,
23 if we can look, please, at 31028, the only information
24 that he has of the allegation as far as it relates to
25 him can be found in particulars H and I in the Statement

1 of Claim that has been provided, and the allegation is
2 that he physically assaulted the plaintiff in the case
3 and further that he sexually assaulted him by fondling
4 his private parts whilst he was in bed and in other
5 rooms. That is the extent of the information that's
6 available.

7 There is a report from Dr Mangin in the civil case,
8 which is at 31033 and following, although that does not
9 specifically identify BR26.

10 BR26, you provided an additional statement dealing
11 with this issue when it was drawn to your attention, if
12 we bring up, please, 3013, and in the usual form, BR26,
13 if I can just get to you look at that statement, confirm
14 you recognise it, confirm you have signed it and that
15 you want to adopt it as part of your evidence to the
16 Inquiry?

17 **A. Correct.**

18 Q. And what you explain to the Panel is that you don't have
19 a recollection of this individual. You have -- on your
20 behalf further information had been sought as to what
21 the allegation is, further detail about it, and that
22 hasn't been forthcoming, but your position is that you
23 deny that you either physically or sexually abused this
24 individual, that you don't yourself have a recollection
25 of him personally.

1 **A. Correct.**

2 Q. What I am going to do now, BR26, is move on to the
3 general issues that I have discussed with you in broad
4 terms already and ask you to assist the Panel with some
5 of your recollections of the various events that we are
6 going to touch on.

7 You have provided to the Panel already a general
8 witness statement through the De La Salle Order -- I am
9 just going to bring it up, please -- at 1228. It is you
10 can see heavily redacted now, but the Panel will have
11 access to the unredacted version where you explain your
12 background and your work in St. Patrick's, and that runs
13 to 1233, please. Again, BR26, if I can ask you to
14 confirm you recognise the statement, you have signed it
15 and you want to adopt it as your evidence to the
16 Inquiry?

17 **A. Correct.**

18 Q. In addition a biography of your time in St. Patrick's
19 has been provided to the Inquiry for the Panel's
20 assistance. It is at 25553, please. I am going to use
21 this to assist contextualising your evidence, BR26, and
22 reminding the Panel and those engaged before the Inquiry
23 of the parameters of your time.

24 You were born on [REDACTED].

25 **A. Yes.**

1 Q. And are now therefore --

2 A. [REDACTED]

3 Q. You've reached the age of [REDACTED]

4 A. **Correct.**

5 Q. And you first came to St. Patrick's on

6 [REDACTED].

7 A. **Correct.**

8 Q. At that stage you were [REDACTED] years of age.

9 A. **Yes.**

10 Q. And at that stage the training school was based at
11 Milltown.

12 A. **Milltown, yes.**

13 Q. And can I just ask you, if we pause at that point, can
14 you recollect, doing the best you can, going back many,
15 many years -- can you describe for the Panel what life
16 was like in Milltown and perhaps contrast it then with
17 the new facilities that became available in 1957, when
18 you moved to the Glen Road?

19 A. **Yes. I'll try. It was an old ramshackle building.**
20 **Most of the boys that were resident in it apart from**
21 **a group of about thirty that had to go down the lane way**
22 **at night to what was an old mill for sleeping purposes,**
23 **and I happened to be one of those people that was --**
24 **there were two members of staff and I would be one of**
25 **them that slept in the old mill at that time with about**

1 **thirty boys. Conditions were grim. We had nothing, but**
2 **in a strange sort of way we wanted nothing either,**
3 **because we didn't know any better, and the lads were**
4 **very, very contented for the most part. Now they were**
5 **vastly different to what I encountered over the years,**
6 **especially in the '70s, '80s and onwards.**

7 Q. The type of boys were vastly --

8 **A. Yes.**

9 Q. That's what I wanted to ask you.

10 **A. Vastly different.**

11 Q. What you were -- in terms of your management of the
12 boys, the type of boys that you were having to deal with
13 in the '50s in Milltown compared to the type of problems
14 that the boys had who were being sent to St. Patrick's
15 in the '70s, '80s and early '90s, can you give the Panel
16 some idea of any differences there were between the type
17 of boys?

18 **A. They were very, very different. The young lads coming**
19 **in in my [REDACTED] years there from [REDACTED] onwards, a lot of**
20 **them were in for very, very minor offences, fairly**
21 **trivial offences, pilfering and that sort of thing and**
22 **maybe out of shops or whatever. A number of them were**
23 **committed for not going to school. A number of them**
24 **were committed because of broken homes and family**
25 **background. There would have been maybe six or eight**

1 **young lads in voluntary -- in a voluntary capacity, not**
2 **having gone through the courts, but having made an**
3 **arrangement with the principal of the school at the time**
4 **to take them maybe for a month or two months or whatever**
5 **almost on a charitable basis. They might have**
6 **contributed marginally towards their upkeep, but that**
7 **was never the main issue really, you know.**

8 Q. Am I right in saying, BR26, that the type of complex
9 behavioural difficulties and more serious criminal
10 offending backgrounds of individuals that pertained in
11 the '70s, '80s, '90s, it was not that type of boy that
12 you were dealing with in the '50s in Milltown?

13 **A. No.**

14 Q. So it's over time the level of difficulty, behavioural
15 difficulty or level of offending that was presenting
16 itself in an individual coming into St. Patrick's was
17 much greater?

18 **A. Took on a different level altogether, much more serious.**

19 Q. And then in [REDACTED] you are [REDACTED] years of age and you move as
20 part of the community of Brothers and the training
21 school to the new premises on the Glen Road.

22 **A. Correct.**

23 Q. And the Panel during the openings looked at newspaper
24 articles that I drew to their attention of how the great
25 and the good were describing the Glen Road facility, but

1 you were there taking possession of it with others. How
2 would you describe it and in comparison to where you'd
3 come from at Milltown?

4 **A. It bore no relation to what we had experienced in**
5 **Milltown in terms of the building and facilities and all**
6 **that, admitting now that everything was not yet complete**
7 **in the Glen Road. As the years progressed, a swimming**
8 **pool was provided and another recreation hall was built**
9 **and furniture and furnishings were improved vastly over**
10 **the years, but that took a period of time, but in the**
11 **general layout it was a state of the art building in,**
12 **what, 100 acre complex.**

13 Q. So the facilities --

14 **A. It was a dream come true really and for the young lads**
15 **too.**

16 Q. The facilities were excellent?

17 **A. Absolutely.**

18 Q. And you are describing -- in passing you've mentioned
19 the swimming pool, the recreation hall. There were
20 pitches and sporting activity. Engaging the boys in
21 sporting recreation was a major focus --

22 **A. Absolutely.**

23 Q. -- of how life at St. Patrick's operated, and you had
24 teams that participated then beyond --

25 **A. Oh, indeed.**

1 Q. -- St. Patrick's in various different sports?

2 **A. Oh, absolutely. Teams were invited in and our teams**
3 **went out and the home boys were the team to beat. That**
4 **was generally accepted in the area.**

5 Q. So you had a good squad of --

6 **A. Not easily done, let it be said.**

7 Q. -- a good squad of players able to hold their own in
8 various sports that involved then --

9 **A. Yes.**

10 Q. -- the community beyond St. Patrick's. You, when you
11 moved to the Glen Road, continued with what was known as
12 that [REDACTED] role --

13 **A. Correct.**

14 Q. -- and on the senior side of the training school. I am
15 going to come back to that separation, but just let me
16 move through the chronology then, because you continue
17 in that role, but on -- around about [REDACTED] then,
18 when you are [REDACTED], so [REDACTED] after you have lived
19 in the Brothers' house and worked in St. Patrick's on
20 the senior side of the -- in the [REDACTED] role, you
21 are given the task of being the [REDACTED]
22 [REDACTED] who were based in the
23 St. Patrick's site.

24 **A. Correct.**

25 Q. And doing the best we can -- this CV may not be quite

1 right about this -- your recollection is you did that
2 for [REDACTED] years between [REDACTED] and then there would
3 have been a break for a couple of years based on the
4 canon law arrangements for the Order that people were
5 supposed to rotate, after two years someone else doing
6 the role. Then you came back into it for a second spell
7 and did a further [REDACTED] --

8 **A. Uh-huh.**

9 Q. -- as [REDACTED] between [REDACTED].

10 **A. Yes.**

11 Q. That role involved you being effectively the [REDACTED]
12 amongst your brethren in the house --

13 **A. Community.**

14 Q. -- where you lived as a community of Brothers.

15 **A. Correct.**

16 Q. So you carried out that role alongside your [REDACTED]
17 role, which by this stage had really become the
18 [REDACTED] of the senior side of the school. You had
19 the principal overall --

20 **A. That's correct.**

21 Q. -- responsible for the training school, but you had on
22 the junior side a principal, if you like, or a
23 headmaster/head housemaster type arrangement --

24 **A. Yes.**

25 Q. -- and the same on the junior side -- same on the senior

1 side, and you were the man on the senior side [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 **A. Correct.**

5 Q. Am I characterising it the right way?

6 **A. You have it. You have it, yes.**

7 Q. You carry on those two roles, relinquishing the [REDACTED]

8 [REDACTED] in [REDACTED] continuing as the [REDACTED] on

9 the senior side, as it were, and then in [REDACTED]

10 -- and I am able to date that from a piece of

11 correspondence I will draw to the Panel's attention; it

12 is at 10778 -- by which stage you have reached the age

13 of [REDACTED] you are asked to be the [REDACTED] or [REDACTED]

14 [REDACTED] --

15 **A. Correct.**

16 Q. -- [REDACTED], and there's

17 a minute -- in fact, if we just look at 10778 so that

18 the Panel are aware of how the Board of Management

19 viewed your appointment. These are from the management

20 minutes of [REDACTED] We can see:

21 "The Chairman referred to negotiations he had had

22 with BR2 ...",

23 who is described as the [REDACTED]

24 [REDACTED]. That's BR2 that the Panel are aware of

25 from its investigation into Rubane:

1 "... regarding the appointment of a successor to
2 the Director, who will be retiring on August 31st. He
3 expressed his deep satisfaction and delight at the
4 nomination of BR26."

5 This is the Chairman of the Board, who is the
6 Auxilliary Bishop Farquhar.

7 "He referred to BR26's sterling work in
8 St. Patrick's over the past [REDACTED] and felt that
9 such an appointment would be totally appropriate."

10 He goes on to express his gratitude to those who
11 were relinquishing their posts, and identifying BR90,
12 who would ultimately become your successor [REDACTED], when
13 you retired [REDACTED]. He became your
14 deputy in [REDACTED] and worked alongside you until your
15 retirement.

16 **A. That's right.**

17 CHAIRMAN: Can I just ask before we leave that at the top of
18 the page something quite different, BR26. I see there
19 is a reference to a subcommittee with a SJM11 in it. Is
20 that the SJM11 of Middletown?

21 **A. Middletown, Chairman.**

22 CHAIRMAN: Yes. Thank you. So she served on the Board in
23 some capacity?

24 **A. She was, yes.**

25 CHAIRMAN: Thank you.

1 MR AIKEN: I will maybe ask you a little bit more about that
2 later when I come to the Management Board and how it
3 operated, because the minutes are indicating that there
4 certainly were subcommittees by this time who were
5 assisting you with the operation of St. Patrick's.

6 You then relinquished the role of [REDACTED]
7 [REDACTED], whatever the
8 terminology by that stage had become, on [REDACTED]
9 [REDACTED], and the reference to that the Panel
10 will find at 12678. During that period -- and we will
11 come back to it in due course -- during that period you
12 faced the allegations made by SPT96, which were made in
13 [REDACTED] as part of the SPT134 investigation that began in
14 [REDACTED] A newspaper article. Mr SPT96 responded to it,
15 made his allegations and they were then being
16 investigated in [REDACTED] and we will come back to that,
17 but that was ongoing while you were [REDACTED], as it
18 were, of St. Patrick's Training School between -- and up
19 until [REDACTED].

20 **A. Correct.**

21 Q. What I want to do, having set that chronology out, is to
22 ask you in general terms, if you can, for the Panel --
23 you effectively spent a lifetime working in
24 St. Patrick's Training School across the two locations.

25 Looking back and having had to reflect as you have

1 been here for the Inquiry day after day as it took
2 evidence in relation to St. Patrick's, can you identify
3 now, looking back, particular problems that you recall
4 existing and maybe on reflection with hindsight they
5 would be dealt with differently from they were, but can
6 you identify the type of problems to the Panel that you
7 recall having in St. Patrick's?

