

- - - - -
HISTORICAL INSTITUTIONAL ABUSE INQUIRY
- - - - -

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Monday, 16th November 2015

commencing at 10.00 am

(Day 159)

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

1 Monday, 16th November 2015

2 (10.00 am)

3 WITNESS RG82 (called)

4 CHAIRMAN: Good morning, ladies and gentlemen. As always,
5 please ensure your mobile phone has been turned off or
6 placed on "Silent"/"Vibrate", if necessary, and I also
7 want to remind you that no photography is permitted
8 anywhere, either in the Inquiry chamber or on the
9 premises generally.

10 Can I also say that because of the tragic events in
11 Paris on Friday, in accordance with the national act of
12 remembrance at 11 o'clock, we will be rising shortly
13 before that to allow everyone to mark that in whatever
14 way you feel appropriate.

15 MS SMITH: Good morning, Chairman, Panel Members, ladies and
16 gentlemen. Our first witness today is RG82. He is
17 RG4... -- sorry -- 82. RG82 wishes to maintain his
18 anonymity and he wishes to take the religious oath,
19 Chairman.

20 WITNESS RG82 (sworn)

21 CHAIRMAN: Thank you, RG82. Please sit down.

22 Questions from COUNSEL TO THE INQUIRY

23 MS SMITH: RG82's statement can be found at RGL4788 to 4792.

24 The statement of the person who makes an allegation
25 against RG82 can be found at RGL119 to 125, and the

1 transcript of her evidence is at 80220 to 80289.

2 I will be making reference to page reference -- page
3 references from police material that we have received in
4 respect of police investigations.

5 Now, RG82, you are now aged 70.

6 **A. Uh-huh.**

7 Q. Isn't that correct?

8 **A. Yes.**

9 Q. You retired in around 2011, although you were telling me
10 that you actually worked part time for a while.

11 **A. I did some part-time work, yes.**

12 Q. Until you had to retire because of ill health.

13 **A. Yes.**

14 Q. Now you started working in Rathgael in 1988 --

15 **A. Uh-huh.**

16 Q. -- as a night supervisor.

17 **A. I did.**

18 Q. Is that correct? A lot of this information, as I was
19 explaining to you, we have gleaned from the police
20 interviews that you had rather than from your statement
21 that you gave to the Inquiry.

22 **A. Yes.**

23 Q. In 1988, when you started working, you had no
24 qualifications for working with young people. Isn't
25 that correct?

1 **A. I had none at all, yes.**

2 Q. And you were explaining to me that you started work as
3 a casual worker and then you became full time in
4 Rathgael. Is that right?

5 **A. I was a casual night supervisor, then became a full-time
6 night supervisor and then eventually senior night
7 supervisor.**

8 Q. You were saying that in the later years, in the 1990s,
9 for example, you would have helped out during the day if
10 they were short-staffed also --

11 **A. If they were short-staffed, yes.**

12 Q. -- and you were on leave.

13 **A. Yes.**

14 Q. But generally your shift was from 10.15 at night until
15 8.00 am.

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

17 Q. You say that part of your job was to get the children
18 settled and make sure they settled down for the night.

19 **A. Yes.**

20 Q. How did you do that, RG82? What did that involve?

21 **A. Well, the doors were locked. So it stopped them running
22 about the corridors and even sort of having contact with
23 each other. So you just went down. We had to go every
24 hour on the hour and check, and you usually found that
25 they fell asleep quite quickly, because they might have**

1 **been doing activities during the day. So at night times**
2 **a lot of the nights it was quite easy. They basically**
3 **just fell asleep maybe 10, 11 o'clock. Uh-huh.**

4 Q. And you were saying that some -- they would have had to
5 knock to get out to go to the toilet, for example.

6 A. **They did. The doors were locked, yes. They had to get**
7 **out.**

8 Q. Sometimes they would have asked you for water or
9 something like that.

10 A. **Oh, yes, yes.**

11 Q. You say generally by and large they mostly fell asleep
12 quite quickly. They had to get up for school the next
13 day.