8 **A. As the years -- as the years progressed and particularly**
9 **relative to the civil unrest, the whole dynamic of the**
10 **school changed very dramatically because of the intake**
11 **of boys that we were getting. Some of them had got,**
12 **shall we say, caught up in the Troubles and were sadly**
13 **very, very heavily involved in the Troubles. The court**
14 **scene changed dramatically with the development of the**
15 **Diplock courts and the Emergency Provisions Act that**
16 **came into place. They presented enormous difficulties**
17 **for us in the day-to-day running of the school.**

18 **Q.** If I can just pause there, BR26, just to remind -- the
19 Panel will recall seeing documents as we went through
20 the St. Patrick's evidence of, for instance, the -- then
21 the bishop in 1973 and '74 expressing his unhappiness in
22 the minutes about some of the boys that were coming into
23 St. Patrick's and making representations to the Northern
24 Ireland Office about that. We didn't have the
25 correspondence exchange unfortunately, but from

1 the minutes we were able to see that whatever was said
2 by the NIO, it would -- the bishop was happy with the
3 response he received, but what the minutes disclosed was
4 that you had a significant number of boys on murder
5 charges, firearms charges, the most serious forms of
6 criminal offending connected to the Troubles. Is that
7 the type of difficulty that you are describing?

8 **A. Oh, very much so. I think at one stage we had about**
9 **eight boys in on murder charges. There were at least**
10 **half a dozen or more on firearms charges. One**
11 **particular Sunday, because of a huge riot in some part**
12 **of perhaps the Lower Falls or further down or further**
13 **up, we got 23 fellas in from the court in one swoop on**
14 **a Sunday, and that fairly presented very major**
15 **headaches, and that was ongoing for -- I don't know --**
16 **for ages and ages.**

17 **Q.** If I summarise that to this, BR26: what you are
18 explaining -- and we are trying to do it in a shortened
19 form -- but what you are explaining to the Panel is that
20 the onset of the Troubles and dealing with -- as
21 a training school in West Belfast dealing with the
22 Troubles as they affected that area made doing your job
23 very difficult.

24 **A. Hugely difficult. Hugely difficult. It was a -- it was**
25 **more than a challenge to us.**

1 Q. Through the evidence the Panel has already heard the
2 suggestion you did the best you could in very difficult
3 circumstances. Is that how you recall it? Do you
4 recall a feeling of helplessness about it? How would
5 you describe that time period as you look back on it?

6 **A. We were just hoping that tomorrow would not be as**
7 **difficult as yesterday and very often yesterday was**
8 **overshadowed by the events of tomorrow, and it was just**
9 **your faith and trust in the Good Lord that very often**
10 **saw you through.**

11 Of the 26 fellas that we got in I should -- I think
12 I should remark, of the 26 fellas we got in on remand on
13 one Sunday, 24 of them stood their ground and faced
14 trial. Only two left the premises.

15 Q. Absconding is a particular issue I am going to come back
16 to --

17 **A. Yes.**

18 Q. -- as you know, towards the end. The Troubles was
19 a particularly dramatic problem that you had to deal
20 with.

21 In terms of the -- within the training school itself
22 and its operation, as you look back on it, are there
23 particular problems that you can pick out over your

24 [REDACTED] working in

25 St. Patrick's that you can identify as really major

1 issues that were difficult to handle?

2 A. Well, in the context of what we have just been speaking
3 about and the vast number of boys being admitted at that
4 time on different charges and all Troubles -- related to
5 the Troubles, there were factions within that particular
6 group that made life very, very difficult, because they
7 had different allegiances to different paramilitary
8 factions in their communities from which they came, and
9 it was really a very volatile situation for all the
10 staff.

11 Q. Well, just on that subject then, because I will be
12 coming to it, but I will deal with it now, the Panel are
13 aware of in November 1973 the abduction of Bernard
14 Teggart, one of your boys, who was then murdered by the
15 IRA. Whenever **SPT151**, who was one of the two
16 members of staff involved in the interaction with those
17 who came on to the premises to take the boys away -- he
18 remarked in his police statement and then again in his
19 inquest statement that -- in his deposition that there
20 were -- there was a problem, as he regarded it, of
21 various groups could come on to the site and that had to
22 become an accepted part of life for the training school
23 because of where it was located. Can you remember those
24 types of difficulties presenting themselves in
25 St. Patrick's?

1 **A. Oh, very much so. Indeed, I came face-to-face in one**
2 **particular incident where two paramilitaries came up and**
3 **asked to take two particular boys out for, as they said,**
4 **a particular assignment. I asked them, "Where do the**
5 **boys' parents come into this? You won't be taking them**
6 **out of here unless the parents come up and give their**
7 **consent" and they withdrew and I didn't hear from them**
8 **since.**

9 **Q.** So that's one example of the if I call it brazen, fairly
10 difficult circumstances that presented themselves, where
11 you would be faced with having to manage dangerous
12 individuals who had come on to the premises wanting to
13 interact with boys you were responsible for.

14 **A. Correct. I was lucky it just worked out for both of the**
15 **two boys and myself. We were very lucky I would say.**

16 **Q.** Obviously, as you know, the Bernard Teggart incident did
17 not work in the same way, and I want to ask you for the
18 record so that you can explain your position.

19 Whenever -- if we look, please, at 18851, and this is --
20 if we look towards the bottom of the page, BR26, this is
21 the deposition from **SPT151**, and he is
22 explaining the activities of the three days as far as he
23 recalled it. What he is doing here on the day that both
24 boys have been taken, so the second day of the sequence,
25 he explains that they haven't come back. He is

1 uncomfortable about it. He decides he must do
2 something. He tried to find out where BR52 was.

3 "The first Brother I asked didn't know. So I went
4 to the main offices and discussed the situation with the
5 Brothers there. I suggested ringing BR52 but was told
6 -- was not told where he was. I suggested the police
7 should be informed, because two hours had now elapsed.
8 I was told neither BR52 nor the police should be told at
9 that time. So I went back up to my own room to wait."

10 Then the story progresses. BR52 comes to see him
11 about an hour later.

12 What I wanted to show you also was on the next page
13 of the deposition at 18852 additional evidence is
14 recorded in handwriting, and doing the best one can, he
15 tries to record who the two Brothers were that spoke to
16 him in that exchange that he records in the typed
17 version that we just looked at. You can see on the
18 fifth line down of the handwriting, BR26, he refers to
19 it being the [REDACTED]:

20 "... as I consulted with the ..."

21 The question I was asking you earlier is: do you
22 think that was you that he was speaking to, that then
23 you and others or the other Brother who was asked said
24 not to be contacting the police at the time? Can you
25 remember if that was you on that day?

1 **A. Definitely not.**

2 Q. So it's not -- whoever he's referring to, it's not --
3 you don't remember any involvement on the incident
4 itself. You certainly become involved and aware of it
5 after Bernard has been murdered, but you are not
6 involved in it during that day in terms of the
7 decision-making that goes on?

8 **A. Correct.**

9 Q. This is obviously one very stark example of the effect
10 of the Troubles on St. Patrick's. Can you remember,
11 because unfortunately there has not been papers that
12 have been able to be produced to the Inquiry that
13 explains, but presumably in the aftermath of incidents
14 like this there would have been much discussion amongst
15 the Brothers in the community house. There would have
16 been perhaps much discussion amongst the staff in
17 St. Patrick's and potentially with organisations beyond
18 St. Patrick's, such as the Northern Ireland Office, as
19 to what could be done to make sure something like this
20 didn't happen again.

21 One of the things one can see in the papers is the
22 suggestion of a security fence being installed, and the
23 army were not necessarily happy about that, because they
24 crossed the St. Patrick's premises for their purposes,
25 but can you remember the aftermath of this event in

1 particular or the type of event that you are talking
2 about where you were confronted with desire to remove
3 people from the training school and how these things
4 were dealt with?

5 **A. Well, it was -- the event itself was one of enormous**
6 **shock and horror and revulsion not alone felt within the**
7 **school but in the wider community and beyond. Staff, of**
8 **course -- there were limits to what staff could do, what**
9 **any of us could do, because we were a very, very open**
10 **institution and access was very easy for anybody that**
11 **wanted to come in. In the very first instance we were**
12 **not allowed by the army to close the gates even at**
13 **night-time because they wanted to come in. Now they**
14 **found other ways of coming in and they found other ways**
15 **of going out and not necessarily through the main gates,**
16 **but the main gates had to remain open. Then that led to**
17 **fellas coming in in stolen cars and what not. Problems**
18 **were developing all the time, and you do your best to**
19 **minimise them and the staff regimens and all that, but**
20 **there was only so much you could do because of the**
21 **environment in which we were working and the openness of**
22 **it.**

23 **Q. And that openness is something we will come back to in**
24 **the context of absconding, because there are documents**
25 **that are available to the Panel that show that one of**

1 the consequences, if you like, or the trade-offs for
2 trying to deal with young people in the criminal justice
3 system through open institutions was that you would have
4 the type of difficulties that you are describing. It
5 wasn't a prison. It wasn't the Maze or Magilligan with
6 large walls that nobody could enter, where everyone was
7 locked down, that, in fact, these were the types of
8 difficulties that manifested themselves based on where
9 you were found to be in West Belfast. I think you
10 described to me on a previous occasion there would have
11 been occasions whenever there were exchanges between
12 paramilitaries and the army that might have crossed the
13 St. Patrick's grounds and those are -- that was part of
14 life that you were dealing with.

15 **A. Absolutely.**

16 Q. I don't want to -- obviously the effect of dealing with
17 running a training school in the Troubles, I don't want
18 to minimise that in any way, but if we park that issue
19 for the moment, BR26, are there other issues that you
20 can recall particular problems about the running of
21 a training school? I appreciate that's a massive one,
22 but aside from that one, are there other things that
23 stick in your mind that made life very difficult for you
24 trying to run a training school?

25 **A. One would always be very conscious of the particular**

1 **problems that young fellas had of their own domestically**
2 **and particularly when they would get word that dad was**
3 **arrested or an older brother was arrested or perhaps**
4 **interned or whatever, you know, taken into custody, and**
5 **how upsetting and traumatised the young fella would be**
6 **about that. He might want to go home. We may give him**
7 **permission to go home for a few hours to see his mother**
8 **or whoever, you know, and --**

9 Q. One of the contexts for you, BR26, was that quite
10 a number of the boys who were in St. Patrick's actually
11 came from the area in which St. Patrick's was based. So
12 the going home didn't involve going halfway across the
13 country necessarily.

14 A. **Oh, absolutely, yes. Quite a lot lived down the road,**
15 **across the main -- across the street from the main**
16 **entrance into a couple of the estates there or right**
17 **beside us in the Turf Lodge and further on, Ballymurphy**
18 **and the Whiterock.**

19 Q. What I want to ask you about, BR26, is the set-up of the
20 training school was into a junior side and a senior
21 side. Can you -- you touched on this during your
22 dealing with the allegations -- but can you explain to
23 the Panel how that separation manifested itself between
24 the junior school and the senior school and what the age
25 limit was for the two different parts?

1 **A.** Normally on admission age would be generally speaking as
2 a rule of thumb a determining factor. Be it 15 and 15
3 and a half and upwards, he would be in the senior
4 school. Under that he would be in the junior school.
5 Occasionally there would be a transfer from the junior
6 school to the senior school if the young lad were up on
7 further charges and the new court case and perhaps the
8 magistrate making a new Training School Order, and if
9 he'd gone -- if you'd gone over 15 at that stage, you
10 would be transferred to the senior school on readmission
11 from the court.

12 Further to that, rarely but occasionally, yes, some
13 young lad who would be unmanageable and so belligerent
14 that his behaviour became unmanageable in the junior
15 school, and again if he were in the 15 plus bracket, he
16 would get transferred to the senior school. That rarely
17 happened, but it did happen, yes, and had to happen.

18 **Q.** Just in that context the junior school and the senior
19 school operated almost -- while you are in the same
20 campus and potentially in the same building
21 structurally, you operated entirely separately of each
22 other.

23 **A.** Correct.

24 **Q.** But what I understand you to be saying is that the
25 general rule was 15 plus on to the senior side if you

1 come in at that age, but there were exceptional cases,
2 because of particular circumstances, where a younger boy
3 would have been given to you to look after on the basis
4 that there was greater prospect of you managing them
5 successfully than what was happening on the junior side.

6 **A. Agreed.**

7 Q. I want to just ask you whether -- you had in
8 St. Patrick's a very significant number of staff and, as
9 the Panel are aware from the work that we have done to
10 date, allegations are made about a small number of the
11 overall total of staff in St. Patrick's, but in that
12 context, given that you have a large volume of staff and
13 you were there [REDACTED], I presume it was the case
14 that both in terms of Brothers and civilians not
15 everybody who came to work there turned out to be
16 suitable to work in that type of environment with
17 difficult young people.

18 In terms of the arrangement with Brothers can you
19 recall how -- if a Brother was identified as not really
20 suitable to be working with young people in
21 St. Patrick's, how was that managed or was it just
22 accepted, "Well, it doesn't matter that you are no good.
23 You can stay anyway and keep working"?

24 **A. The fact is it did matter. It mattered an awful lot**
25 **really. The Brother concerned would have been spoken to**

1 by his line manager -- it might well be the head of the
2 senior school or the Director at the time -- and
3 advised -- spoken to about his -- the problems that he
4 was ident... -- he was having with the boys maybe in
5 terms of aggressive behaviour or short-tempered with
6 them and total lack of sympathy for them in any shape,
7 make or form, and he might be well-advised to look at
8 his future and talk to his Provincial about a change of
9 work, change of environment. That did happen, yes.