14 A. **They had to go to school in the morning, yes. They were**
15 **wakened from 7.30 onwards as far as I know.**

16 Q. Was that your job to wake them up or did the day staff
17 do that?

18 A. **If -- some of the young people I had went to outside**
19 **schools, Methody, different schools. So they had to be**
20 **transported. So I had to waken them usually maybe 7.30**
21 **in the morning and let them go down, have a shower, so**
22 **forth, and then they were transported to school.**

23 Q. Well, when you first started in Rathgael, what unit were
24 you working in? Do you recall?

25 A. **I started in 9A, which was a reception unit. It was all**

1 **boys except for one girl. 9 was a girls' unit, but due**
2 **to overcrowding this one girl was put into 9A.**

3 Q. And how long were you working in House 9?

4 **A. I was only there for probably a few weeks and then I was**
5 **moved to the juvenile justice side of the school.**

6 Q. You were saying to me that the juvenile justice side was
7 much easier than the care side.

8 **A. It was a lot easier. The boys, you know, they'd been**
9 **convicted of criminal activity and they accepted their**
10 **lot. You know, it was do the time, do the crime and get**
11 **out, you know, and a lot, lot easier. I think --**
12 **I think actually the whole time I was on the juvenile**
13 **justice I never had a restraint, not one.**

14 Q. So restraint was more normally --

15 **A. It was usually on the care side.**

16 Q. -- applied to the care side.

17 **A. Disturbed children, more disturbed.**

18 Q. I'm going to come in a short while to talk to you
19 a little bit more --

20 **A. Uh-huh.**

21 Q. -- about restraint, RG82, but you were in House 8 in the
22 juvenile justice side.

23 **A. I worked in House 8, yes.**

24 Q. Is that right? You then moved to the care side. Is
25 that correct?

1 **A. I worked all the juvenile justice. I worked 4, which**
2 **was a secure unit. I worked 5, which was reception. 6**
3 **was an open unit and 8 was an open unit. I did shifts**
4 **in all of those units.**

5 Q. And occasionally one of those was -- I think 4 was
6 Shamrock. Is that right?

7 **A. Shamrock, yes.**

8 Q. And that was one of the ones that you also --

9 **A. Yes, I also worked in there.**

10 Q. And you -- when you were talking to the police -- and
11 I don't think I need to call this up -- but you gave
12 a description of how you tried to keep the children
13 occupied by doing things like keepy-uppy football and
14 that kind of thing to try to tire them out.

15 **A. Yes. During the day, especially Shamrock as secure**
16 **unit, the young people really -- unless they were on**
17 **a trust programme, they weren't allowed out. So we used**
18 **to -- we had a big yard with a net and they played**
19 **tennis or kicking the ball over the net, and we used to**
20 **say -- you know, it was worth 50p -- "I bet you couldn't**
21 **do that 50 times" and, of course, 50p at stake, they**
22 **kept going and going and going and used to come in**
23 **exhausted and ready for bed. There was also snooker**
24 **tables. There was table-tennis, videos, DVDs, things**
25 **like that. Uh-huh.**

1 Q. You then worked -- I was asking just a little bit about
2 Shamrock and about the time out room --

3 **A. Uh-huh.**

4 Q. -- that the Inquiry has heard about there.

5 **A. Yes.**

6 Q. You were saying that that had to be supervised every
7 15 minutes.

8 **A. It was every 15 minutes, yes.**

9 Q. And that it was not a case of somebody actually -- the
10 room was downstairs in the unit.

11 **A. It was, yes.**

12 Q. And if there weren't enough staff, you would have had to
13 come downstairs every 15 minutes to check --

14 **A. I had to, yes.**

15 Q. -- on a child who was in there. Sometimes children were
16 put in for short periods.

17 **A. Yes. 10 minutes, 15 minutes and out again, rejoined the**
18 **group, depending on what had happened prior to going in,**
19 **you know.**

20 Q. But there were occasions when some children were kept in
21 overnight. Is that right?

22 **A. There was, yes. There was.**

23 Q. Now you moved eventually to look after the care children
24 --

25 **A. Uh-huh.**

1 Q. -- from the youth treatment --

2 **A. Yes.**

3 Q. -- and look after those units.

4 **A. Yes.**

5 Q. I think it was House 2. Is that correct?

6 **A. No, House 3.**

7 Q. House 3.

8 **A. House 3. Sorry.**

9 Q. I'm getting confused again. So it was House 3 that was
10 your responsibility?

11 **A. It was, yes, yes.**

12 Q. You also mentioned to the police that whenever you
13 started, there was no help for you.

14 **A. There was no help. You were on your own basically with
15 up to seven or eight children. There was a senior night
16 supervisor, but -- and a senior social worker on duty,
17 but they weren't always available, you know. The senior
18 night supervisor, who worked all night, had the whole of
19 Rathgael to look after, every unit. So if you were
20 having a problem, you know, you couldn't always call on
21 him and sometimes the senior social worker had gone home
22 or -- you know. So it was difficult. It could be
23 difficult at times.**