10 Q. So while there is not necessarily documentation that's
11 available because of the passage of time about these
12 issues, you can recollect situations where staff weren't
13 considered by those of long-standing to be suitable and
14 steps were taken that resulted in those people moving
15 on?

16 A. Correct.

17 Q. One of the trends that the Panel have notice of is that
18 there were a significant number of staff in
19 St. Patrick's who worked there for a very long time,
20 both Brothers and civilian staff, many of whom don't
21 face allegations, who maybe worked for twenty, twenty
22 plus years in St. Patrick's.

23 Can you -- why was it the case that you had such
24 longevity of staff, that you had this core of people who
25 were there? They didn't move on. They worked in

1 St. Patrick's for many, many years.

2 **A. They were totally committed to the work and to the**
3 **well-being of the young people that they were working**
4 **with.**

5 Q. And you found that both with Brothers, because it was
6 their vocation, but also with many of the civilian staff
7 --

8 **A. Absolutely.**

9 Q. -- who came to work in St. Patrick's?

10 **A. Absolutely, and some of them would have told me on their**
11 **retirement that the happiest years of their life --**
12 **their working life was in St. Pat's, difficult and all**
13 **as it was at times, and there were times it was**
14 **extremely difficult, yes.**

15 Q. There were certain matters that the Panel is aware of
16 that the Order accepts were not dealt with appropriately
17 in St. Patrick's. One example of that was DL137, the
18 [REDACTED], who came to BR95, who was then the
19 [REDACTED], attention in [REDACTED] for propositioning boys
20 and then again in [REDACTED] brought by SPT53 to his attention
21 and ultimately this sequence of events that result in
22 his resignation. I think it was you and SPT53 who
23 witnessed him -- his resigning in effect. The Panel is
24 aware that BR95 does not seem to have reported that --
25 those issues about DL137 either to the Board of

1 Management, who were simply told in the normal run of
2 things [REDACTED] was resigning at the same time
3 as the gardener was moving on. He doesn't seem to have
4 reported it to the police.

5 Can you remember much discussion with you and with
6 other Brothers about, "How do we deal with this, the
7 fact that it is being said to us that a member of staff
8 is propositioning sexually boys?"

9 **A. In the first instance if you hear things, you know, you**
10 **become very, very alert and you would make it your**
11 **business to have your eyes and ears well open. Having**
12 **said that, you have to sift out through what you get and**
13 **have you got concrete evidence? Now in the case of**
14 **DL137 BR95 called me and asked -- told me that SPT53 had**
15 **brought this young lad in and he told them that he was**
16 **propositioned by DL137. The [REDACTED] spoke to DL137**
17 **and seemingly he admitted it and he resigned, and BR95**
18 **asked me to witness the letter of resignation, which**
19 **I did and SPT53. That was the first I had heard of that**
20 **particular incident just as it was enacted in the**
21 **office, called to sign his resignation.**

22 Having said that, there were rumours, yes, but
23 nothing -- nothing -- nothing for me to go on
24 positively.

25 Q. About him?

1 **A. Uh-huh.**

2 Q. When this came to light, was there -- how would you
3 describe the reaction of -- you have done your day's
4 work. You go back to the Brothers' house. BR95 is
5 there. You are there around the tea table, however the
6 arrangements are for interaction one with the other, and
7 all of the staff in terms of Brothers. There is
8 obviously civilian staff who are aware of this as well,
9 because SPT53 brought it to BR95. Can you recall the
10 reaction to the fact this was occurring?

11 **A. Not particularly actually. Not particularly.**

12 Q. Obviously it wasn't reported to the authorities, this
13 sequence of events. Like contacting the police over the
14 Troubles-related matters, can you recall was the
15 attitude and culture in the '70s, early part of the
16 '80s, before the Hughes Report and so on after Kincora
17 --

18 **A. Yes. Things were -- things were looked at and dealt**
19 **with somewhat differently then, but then again in**
20 **hindsight -- we are always wise in hindsight, but**
21 **I personally never have hindsight at the right time.**
22 **I never have that information at my fingertips at the**
23 **right time or rarely anyway --**

24 Q. Because --

25 **A. -- and things were done differently thereafter and**

1 **rightly so.**

2 Q. We will come to that as an example, because it seems
3 that by the mid-'80s certainly any time a boy or boys
4 were caught interfering with each other you appear -- it
5 seems to have been elevated to you and you then report
6 it to the police. The police then carry out interviews.
7 Statements are taken. The matter is reported to the
8 PPS, and I think in every occasion prosecution is
9 declined in terms of where it is individual boys
10 engaging with each other, but there appears to have been
11 a point in time whenever reporting became the norm for
12 matters of that type. Am I -- am I being unfair --

13 **A. No, no.**

14 Q. -- in suggesting there appears to have been a change in
15 approach?

16 **A. Agreed.**

17 Q. That up to a certain point there were certain things
18 that weren't really reported to the police, but then it
19 became where you just report it to the police and let
20 them take their course with it.

21 **A. Correct.**

22 Q. On that subject, the sexual activity amongst the boy,
23 I think you were explaining to me that perhaps it was
24 a greater problem than you were aware of at the time,
25 but during your [REDACTED] when you were aware of

1 something at the time, the initial way of dealing with
2 that before the change in approach in the '80s was you
3 would have talked to the boys about their activity.

4 **A. Their behaviour. Absolutely.**

5 Q. Can you -- can you assist the Panel with how prevalent
6 you remember the problem being and what you did -- what
7 the approaches were to try and deal with it?

8 **A. There were -- there were undoubtedly occasions when you**
9 **were faced with that particular problem, and initially**
10 **you would say to yourself, "Now I have to find out from**
11 **this young lad where his" -- let's say "where he is**
12 **sleeping at night. Is he in the same dorm as", shall we**
13 **say, "the person he is supposedly getting involved**
14 **with?" and talk to the housemaster whose group he was in**
15 **and arrange for him perhaps to be transferred to another**
16 **dorm or whatever, you know.**

17 People would be made -- at the housemasters' meeting
18 once a week a thing like that would be tabled and people
19 would be made more aware of the problems relating to
20 these two fellas or these two fellas or whatever, and to
21 be much more alert and observant of their behaviour or
22 what not.

23 Q. So there were steps taken to separate the boys or reduce
24 the opportunities they might have had --

25 **A. Right.**

1 Q. -- albeit I presume they could have carved out
2 opportunities --

3 **A. Sure.**

4 Q. -- if they wished, but were -- can you recall
5 counselling the boys themselves that you would have
6 caught or been made aware of engaging in this type of
7 activity?

8 **A. Oh, time and time again, yes.**

9 Q. Would that have involved you trying to explain to them
10 that that's maybe not a wise course for them to pursue
11 or --

12 **A. Exactly, yes. Have more respect for -- not alone for
13 themselves but for other people.**

14 Q. Just you mentioned the housemasters' meeting. One of
15 the points you were making to me earlier, if we just
16 draw it out in this context, but it applies more
17 generally, is that lots of work was going on that's not
18 necessarily documented, or if it was documented, the
19 documentation does not still exist, and the memory is
20 not there, because a lot of the people who were engaged
21 in the work are dead, but the point you were making to
22 me was that there was a lot of what would be classed now
23 as informal work going on --

24 **A. Yes.**

25 Q. -- to communicate about the boys, be engaged with the

1 boys. Similarly from the outside assistance coming in
2 that was informal in the sense that not everybody was
3 sitting making records all of the time about the issues
4 that were being talked through, but that that work was
5 happening.

6 **A. There was a mountain of that work happening, a mountain
7 of it.**

8 Q. Yes. One of the examples you were giving me was -- it
9 is an issue we will come to towards the end -- that the
10 various heads of the training schools would have met,
11 and while there aren't necessarily minutes of the
12 discussions and what occurred, you were explaining to me
13 that you would have met formally and informally socially
14 --

15 **A. Correct.**

16 Q. -- where quite a lot of practice development would have
17 taken place over that informal social exchanges where
18 a frankness would have happened between you about how
19 certain situations were being managed. Is that
20 a fair --

21 **A. Absolutely. Very fair, and it was ongoing.**

22 Q. The Panel are aware of -- and I am not going to go into
23 the detail of it today, BR26 -- but in -- certainly from
24 the police files that are available from 1986 onwards at
25 various times your colleagues were finding boys engaged

1 in activity between themselves, bringing that to your
2 attention. You bring it to the police's attention. Can
3 you remember a distinct decision at a point in time,
4 "Right. I appreciate we have dealt with this internally
5 up to now, but from now on we are reporting sexual
6 activity amongst the boys. From this day forward that's
7 what we are going to do", or do you remember it more as
8 it was just a gradual change in approach that became the
9 norm? Can you remember how that came about?

10 **A. I think it might have been after the Hughes Inquiry, but**
11 **I wouldn't be sure, but it certainly became the norm**
12 **anyway from once we started it and let them face up to**
13 **their consequences of their actions. If the police**
14 **investigated them, let them face up to the consequences**
15 **of their actions, if the police determine -- decided to**
16 **take them down that line.**

17 Q. The Panel are aware of you bringing reports to the
18 police's attention in [REDACTED]. There's an incident in
19 [REDACTED] and so on, [REDACTED] where these allegations --
20 the fact that boys were uncovered engaging in this type
21 of activity were brought to the police's attention, and
22 I am not sure that a prosecution ever resulted from
23 those reportings, but that became the approach that was
24 taken.

25 **A. No.**

1 Q. On that theme -- and we touched on it earlier -- in [REDACTED]
2 you became the subject of allegations from SPT96, and
3 the sequence of that I am not going to go into today in
4 any detail, but a police investigation is ongoing into
5 allegations that don't relate to you, and then these
6 earlier allegations from the '60s are brought by SPT96
7 after a newspaper article is written in [REDACTED]
8 [REDACTED]. Then you are -- as he makes his statement, by
9 [REDACTED] then you are interviewed about those matters, but
10 what I want to ask you about isn't the context of the
11 police investigation per se.

12 The Panel are aware from having read and heard from
13 an NIO, as it was then, witness, Mary Madden, about the
14 vacillation, if I can put it that way, within the NIO
15 about, having been made aware that these allegations
16 were made against a Brother in St. Patrick's, deciding
17 whether or not to make the bishop of the diocese, the
18 head of the Board, albeit it was the Auxilliary Bishop
19 Farquhar who was the head of the Board of Management,
20 whether to make him aware or not of the fact that these
21 allegations were made. There were competing interests
22 from the police and the NIO about whether that should
23 happen or not, but ultimately at the end of that long
24 sequence of exchange of views the decision was reached
25 that an approach would be made to the diocese -- the

1 diocesan priests effectively.

2 She explains in her statement -- if we just look,
3 please, at 2677, where she explains -- she sets out in
4 paragraph 13 some of the concerns about any awareness
5 being given to the person -- in this case it is you --
6 who are subject of the allegations and what you might do
7 to frustrate those allegations. Obviously those are
8 concerns that would apply to anyone in a similar
9 circumstance, but what she's explaining is that she has
10 this meeting with the two men. If we just scroll up on
11 to the page before, we can see her identifying the two
12 men that she spoke to. She remembers speaking to Bishop
13 Farquhar and then Canon McCann in the parochial house at
14 St. Malachy's.

15 She explains -- unfortunately there are no records
16 that I am aware of of that meeting or what happened
17 after it available to date, but if we scroll down, we
18 can see that -- just move on down, please, to
19 paragraph 14 -- what she says, after making the men
20 aware:

21 "They understood the gravity of the allegations but
22 emphasised that, knowing the individual as they did,
23 they could not believe nor did they believe the
24 allegations made against them -- made against him."

25 Made against you, BR26:

1 "They undertook to consider the matter urgently and
2 come back to us with their decision, which they
3 subsequently did."

4 Now Mary Madden's recollection, because it doesn't
5 seem to be based on a document as such, was that when
6 Bishop Farquhar and Canon McCann, whichever of them
7 contacted her after the meeting or possibly her
8 colleague, what she recollected was that they were told
9 that the allegations were put to you and you had denied
10 them vehemently, and you had confirmed you would submit
11 to a police interview under caution at any time. You
12 wouldn't leave the jurisdiction and so on.

13 The Management Board had discussed the matter and
14 decided that they were unproven allegations. There was
15 a strong denial of wrongdoing. They therefore would not
16 remove you from your position [REDACTED].

17 So just before I ask you the question, the context
18 of this, because I am trying to summarise a huge volume
19 of material at one time, you have become [REDACTED]
20 in [REDACTED]. These allegations then surface towards
21 the [REDACTED], and what is being said here is that
22 when the Bishop Farquhar and Canon McCann become aware
23 of them, they -- although they don't believe them
24 themselves, they take those allegations to you and ask
25 you about them and say, according to Mary Madden

1 thereafter, that you said you weren't leaving, they were
2 not true and you would submit to a police investigation,
3 if that's what was required.

4 Can you remember these matters ever being brought to
5 your attention by Bishop Farquhar and Canon McCann?

6 **A. No.**

7 Q. And when you said that to me earlier, I frankly
8 responded to you, and I am going to ask you about it
9 now, this isn't the type of thing you would forget,
10 BR26.

11 **A. Not easily. One would never forget it.**

12 Q. Effectively you have been made the subject of what for
13 you are untrue gross allegations of an abuse of trust as
14 well as sexual impropriety with a boy in your care, and
15 two men that you have an enormous amount of respect for
16 are coming to you to have that discussion. So on your
17 psyche alone that would be a rather dramatic exchange
18 that you are unlikely to forget. Is that fair?

19 **A. Absolutely.**

20 Q. Your recollection is that while you were certainly
21 spoken to by the police and were interviewed about these
22 things, and no doubt the allegations were made and were
23 being dealt with, you don't remember being engaged in
24 a discussion by anyone from the Management Board about
25 these allegations and your position?

1 **A. No.**

2 Q. Would I be unfair if I said to you that if that had
3 happened, you would remember it?

4 **A. I certainly would remember it.**

5 Q. I was saying to you earlier, BR26, I cannot find --
6 those minutes say what they say. It doesn't mean that
7 was all that was ever discussed, but the minutes around
8 this period in [REDACTED] and then
9 there's minutes in [REDACTED] there is reference
10 to -- there must have been newspaper articles about the
11 school, so the fact of the allegations being made
12 generally, and unhappiness being expressed about the
13 approach of the NIO to them and the approach of the
14 police to commenting on them, but there's nothing
15 certainly specific in the minutes that make any
16 suggestion that there was a discussion with you and then
17 the Board having a discussion about whether you should
18 be suspended or not. You don't remember that taking
19 place?

20 **A. Definitely not.**

21 Q. Would it be fair to say to you, BR26, to try to
22 summarise this down, Bishop Farquhar and Canon McCann,
23 rightly or wrongly by that point in time about how these
24 things should be dealt with, you would have known them
25 for years upon years.

1 **A. Oh, most certainly, yes.**

2 Q. And if I could just ask you to explain to the Panel both
3 of these men were heavily involved in assisting in
4 St. Patrick's. Can you give the Panel -- because again
5 there's not necessarily documentation to convey what you
6 were explaining to me. Can you explain to the Panel the
7 level of involvement of these two men in particular and
8 therefore how they would have known you in the way that
9 they appear to have said they did?

10 **A. Both of these reverend gentlemen were at different times**
11 **chaplain to the training school. In the case of Father**
12 **McCann he was chaplain there for ten years and then he**
13 **moved on to parochial work. In the case of Bishop**
14 **Farquhar he was chaplain there for a number of years and**
15 **then he moved on to higher things, and then both of them**
16 **retained a tremendous interest in the school and were**
17 **very regular callers to the school informally, and yet**
18 **again -- and I think we might have touched on it earlier**
19 **on this morning -- an awful lot of very valuable work**
20 **was done in these informal visits and chats and**
21 **discussions about the school and the problem we were**
22 **having in the school and the things that were going**
23 **exceptionally well -- they shouldn't be forgotten about**
24 **either -- and the help we got from these two people was**
25 **just simply enormous on a very, very regular basis.**

1 Q. So it would be fair to say these two men would have
2 known you extremely well. Regardless of the choices
3 they made about suspension or otherwise, these are two
4 men who would have known you in your context of working
5 in St. Patrick's very well.

6 **A. They would have.**

7 Q. Now that leads me on to the -- I want to ask you
8 a little bit about the Board of Management of the
9 training school. There's two aspects to this, if you
10 can you assist the Panel. Obviously you were [REDACTED]
11 or [REDACTED], [REDACTED] [REDACTED] between
12 [REDACTED], and it's clear from the minutes, which
13 are getting more detailed as time goes on, that there
14 was a significant interaction between you [REDACTED]
15 [REDACTED] and the Board of Management about various
16 issues that were arising, and during your time [REDACTED]
17 [REDACTED] so that three and a half year period, can you give
18 the Panel some assistance of what level of help you were
19 getting from the Board of Management during your time [REDACTED]
20 [REDACTED]?

21 **A. The needs of young people were changing fairly rapidly**
22 **too, you know, at that time, and the question of**
23 **providing further outlets for them in terms of training,**
24 **in terms of their future development, in terms of their**
25 **exit from the school through licence and that, these**

1 **were all factors that were ongoing and being developed,**
2 **and the experience of the -- of these members was very,**
3 **very valuable, and indeed as was that was Inspectorate**
4 **also, let it be said, at that time.**

5 Q. I am going to come on to the Inspectorate, but would it
6 be fair to say that over the course of your time working
7 in St. Patrick's leading up to your position [REDACTED]
8 there was a growing engagement with the Board of
9 Management? So, without being unfair to them, there may
10 have been much less hands-on involvement in the earlier
11 years leading to by your time as head much more
12 significant hands-on involvement.

13 **A. Agreed.**

14 Q. Is that a fair description --

15 **A. That's fair.**

16 Q. -- of the development?

17 **A. I think it's very accurate and very fair.**

18 Q. The Chairman drew attention, when we were looking at one
19 particular minute, to a subcommittee that SJM11 appeared
20 to be on. Am I right in saying that in the latter years
21 the Board of Management as part of its greater
22 involvement in the affairs of running the training
23 school -- that subcommittees were set up that dealt with
24 specific issues?

25 **A. They were, yes.**

1 Q. And --

2 **A. Another one of them would have been the Licensing**
3 **Committee.**

4 Q. And can you just explain a little bit about the
5 Licensing Committee to the Panel Members, because you
6 have touched on something that I was going to raise with
7 you. If you just deal with that now.

8 **A. That was set up to review the progress or lack of it of**
9 **individual -- of all the boys really, you know, and it**
10 **used to meet I think once a month. It was comprised**
11 **mainly of three or four people from the community who**
12 **had long work experience of young people and young**
13 **people in difficult situations and that. They would be**
14 **very sympathetic towards them, and their conduct and**
15 **progress was reviewed, and the panel would make**
16 **recommendations to the school management as to the**
17 **future of this young lad, whether he should be**
18 **considered for work experience or early release or**
19 **whether his best interests are being served by staying**
20 **on where he is and encouraging him in this line, that**
21 **line or the other line.**

22 Q. Again is that another example, BR26, of -- I can recall
23 the documents that show there was always a licensing
24 process where the head of the school would have written
25 to the Ministry of Home Affairs saying, "We are going to

1 license this boy out early and this is what he is going
2 to do". As time goes on and we get towards -- more
3 towards the end of the Inquiry's terms of reference in
4 the early '90s and so on, that had become a much more
5 elaborate evaluation exercise by this Licensing
6 Committee with external elements contributing. So
7 a much more broad view is being taken than simply the
8 head talking to his housemasters about a particular boy.

9 **A. Right.**

10 Q. So it's bringing more structure perhaps to the system --

11 **A. Very much --**

12 Q. -- albeit it is carrying out the same task, just in
13 a different way.

14 **A. Yes, very much so. The reports of the Licensing**
15 **Committee on individual fellas were compiled by the**
16 **young lad's housemaster, because the housemaster --**
17 **I would always see the housemaster as being the person**
18 **who has got the pulse of the young lad. Whether it is**
19 **ticking fast or ticking slow, he has still got the pulse**
20 **of the young fella and that's the very person you would**
21 **depend on to present the report. If needs be, if the**
22 **young lad wanted to go to the Panel himself and meet**
23 **them, he was welcome to do so.**

24 Q. Another subcommittee appeared to be engaged in, as
25 an example, the West Side Project, which began --

1 I think SPT26 was responsible for taking it forward.

2 **A. That's right.**

3 Q. It was during your time [REDACTED]. That's another example
4 of a subcommittee of the Board of Management working
5 with the staff to develop. That was a project in the
6 community.

7 **A. That's right.**

8 Q. That was the idea behind it --

9 **A. That's right. It was.**

10 Q. -- to try and integrate the boys back.

11 **A. Give them another outlet, yes.**

12 Q. The -- you mentioned the inspectors, and I want to turn
13 to external assistance that you were given.

14 I wonder, Chairman, whether if we took a lunch at
15 this point and resumed ...

16 CHAIRMAN: Yes. I was about to suggest we might do that.

17 If we aim to start somewhere about 1.40 perhaps.

18 MR AIKEN: Yes.

19 CHAIRMAN: Thank you.

20 (12.55 pm)

21 (Lunch break)

22 (1.55 pm)

23 MR AIKEN: BR26, when we broke for lunch we had been talking
24 about the assistance that you were given from the Board
25 of Management [REDACTED]

1 What I want to talk to you now about is the external
2 assistance that you were given. We were -- again you
3 cover a long period in St. Patrick's.

4 So if I can take the period up to [REDACTED], when you are
5 a [REDACTED] on the senior side, and the Ministry of
6 Home Affairs is in charge of regulating the training
7 schools, you have recollections of Ms Forrest and
8 Dr Simpson I think coming in to assist. Can you give
9 the Panel some recollections of that type of engagement?

10 **A. When they visited the school, they took a tour of**
11 **virtually every part of it and then they would have had**
12 **a long conversation with the principal at the time, you**
13 **know, maybe lasting all -- the exercise might last a**
14 **morning or an afternoon and apparently they were very**
15 **helpful, and particularly in the case of Miss Forrest,**
16 **she was readily available for consultation, available to**
17 **the principal for consultation, and she would be a very**
18 **frequent, shall we say, informal visitor.**

19 **Q.** So again the point we were looking at in a different
20 context was there actually would have been historically
21 a lot of work going on in this area as well, but there's
22 not necessarily documents and, in fact, we don't have
23 the inspection file at all, but even if we had, there
24 would be a formal inspection report, but what you are
25 saying is you can recollect her being -- as well as the

1 proactive inspection, there was also a reactive. If
2 help were needed, she was able to be communicated with
3 to give assistance.

4 **A. Very much so.**

5 Q. And your recollection was the impression you had was
6 a couple of times a year you would have seen her at
7 least.

8 **A. That would be in the formal setting now, shall we say,
9 you know, with her -- with her companion.**

10 Q. And then from [REDACTED] you have the changeover to the
11 Northern Ireland Office and you have the introduction of
12 the Social Work Advisory Group --

13 **A. Correct.**

14 Q. -- or SWAG, as it was known, and of particular relevance
15 to St. Patrick's was a man called Wesley Donnell.

16 **A. Correct.**

17 Q. SPT53 worked with you for a very long time in
18 St. Patrick's. I think he was there for twenty plus
19 years.

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

21 Q. He gave evidence. For the Panel's reference it was Day
22 145, page 73 of the transcript. I am summarising it,
23 but the man was effectively in and out so often you
24 might have thought he worked in the place.

25 **A. Part of the furniture.**

1 Q. Yes. Is that your recollection --

2 **A. Absolutely, yes.**

3 Q. -- of the involvement of Wesley Donnell?

4 **A. Absolutely.**

5 Q. So the absence of records might give the impression of
6 well, there never was anybody from the Department
7 visiting and helping and so on. That's not your
8 recollection?

9 **A. Far, far from it.**

10 Q. He has provided -- it came in, Members of the Panel, as
11 we were finishing that part of Module 7 relating to
12 St. Patrick's, because the gentleman suffers from ill
13 health, but Wesley Donnell's statement is available and
14 it runs from 3004 to 3012.

15 He sets out in quite some detail the interaction
16 that he had generally speaking in his work and then
17 specifically to St. Patrick's. We will come back to
18 a particular aspect shortly, but you recall him having
19 a close relationship, being on hand to advise and assist
20 and doing that over the course of a number of years?

21 **A. Oh, over a period of years.**

22 Q. He explains in his statement that in the aftermath of
23 the Hughes Inquiry the Social Services Inspectorate, as
24 it became, was then given the task of a much more formal
25 inspection role into the schools than the advisory

1 approach that there had been up to that point, and he
2 explains in his statement in some detail the historical
3 background that led to that shift from advising to
4 inspecting.

5 **A. Inspecting.**

6 Q. He then is part of the inspections that were carried out
7 by the Social Services Inspectorate, initially the first
8 major inspection in 1988, then inspections thereafter
9 that he was also involved in. Can you remember -- he
10 talks about how the findings of the inspections would
11 have been presented to the Board of Management and there
12 would have been engagement between the Board of
13 Management and the Inspectorate about the
14 recommendations --

15 **A. Uh-huh.**

16 Q. -- that were being made.

17 **A. And implementation.**

18 Q. Yes. I think the 1988 inspection produced a long list
19 of 52 recommendations that were made, and I think he
20 described it as a major heated exchange between both
21 sides as to whether the report fairly reflected practice
22 that was going on, but that engagement you do recall
23 happening where the inspectors would raise issues.

24 **A. Oh, yes.**

25 Q. You would liaise with whether that was an accurate

1 reflection of what actually happened and ultimately
2 steps would be taken to the implementation of those
3 matters that it was agreed needed to be dealt with.

4 **A. Yes.**

5 Q. Is it right that he -- as time goes on during your
6 period working in St. Patrick's the qualifications --
7 the training and qualifications of staff become a more
8 major focus.