24 Q. Later on you did have somebody --

25 **A. Yes.**

1 Q. -- a female supervisor who worked with you --

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

3 Q. -- each night. Isn't that correct?

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

5 Q. And you said -- you give some more details about that in
6 the police -- and I'm just going to give page reference
7 numbers.

8 **A. Uh-huh.**

9 Q. I don't think we need to look at this. At 33251 and at
10 33262 you talk about that.

11 One of the things that you would have had to do was
12 if a child took sick in the middle of the night --

13 **A. Uh-huh.**

14 Q. -- you would have had to call a doctor, for example?

15 **A. I would have called the night supervisor first, the
16 senior night supervisor, if possible, and said, "Look,
17 I've a child sick". Sometimes he would have come down
18 and assessed the situation or -- either, "Right. We'll
19 get a doctor" or I would take the child to the hospital,
20 or if he thought it was really serious, we would have
21 phoned an ambulance.**

22 Q. You made the point to me that you found it odd that
23 there was a matron on duty during the day in Rathgael
24 but none at night.

25 **A. Yes. It was always a bit of a bone of contention,**

1 **because we were not medically trained. It was**
2 **guesswork. That's just being honest. It was just**
3 **guesswork.**

4 Q. You described to me you were supplied with some
5 Paracetamol, some Kaolin & Morphine and some linctus.

6 A. **That's it. That was our medical equipment.**

7 Q. And so -- you also said that you were quite lucky,
8 though, that the doctor who lived nearby --

9 A. **Uh-huh.**

10 Q. -- would come quite often to help out.

11 I was asking whether you yourself received any
12 training, RG82, and I think you told the police that
13 ultimately you were trained how to restrain someone --

14 A. **I was, yes.**

15 Q. -- by someone who worked in the police, but that was the
16 only training you ever received. Is that right?

17 A. **Later on we got a basic medical training. That was**
18 **practically -- just before the Trust took over. We were**
19 **given -- a St. John's ambulance man came in and gave us**
20 **sort of basic treatment, just slings and things like**
21 **that.**

22 Q. That would have been in the mid '90s --

23 A. **Yes.**

24 Q. -- that they took over. Isn't that right?

25 A. **Yes.**

1 Q. Just talking then about restraint --

2 **A. Uh-huh.**

3 Q. -- and you talked about this when you were speaking to
4 the police, and you said that it was -- you gave -- if
5 we can look maybe just, please, at 33255. That's
6 RGL33255. Sorry. My monitor wasn't on. Apologies.
7 Sorry, RG82. This is just the transcript --

8 **A. Yes.**

9 Q. -- of the interview you had with the police when you
10 spoke to them back in -- I will come back to the date.
11 I haven't got it written just down in front of me here.
12 Just there where you're saying you remember another chap
13 from Derry coming and his method to restrain -- was to
14 restrain using natural movement. Now this was something
15 different, because we were talking earlier. You were
16 saying that initially you were taught to restrain by
17 this police person --

18 **A. Yes.**

19 Q. -- who taught you to restrain by holding a child's arm
20 by putting it up their back.

21 **A. Yes. It was all pressure points. It was too severe.
22 We couldn't use it.**

23 Q. In fact, you said that after a short period of time,
24 a matter of months --

25 **A. Uh-huh.**

1 Q. -- the senior staff in Rathgael realised that this was
2 not an appropriate way to deal with young people --

3 **A. Yes, they did, yes.**

4 Q. -- because, as you said to me, they were still growing
5 and they could be actually injured.

6 **A. Their bones were still developing. You know, you could
7 have done really bad damage. So it was scrubbed.**