9 **A. Oh, yes.**

10 Q. And a greater number of staff become trained in social
11 work. Was part of his involvement in the development
12 and encouragement of staff in their working? What can
13 you recall him doing when he would have been in and out
14 of St. Patrick's all of the time?

15 **A. He would have spoken to individual staff and he would
16 have spoken to management about the prospect of some of
17 them going for further training.**

18 Q. So that's an issue that he would have been engaged in?

19 **A. Oh, yes. Uh-huh.**

20 Q. Can you recall him working alongside you --

21 **A. Oh, yes.**

22 Q. -- and talking through issues that arose for you?

23 **A. Very much so.**

24 Q. I want to look at a particular issue now, BR26, and
25 I wanted to ground it in a document which I couldn't

1 find in the time available to me last evening, that when
2 training schools, as they were in Northern Ireland, were
3 introduced in 1952, they had already been operating in
4 England as approved schools in the period from 1933
5 onwards, and in the Home Office in England writing about
6 setting up approved schools and their open nature there
7 was recognition that by making that choice and not
8 locking down the young people that you were working with
9 there was going to be the reality of absconding, and
10 that prophecy was ultimately recognised through their
11 analysis in England.

12 Was it always a problem in both Milltown between [REDACTED]
13 [REDACTED] and then from your time in the Glen Road on --
14 was absconding always a significant issue or was it
15 something that, while it did happen initially, it became
16 much more prevalent at certain periods of time? Can you
17 give the Panel some understanding of the level and
18 nature of absconding and when it was occurring most?

19 **A. In Milltown days it was very, very infrequent, extremely**
20 **infrequent. In the overall context of my time in**
21 **Milltown, [REDACTED] of it, the lads liked to be there**
22 **and they wanted to be there. They had very little going**
23 **for them in their own homes, a lot of them, at that**
24 **time. Now you are talking about the [REDACTED]**

25 [REDACTED]

1 **As time went on it became, you know, more apparent**
2 **that there was a bit of a devil may care element coming**
3 **into the school in the '60s, and then the '70s radically**
4 **different again, you know, and a lot of the young fellas**
5 **coming in in the '60s and onwards they were fairly, dare**
6 **I use the word, wild and untamed and they were used to**
7 **freedom day and night. I hope I will not being too**
8 **harsh now in saying that, but that's the reality.**

9 **Q.** So your reflection on your time in St. Patrick's is that
10 it was always there, but it was not a major issue until
11 in the Glen Road site in the '60s and '70s it becomes
12 a much more prevalent problem with the introduction of
13 much more difficult children?

14 **A.** Perhaps also -- perhaps coupled with the fact that they
15 were in such a spacious site some of them might not have
16 been able to cope with that, the freedom that that gave.

17 **Q.** And can you recollect discussions amongst the staff, the
18 senior staff, for instance, where you spent most of your
19 time, if not with the principal, so that the junior head
20 was also involved in it, can you remember discussions
21 taking place about the fact there were abscondings and
22 what could be done about it?

23 **A.** I already said it was an ongoing topic nearly every
24 Thursday at the housemasters' meeting to review the
25 conduct and progress of the boys. Absconding would have

1 **been mentioned and people would have been encouraged to**
2 **look at the danger zones, time -- the times when it**
3 **seemed to be most prevalent -- right -- what steps could**
4 **be taken to counteract that.**

5 Q. Can you remember what types of techniques you did try to
6 ...?

7 A. Perhaps in the evening time when the young fellas were
8 finished work and all that in the workshops and what
9 not, and the same would have applied to the junior
10 school when they had finished class, to engage
11 straightaway in activities, swimming, handball,
12 football, whatever, cross country or whatever rather
13 than give them that half an hour for just lolling
14 around. Engage straightaway in activities.

15 Q. And without being harsh to anyone in particular, BR26,
16 taking account of what you have already said about the
17 nature of the boys, is it the case -- and what I am
18 thinking of is the incident involving the member of
19 staff SPT124, who was very badly assaulted by a young
20 person who was in St. Patrick's -- is it the case that
21 that distraction technique of occupying someone's time,
22 doing something physically active so they are engaged,
23 there were certain young people who were being sent to
24 St. Patrick's and it wouldn't have mattered what you did
25 with them; they weren't going to be occupied in that

1 way?

2 **A. That would be the case, yes, in a very, very limited**
3 **number, but it would have been. It would have been the**
4 **case, yes.**

5 Q. Obviously there can be all sorts of reasons why young
6 people might abscond, but one of the -- I am thinking
7 back to BR52's time in the minute in 1974 when he is
8 talking about the aftermath of Bernard Teggart in
9 the minute and he is also talking about the introduction
10 of Lisnevin and the idea that it was going to provide
11 a more secure training school, which was on one view
12 contradictory to the ethos of the training school, the
13 concept being open, but telling the Management Board
14 that he wanted to see a securer unit built at
15 St. Patrick's or operating at St. Patrick's, that it
16 wasn't a full-on secure accommodation like was being
17 conceived for Lisnevin. Was the purpose of that unit
18 can you remember to do with dealing with absconding?

19 **A. We would have seen that as a close supervision unit**
20 **rather than a secure unit. It would have been, of**
21 **course, to try to bring some degree of stability into**
22 **young fellas' lives.**

23 Q. Am I right in saying then that one of -- almost
24 inevitably if someone had been absconding, they were
25 heading for the close supervision unit to try and quell

1 that enthusiasm or was it -- was the close supervision
2 unit used as a means of trying to bring absconding under
3 control for an individual?

4 **A. To a certain extent to try and stabilise him and give**
5 **him time to think and to reflect, and thereby you are**
6 **curtailing his freedom and weekends and all that, but**
7 **for as short a time as possible.**

8 Q. And --

9 **A. It was never intended to be punitive, although no doubt**
10 **the young lads would regard it as being punitive. Of**
11 **course they would. I would regard it as punitive also**
12 **if I was in the same position I am sure.**

13 Q. But what I'm thinking through, BR26, is the idea that if
14 someone is going to run off, your options are limited in
15 the sense of you have got to try and find some way to
16 stop them running off. You have mentioned the
17 techniques of trying to find activities that would
18 engage them, leave no blank spaces in the daily routine
19 that might have been seen as a "Down tools. We can head
20 off", and then the next stage was the use of the close
21 supervision unit for trying to bring some reality to the
22 consequences if running off continued. Is that the type
23 of sequence or gradation of dealing with absconding?

24 **A. To a certain extent. To a certain extent. Nobody would**
25 **have ever contemplated sending a young lad down to the**

1 **close supervision unit for one or two abscondings. They**
2 **would need to be fairly chronic in his case, you know.**

3 Q. Can you remember any discussions with the Board of
4 Management, ie did it become the big absconding box?
5 "This is a major problem. It's got to be looked at by
6 the Board of Management. How are we going to deal with
7 this, because we have children who are running off
8 repeatedly?" Can you recall it being something that the
9 Board of Management were involved in?

10 A. **To a limited degree. It was normally left to the school**
11 **management and maybe a subcommittee of the Board of**
12 **Management to advise and deal with that.**

13 Q. You were giving me the stark example earlier, BR26, that
14 you could have a situation where you might have in
15 a month had forty abscondings on your record to be
16 submitted, but that they actually might have only been
17 six or seven boys out of the 150, 60, 70 boys who were
18 doing the absconding.

19 A. **I would hate to think that anybody would think there**
20 **were forty individuals. It wouldn't have been forty**
21 **individuals. Numerically it would be forty, yes, but it**
22 **might only involve five or six young fellas. No problem**
23 **for young lads to chalk up ten, twelve, fifteen runs.**

24 Q. So you had pockets, if you like, of -- the point
25 I understood you to be making to me earlier was the

1 impression might be created that everybody was running
2 off all of the time. That's not your recollection of
3 how this occurred.

4 **A. That was not the reality.**

5 Q. It was a problem that, yes, occurred on an ongoing
6 basis, but it would be a small number of individuals who
7 were repeat offenders at a particular point of -- point
8 in time --

9 **A. Right, yes.**

10 Q. -- and they needed to be worked with.

11 **A. Quite.**

12 Q. But it wasn't the case of wholesale --

13 **A. Exactly.**

14 Q. -- everybody was running off from the training school?

15 **A. Your presentation is perfectly correct.**

16 Q. Can you recall -- and if you don't recall, just indicate
17 it to the Panel -- do you remember the Ministry of Home
18 Affairs inspectors -- so the Miss Forrests, Dr Simpsons
19 -- do you remember them being engaged with the issue of
20 absconding or during their tenure was it not a major
21 issue that was on the agenda?

22 **A. Not in the time of Miss Forrest. It would have been**
23 **pretty well -- years after that really, you know. The**
24 **whole attitude -- I suppose in general terms things were**
25 **changing fairly rapidly in society. You know, it was**

1 **central to all that. Their school life was central to**
2 **all that. Their home life was central to all that and**
3 **their problems were central to all that.**

4 Q. Then you have the SWAG, the Wesley Donnells, ultimately
5 the SSI --

6 **A. The Inspectorate.**

7 Q. -- the Social Services Inspectorate. Would Wesley
8 Donnell have been aware of the issue of absconding and
9 trying to help you deal with it?

10 **A. Very much so, yes.**

11 Q. And in fairness I am going to just show the Panel -- if
12 we can bring up 3011, please, and this is
13 paragraph 26(x) of Wesley Donnell's statement, where he
14 says:

15 "Absconding was an issue within the training
16 schools. There are numerous reasons why children might
17 abscond. It must be remembered that apart from Lisnevin
18 and the small secure units at St. Patrick's and Rathgael
19 ..."

20 I take it by that he is talking about the close --

21 **A. Observation unit.**

22 Q. -- observation unit?

23 **A. Uh-huh.**

24 Q. "... training schools were not secure apart from the
25 normal procedures of night-time closures. Having regard

1 to the location of St. Patrick's, it is not surprising
2 that absconding levels were quite high, given the
3 proximity of many children to their families. The
4 matter of absconding was always taken seriously by
5 staff."

6 So the impression he appears to have had from his
7 time working in St. Patrick's was that you weren't
8 ambivalent or unconcerned about the fact that children
9 were absconding.

10 **A. Of course we were concerned.**

11 Q. Now ultimately the Panel are aware of and have looked at
12 aspects of the death of SPT81, who was a boy in St.
13 Patrick's who during an absconding episode with other
14 boys lost his life. The Social Services Inspectorate
15 were then asked to carry out a report and the NIO was
16 dissatisfied with the dual reports from St. Patrick's
17 and the particular Health Board into what had happened
18 in that boy's time in care.

19 I am just going look at, please -- if we bring up
20 12825, paragraph 5.24 of the report they look at the
21 issue of absconding, because that was one of the factors
22 that was relevant to the death of SPT81, and you can see
23 in 5.25 -- if we just pause, you can see in 5.24:

24 "There is little indication that the reasons for the
25 absconding are followed up or discussed with the boy

1 following his return. Staff appear to take the view
2 that, since it is an open unit, there is little that
3 they can do to stop absconding if the boys are
4 determined to go whereas experience elsewhere shows that
5 a considerable amount can be done to reduce the risks of
6 identifying them systemically and providing additional
7 direct supervision when necessary."

8 So the impression that the Inspector is conveying in
9 the report, BR26, is that the staff weren't as concerned
10 as the inspectors clearly thought they ought to be about
11 absconding and a defeatist, "What do you expect us to
12 do? They are going to run off" attitude. Is that your
13 recollection of the attitude in St. Patrick's towards
14 absconding?

15 **A. I would not go along with that, no.**

16 Q. And they go on to say that:

17 "Absconding is a serious issue and steps need to be
18 taken to address it."

19 Then in paragraph 5.27 the report draws attention to
20 the fact that Rathgael had a recognised issue with
21 absconding that led to the Adolescent Psychology
22 Research Unit preparing a report. We are going to just
23 look at that, because it seems that in 1991 this issue
24 becomes the subject of research and engagement with the
25 APRU, but, as we will come to see with later documents,

1 it doesn't seem to have made its way across to
2 St. Patrick's once the work was done.

3 Since we or just as we were finishing the
4 St. Patrick's evidence, Members of the Panel, we
5 received the 1991 APRU report. It runs from 81055 to
6 81122 with exhibits that may run to 81140. I say may
7 run, because it is not clear that all of the exhibits
8 are, in fact, exhibits.

9 What I want to do is just if we bring up the first
10 page of the report, please, 81055, so we can see the
11 title of the report that was carried out by Damian
12 Curran, who worked in the APRU. Do you remember him?

13 **A. He worked at St. Patrick's before that.**

14 Q. He was?

15 **A. On the staff of St. Patrick's before that.**

16 Q. So he worked in St. Patrick's and then went to the APRU?

17 **A. Uh-huh.**

18 Q. We will see ultimately he is replaced by another
19 individual shortly, but if we can scroll down, please,
20 we can see it is an APRU report. He goes through the
21 introduction:

22 "This study was commissioned by Mr Alan Shannon, the
23 Assistant Secretary at the Northern Ireland Office",

24 with reference to the Board of Govern... -- Board
25 of Management at Rathgael. He acknowledges the

1 assistance that he is given.

2 What I want to do, if we can scroll down, please, to
3 81058, he says this:

4 "There is a dearth of recent published research on
5 absconding behaviours. A comprehensive literature
6 search conducted for me by the Information Unit of the
7 Home Office unearthed a 1971 study by Clarke and Martin
8 titled 'Absconding from Approved Schools', a '74 study
9 on 'The Approved School Experience' and a '77 study
10 titled 'Absconding from Borstals', and there was a '75
11 study 'Absconding from Open Prisons' and a further study
12 by Dunlop in 1980 which examines 'Absenteeism in Junior
13 Attendance Centres'; in other words, the limited
14 research done is dated."

15 Then he says:

16 "The absence of more recent research and information
17 nationally is puzzling, indeed remarkable, when one
18 considers the following information which gives some
19 indication of the scale of the problem in England and
20 Wales."

21 Then he quotes from a particular member of
22 Parliament who talks about some particular figures for
23 particular institutions and the numbers the Panel can
24 see on the screen are of a large size.

25 Then if we scroll down, please, he goes on to draw

1 attention to the fact:

2 "The figures that I have quoted show clearly that
3 there is a huge problem of which the House is not aware
4 but which needs to be tackled urgently'."

5 Then he makes the point:

6 "These contemporary figures concerning absconding
7 from a variety of settings provide a useful comparative
8 perspective. Unfortunately for present purposes most of
9 the Shersby figures are insufficiently precise in order
10 to be of direct application",

11 but he points out:

12 "In Northern Ireland, following a policy decision by
13 NIO in 1984, the population of deep-end juvenile
14 offenders are already very largely contained in the
15 training schools system."

16 Then he talks about further evidence that that is
17 being looked at by him. If we scroll further down,
18 please, to 81062, I just want to draw attention to this,
19 what he says in the review of the literature:

20 "In training schools in this country intervention
21 with children and young people takes place in conditions
22 of relative freedom. One price paid for this freedom is
23 absconding."

24 That's harping back -- I said to you I can't bring
25 you up the document now, but from the outset of the

1 training school system that trade-off, if you like, was
2 recognised as an inevitable consequence. So the issue
3 isn't the removal of it, but the management of the risk
4 and the reduction of the risk.

5 What I understand you to be saying, BR26, whether it
6 was formally written down in documents, was that it was
7 an issue that you were aware of. It was an issue being
8 addressed. That's not to say you could not do it
9 better, and where you could learn from other things,
10 that's exactly what should happen.

11 **A. Agreed. Uh-huh.**

12 Q. The recommendation -- that report is available, but if
13 we go back to the SPT81 1994 Social Services
14 Inspectorate report, because what it seems to record in
15 recommendation 11 is that this report that we have just
16 been looking at, which is over many pages looking at
17 statistics, who is running when, why they might be
18 running, covering a wide variety of reasons for the
19 running, and what steps could usefully be put in place
20 to try to counteract it, the point that's being made by
21 the SSI, if we go back, please, to 12833 and
22 recommendation 11:

23 "It is recommended that the conclusions
24 and recommendations made in the study of absconding in
25 another training school ..."

1 That's the one we were just looking at:

2 "... should be made available to St. Patrick's and
3 that a similar exercise should be conducted there."

4 Now we are coming towards the end of your -- [REDACTED]

5 [REDACTED]g, but for the
6 assistance of the Panel I just want to show two
7 documents that just come shortly after you retire.

8 On [REDACTED], if we look, please, at 12693 --
9 so this recommendation is made in the report, and we can
10 see BR90, who has taken over from you just a matter of
11 a short period of time, and it appears, and presumably

12 [REDACTED]
13 [REDACTED], but that St. Patrick's were introducing
14 a new recording system to facilitate the examination of
15 the nature and extent of absconding from all the units
16 in St. Patrick's.

17 Can you remember any involvement yourself in the
18 dealing with the aftermath of SPT81's death and trying
19 to tackle the issue of absconding? If you can't, just
20 indicate to the Panel at this remove you can't remember.
21 If you can, tell us what you can remember about it.

22 **A. I didn't actually have any role to play at all in the**
23 **aftermath of SPT81's death, because that young lad**
24 **belonged to the junior school, and I was working on the**
25 **senior school, as you know so well. Again we were**

1 shocked. He was out with a number of three or four --
2 I think it might have been three or four other young
3 fellas and tragically he got killed. It was the only
4 incidence of its kind while I was working in the
5 training school system that I can recall.

6 Q. Can you remember being involved in developing the
7 further procedures that appear to be added?

8 A. Yes.

9 Q. Can you just walk through you what you can remember
10 about responding to the event in terms of it seems that
11 after the report from the SSI changes were made to how
12 things were recorded to try and look more closely at
13 absconding events.

14 A. The first thing I would have to say is the report from
15 the -- from that group that Damian Curran was involved
16 with, that was with the NIO and the SSI, but it did not
17 filter down to the training school at that time.

18 Q. Until after --

19 A. Long afterwards, yes.

20 Q. -- SPT81's death?

21 A. Why it didn't filter down I don't know, but we could
22 certainly have done with it.

23 Q. It seems that --

24 A. If I might say so, I have a feeling that the NIO and the
25 SSI were not singing from the same hymn sheet at the

1 **time.**

2 Q. You were aware of tensions between the two bodies about

3 --

4 **A. I was.**

5 Q. -- this matter in particular or just generally?

6 **A. In general.**

7 Q. General. About a month later on [REDACTED] if we

8 look, please, at 12675, over three pages are the

9 St. Patrick's responses to the report. You can see:

10 "I write in response to your letter to BR26

11 regarding the circumstances ...

12 The Board of Management have considered the report.

13 They enclose the proposals."

14 If we scroll down, please, if we can just move on

15 down to the next page, we can see some of the responses

16 that are engaged in. If we move down a little further,

17 please, and you can see:

18 "Staff are very much aware of the dangers" -- this

19 is numbers 10-13 -- "of the behaviour and there is very

20 strong emphasis on dealing with the problem."

21 They talk about the collecting of detailed

22 information. So that's the type of recording that we

23 were looking at:

24 "Mr Curran (of APRU) has been invited to carry out

25 some detailed research into the problem of absconding

1 and hopefully help in the implementation of strategies
2 designed to minimise this problem."

3 Then:

4 "We have received copies of the document covering
5 research in absconding in another training school."

6 So that's the 1991 report. So it is being said in
7 [REDACTED] you now have it.

8 **A. Uh-huh.**

9 Q. And the person who authored that is being asked to work
10 on the issue as far as it occurs in St. Patrick's and
11 that will be utilised in the overall review.

12 If we scroll down, please, you go on to deal with
13 a series of other responses.

14 The report that we were looking at from 1991 comes
15 from that APRU, the Adolescent Psychology Research Unit,
16 and the role that they performed across the training
17 schools, if we can look, please, at 54053 -- this is
18 a -- it looks like there was much, if I can put it this
19 way without being uncharitable, BR26, much better
20 recording of meetings and steps being taken towards the
21 late '80s, early '90s in St. Patrick's. Here you have
22 a minute of a senior staff meeting that's occurring on
23 Wednesday, 13th January 1993. You can see -- you will
24 recognise all of the names I presume on the top.

25 **A. I do, yes.**

1 Q. You can see also Dr Kilpatrick.

2 **A. Uh-huh.**

3 Q. I think that was the head of the APRU --

4 **A. Uh-huh.**

5 Q. -- at the time. You can see that you invited the doctor
6 to address the group and it's said:

7 "It was probably an appropriate time to meet with
8 the senior staff, as Michael Barbour had recently been
9 appointed as a new member of the APRU staff. Damian
10 Curran was no longer on the APRU rota and an allocation
11 of four and a half days to St. Patrick's by the APRU was
12 in operation."

13 I was speaking to you earlier, BR26. It looks like,
14 based on the staff that APRU had, each training school
15 was given a certain number of days' worth of their time
16 to assist with various issues.

17 **A. Correct.**

18 Q. We can see:

19 "While assessment continued to be the main role of
20 the psychologists, their responsibilities also included
21 other areas of the training schools, ie staff
22 development, research and evaluation and support for CSS
23 students. Derek Wilson had recently been appointed as
24 research officer for the APRU with responsibility for
25 monitoring training school records and had visited

1 St. Patrick's."

2 That was an issue I had raised with the NIO witness
3 about who was analysing the returns and it looks like
4 according to this that was a task given to someone in
5 the APRU --

6 **A. Uh-huh.**

7 Q. -- certainly by the date of this meeting in January of
8 1993. Dr Kilpatrick and the new employee, Michael
9 Barbour, were working across the care and justice
10 sections of St. Patrick's.

11 "The time which has been allocated to us, four and
12 a half days, was divided as follows."

13 You can see there is a day to reception, care and
14 Saul; one day to Justice; a half day each to Slane and
15 Donard; a half day to staff development, research; and
16 a half day to Slemish; and then a half day for
17 administration.

18 "SPT26 stated that other demands were made of the
19 APRU."

20 He is making reference then to the external project,
21 the West Side Project.

22 **A. Yes.**

23 Q. "Dr Kilpatrick asked for feedback from staff for
24 monitoring purpose and requested that case reviews be
25 organised, if possible, on days when the APRU member was

1 present in St. Patrick's.

2 She further requested and it was agreed that all
3 referrals should be made on the referral form stating
4 the reason for the referral. That would ensure a record
5 was kept in balancing the load of the psychologists."

6 Then you can see that:

7 "She also requests that the APRU are notified if any
8 referral is made to the Admissions Panel for Slemish
9 House regarding boys who were currently involved with
10 any of the APRU teams."

11 So there was a general discussion --

12 **A. That's right.**

13 Q. -- about good working arrangements and the allocation of
14 time that's going to be available to St. Patrick's. If
15 we just scroll down, please, we can see that BR90 raises
16 the issue that solvent abuse was a serious problem and
17 it appears -- the Panel has been looking at Rathgael in
18 recent days, BR26, and there appears to have been
19 a serious difficulty there as well. You can see he is
20 saying it was quite difficult and frustrating for staff
21 to deal with. Advice is being sought from the APRU as
22 to how that could be better dealt with.

23 "Dr Kilpatrick suggests that the group work
24 involving the APRU and other agencies might be the
25 answer."

1 So there seems to have been -- and I don't know if
2 you can recollect this occurring -- the indication of
3 a collaborative approach with the APRU assisting
4 training schools in a group way with particular
5 difficulties like solvent abuse. Is that how you recall
6 it happening or do you recall it more being the APRU
7 doing specific work with St. Patrick's?

8 **A. Both actually. We tuned into both very, very**
9 **comprehensively.**

10 Q. And there was further discussion then about steps that
11 are going to be taken in relation to particular areas.
12 There's going to be a reporting back mechanism.

13 Now there is a set of senior staff meetings that
14 cover this period of time, but that -- whether there's
15 other material relating to the APRU that focuses on
16 these issues or not the Inquiry is not yet aware, but
17 you certainly recollect that engagement.

18 **A. Uh-huh.**

19 Q. Was that a useful service --

20 **A. Very.**

21 Q. -- that was available?

22 **A. Very useful. Our only regret was that it was not set up**
23 **a lot sooner really, you know. It would have been**
24 **beneficial both to the -- obviously, number one, to the**
25 **boys and, secondly, to the staff.**

1 Q. From the individual files that are available on boys it
2 looks like there was individual work done by the APRU --

3 **A. APRU, that's right, yes.**

4 Q. -- psychologist with the individual --

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

6 Q. -- as well as looking at these more strategic issues.

7 **A. And at that time you might have heard tell of Whitefield**
8 **House on the Blacks Road where the APRU was based,**
9 **Chairman. It was a frequent occurrence for boys at the**
10 **training school to be referred there for a day or part**
11 **of a day to be part of the ongoing in-house programme**
12 **there.**

13 Q. So they had their own programmes of work that boys could
14 be tapped into?

15 **A. That's right, yes. Uh-huh.**

16 Q. And you recall that happening --

17 **A. Yes.**

18 Q. -- with some of the boys?

19 **A. At Whitefield.**

20 Q. I want to just very briefly touch on the issue of
21 religion, and the Panel are aware from looking at Rubane
22 and looking at St. Patrick's of the desire by the
23 diocese to have their boys looked after in their own way
24 by a Catholic service. I was asking you earlier whether
25 you recall that approach being an impediment to the best

1 interests of the boys.

2 Now I said I would show you an example. If we can
3 look, please, at 10797, and, of course, the name won't
4 be repeated beyond the chamber, but this is a minute of
5 [REDACTED] of the Board members. It is looking at
6 a particular boy. You are in attendance you can see
7 under the "In attendance" section. It is -- discussion
8 takes place on the particular needs of that boy and the
9 recommendations of the psychiatrist as to what is the
10 best way of dealing with the particular difficulty that
11 this boy has. This particular individual needed,
12 according to the medical opinion, specialist
13 intervention treatment and supervision which could only
14 be provided in a close observation unit within the
15 training school system. You can see that in the third
16 paragraph the psychiatrist expresses a view that they
17 were of the opinion that the boy would have a higher
18 chance of successful intervention in the mixed gender
19 unit of Shamrock House in Rathgael, because St.
20 Patrick's and their Slemish unit --

21 **A. That's right.**

22 Q. -- was all boys. This particular boy required it was
23 seen by the doctors as being a mixed unit and being sent
24 to Rathgael. So:

25 "After detailed analysis of the case presented to

1 Board members, and with some hesitation, the members
2 deemed it advisable to accede to medical opinion and to
3 agree to the request before them."

4 Then they would reengage and look at how else they
5 might be engaged with the boy.

6 What I wanted to do was ask you -- this is obviously
7 [REDACTED]. Rathgael was not a Catholic run institute. It
8 was run by the State. All denominations were feeding
9 into it and all religious chaplains of all denominations
10 were participating in it and so on, but this was you, as
11 it were, releasing a boy out of your particular --

12 **A. Care. Uh-huh.**

13 Q. -- care into the State care that was provided. I was
14 asking you whether you recall the ethos of, "We have to
15 do this within our way", if I can call it to try and
16 summarise it down, "the Catholic way of how we see
17 things. That's how our boys should be looked after".
18 Do you recall that being impediment to sending boys to
19 Lisnevin, for instance, engaging with the State parts of
20 the training school system? Do you have any reflections
21 on how --

22 **A. I'm a person now, and I would always have thought that**
23 **the needs -- the needs of the boy wherever they're going**
24 **to be met best, met and dealt with, that's the place for**
25 **that lad to be.**

1 Q. So whether it was a Catholic run place or not was
2 irrelevant to you?

3 **A. To me personally it was, yes.**

4 Q. Do you recall that perhaps others didn't have the same
5 approach as you to issues of that kind?

6 **A. I would say so, yes.**

7 Q. And do you think that in the end your way of thinking
8 always won out or would --

9 **A. I'll let others judge that, but to my way of thinking
10 that the best thing to do.**

11 Q. Do I detect from the smile, BR26, without being
12 difficult to you, that there were occasions when you
13 felt there was too much concern about a particular way
14 of doing something?

15 **A. I would go along with that, yes.**

16 Q. And that that wasn't always the best approach in your
17 view?

18 **A. Agreed.**

19 Q. Do you consider that that ever got in the way of the
20 best interests of those you were looking after?

21 **A. I wouldn't think so, no.**

22 Q. But you recall it as being more pronounced for some --

23 **A. Yes.**

24 Q. -- in their approach than others?

25 **A. I would say so, yes.**

1 Q. In terms of the cooperation between training schools you
2 have mentioned in passing -- we talked a little bit
3 about how the training school heads might have met
4 socially as well as formally. Obviously Lisnevin was
5 set up as a place more secure where all the training
6 schools, including St. Patrick's, would feed in. Do you
7 recall there being a high level of cooperation between
8 the training schools as to common issues or difficulties
9 that were being had and how those might be managed?

10 A. Oh, there were, yes. In the context of Lisnevin there
11 would have been fairly regular case conferences on
12 individual lads who had been sent there from St. Pat's
13 and a representative from St. Pat's would have been
14 invited to the case conference on a given day. That was
15 ongoing.

16 In terms of Rathgael we had lots of very close
17 contacts with the staff at Rathgael over a long period
18 of years and it was developing a higher profile, albeit
19 quietly, as years went by, and I would have to say every
20 year we met socially a couple of times, and there was
21 an enormous amount of very valuable work done, shall we
22 say, during that period of time and unheralded,
23 unrecorded, but it was done.

24 Q. What you are talking about was the mutual exchange of
25 frank discussion about difficulties --

1 **A. Yes, absolutely.**

2 Q. -- and how they might be managed and those types of
3 issues?

4 **A. We were all dealing -- we were all dealing with very
5 difficult boys.**

6 Q. Yes. One of the issues that I just want to touch on
7 with you briefly is that of finance and funding. Is it
8 fair if I describe it this way, that really funding did
9 not feature as a major concern or difficulty for those
10 running St. Patrick's until the very late '80s/early
11 '90s, when there was a --

12 **A. Constraints were imposed then, yes.**

13 Q. -- concern about the viability of and change of
14 direction for government policy that might see the end
15 of and not wanting to pour money into -- I am
16 summarising a massive amount of material in one
17 sentence -- but that there was not a -- finance didn't
18 feature as a problem until that period?

19 **A. Until that period, yes.**

20 Q. I want to just show you one piece of your handiwork, if
21 I may, as I come towards the end of what I'm going to
22 ask you, BR26. If we look at 12957, this is a letter
23 you wrote in [REDACTED]. I suppose it addresses
24 a number of systems issues that -- you are clearly being
25 written to by Mr Johnston in the Criminal Justice

1 Services Division of the Northern Ireland Office. It
2 seems to be a consultation on the Social Services
3 inspections. Now you have alluded to the tensions that
4 may have existed between the two bodies, but you say:

5 "I am aware that current arrangements for the
6 inspection of residential care facilities for children
7 are inconsistent in many ways and that major changes in
8 inspection arrangements are being considered in line
9 with the new Children's Order."

10 You say:

11 "While I confess to being somewhat unsure about the
12 full details of the new arrangements, I have considered
13 the documentation you forwarded and can make a number of
14 general comments."

15 You say:

16 "I would welcome the involvement of trained lay
17 members in all inspections as a very positive step,
18 particularly if they have direct experience of
19 residential childcare as a provider or a user. The
20 involvement of lay people in this way can only enhance
21 public and user confidence in the objectivity and
22 independence of the report and give the report greater
23 weight."

24 Then there is talk about national standards and
25 procedures for inspectors. You describe that that might

1 help ensure fairness and objectivity. Then the bottom
2 paragraph:

3 "On the issue of inspection reports on residential
4 homes for children being made public, I would have some
5 reservations. At present there is no legislative
6 requirement for such reports to be made public.
7 However, as in education, there is a general move
8 towards publication and one would have to accept that
9 these reports rightly belong in some way to the public
10 domain."

11 Then you talk about the difference between the --
12 you add that:

13 "The important rights to privacy and confidentiality
14 of individuals and client groups should never be used as
15 an excuse for preventing publication of non-identifying
16 material which rightly should be public."

17 If we scroll down, you say:

18 "I hope you will find the comments helpful."

19 It seems not signed by you, but being authored by
20 you. So it may have been a piece of work in
21 collaboration with others on the Board --

22 **A. Yes.**

23 Q. -- because it has the ring of a lawyer to some of the
24 language. I hope I am not being unfair to you if I say
25 that. Is it -- can you remember where these big issues

1 would have come in that you would have then engaged with
2 certain members of the Board for discussion about how --
3 what position the training school should adopt and what
4 they should be saying back?

5 **A. That is correct, because you find the big issues would**
6 **still be there.**

7 Q. Yes, and those would have been the subject of -- we are
8 seeing the outworking of the discussion that might not
9 necessarily be recorded in minutes --

10 **A. Uh-huh.**

11 Q. -- and notes, because, without being unfair to you, you
12 weren't operating a Civil Service structure of constant
13 note taking --

14 **A. No.**

15 Q. -- about everything, but this was the outworking of
16 discussions that may well have been taking place --

17 **A. Absolutely.**

18 Q. -- that allowed you to do it.

19 BR26, I am only going to ask you one more question
20 you will be glad to know and that's whether -- I have
21 tried in a very short space of time to cover a large
22 number of broad issues about -- that arose during your
23 time working in St. Patrick's. You have dealt with the
24 individual allegations on the previous day. What I want
25 to ask you is whether there's anything else that you

1 feel maybe I haven't touched on that would be relevant
2 that would assist the Panel with its work into
3 St. Patrick's that you want to mention. Now is your
4 opportunity to do that if there's something I haven't
5 covered that you think should be brought out.

6 **A. Not really other than to say that I think you've been**
7 **very, very fair and most reasonable.**

8 Could I just simply make one comment in terms of our
9 working relationship with the local police, if I may?
10 Through difficult times and through good times we did
11 our best to maintain that working relationship,
12 especially with our own local station in Andersonstown,
13 and for a fairly lengthy period we were very lucky to
14 have a very understanding Inspector there, Chief
15 Inspector, who was of immense help to us during
16 difficult times. Now I couldn't from the top of my head
17 give any dates as to when he was in situ, but when he
18 was there, he was very, very helpful and approachable.
19 So we had a very good working relationship with him
20 really and truly.

21 Then it might have been -- it might have been
22 through his advice that there was an occasion when
23 I personally had to seek the advice of the DPP. First
24 of all, I wanted to know could I get an interview with
25 the DPP. Then I was very warmly welcomed. I presented

1 him with the problems that we were faced with at that
2 time, largely relating to the Diplock courts and that,
3 but again he was extremely helpful, even though he did
4 say to me, "As the legislation is my hands are tied
5 presently", but he was extremely helpful in his advice
6 and I will always treasure how graciously I was received
7 by him.

8 Q. Do you want to just explain to the Panel what was it --
9 what was the concern that you were drawing to his
10 attention that led to your discussion with him?

11 A. Mainly the problems presented by the Diplock courts.
12 I mean, the day-to-day problems presented by the Diplock
13 courts to the training school. Right?

14 Q. What were those problems? What was it that was
15 happening that you were finding on the ground was
16 difficult?

17 A. Boys were sent in on remand and that remand was being
18 prolonged from one court case to another to another
19 court appearance to another to another and there was no
20 home leave for those boys and they were very resentful
21 of that. One particular boy, when he finally got
22 sentenced -- and he was not from Belfast; he was from
23 Derry actually -- he was put on permanent remand until
24 his 19th birthday, and I wanted to discuss his situation
25 with the DPP and what we could do. He was more than

1 **helpful in his advice and I will always treasure it.**

2 Q. So the -- the -- the need, on the one hand, to try and
3 keep off the streets those who were engaging in
4 Troubles-related activity caused at the same time
5 a counterbalancing difficulty for you in the management
6 of those boys in the training school in that the other
7 I don't want to call them run of the mill individuals
8 were getting the type of licensing out, home leave type
9 arrangements, but there was a certain class of
10 individual who wasn't getting that, and you felt that
11 was counter-productive then to their progress through
12 St. Patrick's.

13 **A. Absolutely.**

14 Q. Is that -- am I characterising it ...?

15 **A. Yes, you are indeed.**

16 Q. At the same time you will appreciate the problem of
17 maybe letting them out to re-engage in the type of
18 difficulty that caused them to be there in the first
19 place.

20 **A. Right.**

21 Q. But you -- you were able to go and have those
22 conversations at least to try and understand and discuss
23 out how things were operating in the way that they were
24 and what might be done to make --

25 **A. Precisely.**

1 Q. -- things easier.

2 **A. Exactly.**

3 Q. You regarded that as a strong working relationship.

4 **A. Absolutely.**

5 Q. And you are saying you had the same with a particular
6 police officer. You gave me his name earlier and later
7 I am going to be able to work out what time period that
8 relates to.

9 I am not going to ask you anything else, BR26, at
10 this stage. If you stay where you are for a short
11 while, the Panel Members may want to ask you something
12 about your time. So bear with us.

13 Questions from THE PANEL

14 CHAIRMAN: If I could just follow up the very last thing you
15 were describing to us, BR26, about your conversation
16 with the then DPP. The late Sir Barry Shaw I think that
17 would have been in those days.

18 **A. Correct, Chairman.**

19 Q. If I have understood you correctly, the problem that
20 became an acute one for St. Patrick's was you presumably
21 had a larger number of boys who were not being dealt
22 with by you in the normal training school way because
23 they were there effectively as remand prisoners --

24 **A. Correct.**

25 Q. -- with no freedom. They couldn't be allowed home on

1 leave or even to go and see their parents, because they
2 were in a different legal category, and that was
3 something that created difficulties for you in dealing
4 with them as boys. Is that your basic problem?

5 **A. Correct, yes. Correct.**

6 Q. Yes, I see.

7 **A. Not alone that, Chairman, but when we would be playing**
8 **matches outside, they would actually -- I would have to**
9 **put my hands up and say that we broke the rules. We**
10 **brought them when they were playing.**

11 Q. Well, I think there's a precedent for the Nelson touch
12 in these sort of things I am sure.

13 You did touch on another aspect of the change that
14 the Troubles forced upon St. Patrick's, like so many
15 other institutions of different types, when you touched
16 on the nature of the boys who were coming in. You
17 referred to the time when you remember particularly that
18 you had eight boys I think you said who were on remand
19 for murder --

20 **A. Correct.**

21 Q. -- and then others for other very serious offences. You
22 refer to there being different factions. Now those of
23 us who don't have as long memories may have forgotten
24 just what the nature of that was, but there was a great
25 deal of internal friction between various parts of the

1 Republican movement -- isn't that right -- and their
2 associated --

3 **A. Correct.**

4 Q. -- terrorist groups?

5 **A. Different shall we say paramilitary operators.**

6 Q. Yes. If I could just turn then to two specific matters,
7 one a general question. You have described to Mr Aiken
8 about how there was a change in the approach by the
9 training school in your own experience, which
10 I understand you to say probably somewhere in or around
11 1986 or thereabouts, but after the Hughes report, and if
12 it came to your knowledge that boys were engaging in
13 sexual behaviour with each other, then that would just
14 be reported to the police as a matter of policy from
15 then on.

16 **A. Correct. That became the norm.**

17 Q. Before that, again if I have understood you correctly,
18 your particular way of dealing with it would be to try
19 and sit down with the boys and explain to them that the
20 practices they were engaged in were not appropriate.

21 **A. Correct.**

22 Q. Was that the general approach of your colleagues to the
23 same type of situation?

24 **A. I would say yes.**

25 Q. When you started to report cases to the police, compared

1 with what had happened before was there any change in
2 the frequency with which these matters were coming to
3 your attention as opposed to dealing with them in
4 a different way?

5 **A. I'd say it had its own -- its own curtailing effect when**
6 **they realised that they would be reported to the police.**

7 Q. So in a sense at least as far as you can say there may
8 have been fewer episodes of this type --

9 **A. Fewer, uh-huh.**

10 Q. -- once that more --

11 **A. There was some curtailment I would say, yes.**

12 Q. -- that policy was adopted. Thank you very much.

13 Then if I could turn to the matter that Mr Aiken
14 asked you about before lunch, the allegations that led
15 to your own position coming under question as the result
16 of the allegations made by one boy in particular. When
17 did you first become aware or how did you first become
18 aware of the allegations yourself? Was it when the
19 police approached you?

20 **A. From the police.**

21 Q. I see. So none of what I might call in a general sense
22 your clerical colleagues had raised it with you?

23 **A. No, no, no, no.**

24 Q. I see. Subsequent to the police approaching you and
25 pursuing the matter with you was there any discussion

1 with the Board or senior clerical figures like Canon
2 McCann or the bishop about your continuing to act ■

3 ■

4 **A. Not with me, Chairman.**

5 Q. Not with you?

6 **A. No.**

7 Q. I see. Thank you very much. Well, I know my colleagues
8 have one or two questions they want to ask you, BR26.

9 MS DOHERTY: Thanks very much, BR26. Can I just ask
10 Mr Wesley Donnell talks in his statement about random
11 unannounced inspections, including in the evening and at
12 the weekends. Do you remember that?

13 **A. Oh, very much so, yes.**

14 Q. And what, one or two inspectors would just turn up
15 unannounced and ...?

16 **A. Mostly himself.**

17 Q. So would that be an extension of the kind of informal
18 visiting he did or would he make it clear he was doing
19 a formal inspection?

20 **A. Sometimes it might have a formal aspect and other times
21 just pop in.**

22 Q. Popping in at the weekend or ...?

23 **A. Yes, whatever, night-time or whatever.**

24 Q. Okay. Thank you. In relation to the Board of
25 Management and its subcommittees, I'm just trying to get

1 a sense of whether they got involved with you in
2 relation to the development of practice of how to work
3 with the boys. Did they get involved in that to that
4 degree?

5 **A. To a limited degree, yes.**

6 Q. To a limited degree. Did that change over the years?
7 Did it become ...?

8 **A. I'd say it became more -- they became more active, yes.**

9 Q. I mean, because we saw that in Rubane, where the
10 Management Committee came in and you could see them
11 beginning to get much more involved in how the boys --

12 **A. Yes, yes. Uh-huh.**

13 Q. So that would have been the same --

14 **A. Same thing, yes, the same pattern.**

15 Q. Okay. I mean, you are making clear that there was a bit
16 of a difference of approach with the NOI (sic) and the
17 SSI. Did that result in mixed messages for you, you
18 know, as [REDACTED] in terms of what way to go forward
19 with their recommendations?

20 **A. If anything, it showed that there was a stalling of**
21 **things, you know. Things should have been happening and**
22 **they weren't.**

23 Q. Could you give an example of that?

24 **A. Perhaps in terms of -- in terms of young lads maybe**
25 **going for extended leave, that might be one. In other**

1 **respects perhaps going out to external activities**
2 **outside.**

3 Q. So there was different views between the NOI (sic) and
4 the SSI about that?

5 **A. It seems that there were, yes.**

6 Q. You will be glad to hear this is my last one. I am just
7 wondering about -- I heard what you said about Brothers
8 maybe being given some advice about their approach to
9 boys, but I was just wondering when you were in charge
10 of the senior school or over all in the school, did you
11 ever deal -- have any disciplinary hearings in relation
12 to staff and their behaviour towards boys?

13 **A. Not disciplinary hearings as such, although I think in**
14 **the -- looking back on it now, in the junior school**
15 **there might have been one or two people who would have**
16 **got formal warnings.**

17 Q. About their conduct towards the boys?

18 **A. Yes, and approaching that, you know.**

19 Q. But that was in the junior school rather than in the
20 senior?

21 **A. It was, yes, and I can remember distinctly one related**
22 **to what might be regarded as a simple thing of time**
23 **keeping, but time keeping was very important in those**
24 **places, you know.**

25 Q. Yes. If you did cover for shifts and things like that,

1 you needed ...

2 **A. Uh-huh.**

3 Q. Without -- I mean, I am not underestimating the
4 importance of time keeping, but in relation to actual
5 behaviour towards the boys?

6 **A. There might have been just maybe one or two.**

7 Q. But that would have been more likely dealt with
8 informally?

9 **A. Oh, absolutely, yes.**

10 Q. So that would have been the means of dealing with it?

11 **A. Uh-huh.**

12 Q. Okay. Thank you very much.

13 MR LANE: Could you tell me just a little bit what was
14 entailed in being [REDACTED]?

15 **A. The shall we say [REDACTED].**

16 Q. Yes, [REDACTED].

17 **A. Could I put it in that context? Yes, [REDACTED].**

18 **The person in [REDACTED]**

19 Q. And what sort of things did you have to do in that role?
20 What powers did you have or what authority?

21 **A. Well, apart from the religious aspect, which was
22 paramount to our being there anyway, the well-being of
23 the people and their health and their care.**

24 Q. Uh-huh. [REDACTED]

25 [REDACTED] --

1 **A. Oh, they were, yes.**

2 Q. -- in that respect?

3 **A. More than technically. Fully accountable.**

4 Q. Right, and you controlled the budgets [REDACTED]
5 as well?

6 **A. That was part of it, yes.**

7 Q. Right. How did that fit in with what the chaplain did?

8 **A. The chaplain didn't -- the chaplain was purely and**
9 **simply there in the context of being available to them,**
10 **being available for mass and services and advice and**
11 **whatever, but he didn't have any role in the context of**
12 **material provision for the community or financial**
13 **provision.**

14 Q. And was the chaplain a full-time chaplain?

15 **A. For a number of years there was and then the post became**
16 **part-time.**

17 Q. Right. We have heard that there was mass on a Wednesday
18 evening and I think on a Saturday as well. Is that what
19 you experienced?

20 **A. Midday -- sorry -- Wednesday, Wednesday midday and for**
21 **years and years it was on a Sunday, but then that**
22 **switched to Saturday night --**

23 Q. Right.

24 **A. -- because I think the chaplain had other duties**
25 **elsewhere on the Sunday.**

1 Q. And the community consisted just of the Brothers; the
2 lay staff had no part in that?

3 **A. No, no. Just the Brothers.**

4 Q. Could you say a little bit about the meetings? We have
5 heard that there were senior management meetings and
6 housemasters' meetings we have heard of as well. Were
7 there full staff meetings?

8 **A. Occasionally, yes, there would be. Occasionally.**

9 Q. Was the housemasters' one a weekly event that kept the
10 whole place going?

11 **A. Oh, that was a weekly event faithfully.**

12 Q. Right. Which staff would have attended that one then?

13 **A. All the housemasters and the deputy head and the head of
14 the senior school.**

15 Q. Right.

16 **A. They would have attended.**

17 Q. And the senior management met weekly as well, did they?

18 **A. Generally weekly, in general. In latter years certainly
19 weekly.**

20 Q. We have heard of one or two subcommittees, but were
21 there a lot of them, subcommittees of the Board of
22 Management?

23 **A. Two I think.**

24 Q. So the Licensing Committee was one of those, was it?

25 **A. Right.**

1 Q. And the other one was?

2 **A. There was a committee formed -- Canon Peter McCann was**
3 **on it and SJM11 was on it. It had to do with the**
4 **medical oversight of the school --**

5 Q. Oh, right.

6 **A. -- mainly.**

7 Q. Did the make-up of the Board of Management change during
8 your time there?

9 **A. Oh, it did, because different personnel got moved around**
10 **to different --**

11 Q. Sure.

12 **A. -- appointments.**

13 Q. We have heard that in the first place it was mostly
14 local clergy.

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

16 Q. But it seems to have broadened out.

17 **A. Oh, it did, yes, in latter years.**

18 Q. Was there anything in particular that triggered that or
19 was it just the way things developed?

20 **A. I think it was the way things developed really, you**
21 **know, and evolved.**

22 Q. As the [REDACTED] did you see anything of
23 the junior school or were you really quite separate from
24 that?

25 **A. Oh, we were quite separate.**

1 Q. And in terms of the management of shared facilities who
2 looked -- who looked after that, things like gymnasium
3 or whatever?

4 **A. That was on a rota.**

5 Q. Right. Thank you. Right. I think that's everything.
6 Thanks very much.

7 **A. Thank very much.**

8 CHAIRMAN: Well, BR26, Mr Aiken I think has one more
9 question he wants to raise with you.

10 **A. Right, Chairman.**

11 **Further questions from COUNSEL TO THE INQUIRY**

12 MR AIKEN: I thought I'd finished for the day, but just one
13 more matter. This might turn out to be careful what you
14 wish for, but the Departments are just wanting to ask
15 for a bit of clarity about when you describe there being
16 mixed messages between the approach of the NIO and the
17 approach of the Inspectorate, and you gave an example,
18 could you say a little more about what exactly the mixed
19 messages were, and if you can, at what point in time did
20 you have that impression that the same song sheet was
21 not being used?

22 **A. Well, particularly I would say in relation to the report
23 from the APRU, was it, the APRU?**

24 Q. The APRU report?

25 **A. Yes.**

1 Q. Yes, and the SPT81 ...?

2 **A. That's right, yes. That did not filter down our way for**
3 **a long, long, long time. It was stalled somewhere along**
4 **the line, if I remember correctly.**

5 Q. It seems to have been done in 1991 and then to the
6 extent that the records are available it doesn't seem to
7 have come across to St. Patrick's until after the death
8 of SPT81. Now whether that's simply a lack of strategic
9 thinking as opposed to a deliberate decision not to send
10 it, because there's no documentation that suggests there
11 was a decision made --

12 **A. Uh-huh.**

13 Q. -- not to send it, but I think you gave an example to
14 the Chairman I think or to Ms Doherty about the type of
15 mixed message you felt there was. Is this really
16 something that's -- it's in that last period during your
17 time as the Director. It is not something that existed
18 all the way through your time. It is just at that end
19 period in the '90s. Is that right?

20 **A. The latter -- the very latter part, yes.**

21 Q. So it's [REDACTED]

22 **A. [REDACTED], yes.**

23 Q. You feel that the approach of the two different parts of
24 government that were interacting with you was not the
25 same?

1 **A. Not -- it was not as free -- it was not as free-flowing**
2 **as it had been for whatever reason, if I could use that**
3 **terminology, free-flowing.**

4 Q. One can find these types of issues in a number of ways.
5 One way can be because you just get that vibe from the
6 way people are acting. Sometimes it is because one can
7 say something to you that gives away the fact they are
8 unhappy with the other. What was it that makes you or
9 made you aware?

10 **A. I think it was changes in personnel up there.**

11 Q. So you felt that the different personnel brought
12 a different approach to things?

13 **A. Perhaps, yes.**

14 Q. And do you mean that one body was more approachable than
15 the other to helping you, or you felt there was
16 a negative attitude towards you from one part but not
17 the other, or how would you describe it?

18 **A. Kind of a stalling, you know. There seemed to be**
19 **nothing happening and you are expecting things to be**
20 **happening, you know.**

21 Q. What sort of things did you expect to be happening that
22 you felt were stalling?

23 **A. Maybe even more contact and more frequent contact than**
24 **that, you know. The time came when you were asking**
25 **yourself, "Who is that -- who is in that team up there**

1 us, and I think we should record, although I think we
2 did record before, that you have been here I think
3 virtually every day when evidence was given in relation
4 to St. Patrick's. Thank you very much for coming again
5 today.

6 **A. Can I finally, Chairman, say one other thing?**

7 Q. Of course.

8 **A. If I were to start all over again, the one place I would**
9 **have liked to work would be St. Patrick's Training**
10 **School, be it Milltown and the Glen Road. Thank you.**

11 Q. Thank you.

12 (Witness withdrew)

13 MR AIKEN: Chairman, that concludes today's oral evidence.

14 (3.15 pm)

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

16 --ooOoo--

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