8 Q. Was there any incident that you can remember of a child
9 being hurt by this method?

10 **A. Not my knowledge, no. I don't think anybody was hurt.**

11 Q. But then this other chap, as you say, came from Derry --

12 **A. Uh-huh.**

13 Q. -- and he taught a different type of restraint.

14 **A. It was all done with natural movement, basically just
15 holding the hands down by the side. I would have
16 slipped my arm in round there and you sort of walked
17 like that. There was a few other movements, but it was
18 really, really good. It made life an awful lot easier
19 if you had to do a restraint, you know.**

20 Q. We've heard that some children were taken by the arms
21 and legs and you say that that did happen.

22 **A. It happened occasionally, yes.**

23 Q. There were about two or three people would have been
24 involved in doing that.

25 **A. Yes, there was.**

1 Q. I presume that was a particularly difficult child to
2 control.

3 **A. It was one boy in particular who was quite vicious.**
4 **I can't -- I can't remember his name. You probably**
5 **don't want me to give it anyway. I don't know, but he**
6 **was quite vicious, and it took three people to hold him,**
7 **and, as I say, you just held on to whatever you could**
8 **really, you know.**

9 Q. Would it ever have been the case that six people might
10 have been required to restrain a child?

11 **A. No, you wouldn't have been able to get six people,**
12 **especially during the night. You were lucky if you got**
13 **two or three, you know.**

14 Q. The two or three that you would have got to help you in
15 such a situation would have been the senior social
16 worker on call and the senior supervisor?

17 **A. Yes, it would have been.**

18 Q. In this statement which is here you say that then you
19 remember the -- there was another method that came in
20 from America that was introduced when the Trust took
21 over --

22 **A. Yes.**

23 Q. -- and Rathgael became Lakewood, but you say:

24 "I mean, I have to be honest. I mean, there were
25 times people dived in",

1 when maybe you thought they shouldn't have done
2 that.

3 **A. Uh-huh.**

4 **Q.** I was asking what really you meant by that, because was
5 it the case that you felt that restraint was maybe used
6 inappropriately at times?

7 **A. It was on occasions. One of the problem ones if a girl**
8 **-- especially -- especially girls -- girls self harm**
9 **more than boys, and a girl standing with a razor blade,**
10 **threatening to cut herself, people would have dived in**
11 **and got the razor blade off her. Our psychologist on**
12 **site at the time said, "No, do not do that again,**
13 **because she could actually slice you with the razor**
14 **blade. Stand back and try and talk the child down", you**
15 **know.**

16 **Q.** I was asking, you know, were there other occasions where
17 you felt that maybe staff really didn't need to restrain
18 a child?

19 **A. Possibly when they were doing damage to the unit. If it**
20 **was minor damage, I would have tried maybe to talk**
21 **a child down. Different if it was really bad, wrecking**
22 **the whole place type of thing, but we tried not to do**
23 **restraints, you know. It was a last resort, you know,**
24 **it was.**

25 **Q.** You are saying now you know there is a better way to --

1 **A. Yes.**

2 Q. -- deal with children in those situations.

3 **A. The -- yes.**

4 Q. Looking back, you can see that this was maybe not the
5 best way to handle the situation.

6 **A. This manager in Lakewood at the minute found this thing.**
7 **I think she found it on the internet from America, and**
8 **it's a whole new system for dealing with troubled young**
9 **people, and a lot of it entails -- there is a small**
10 **restraint course, but it's mostly just talking to the**
11 **young people, and I gave you an example yourself.**

12 I had a girl in a unit with a razor blade
13 threatening to cut and I went and I said to her, you
14 know, "Okay. You've got a razor blade. You're
15 threatening to cut. I'm not going to stop you. If you
16 do use the blade, give me a shout and I will get the
17 female night supervisor to bandage you up or take you to
18 hospital" and she turned round and handed me the blade.

19 Q. And it diffused the situation, just talking to her in
20 that way.

21 **A. So it just diffused the whole -- and that was part of**
22 **that system.**

23 Q. But that was a procedure that took place much later --

24 **A. Yes, oh, yes.**

25 Q. -- in your working career.

1 **A. It's still being used today. They're actually -- the**
2 **two instructors are teaching I think nearly every Trust**
3 **in Northern Ireland this procedure. They come to**
4 **Lakewood and get educated in it.**

5 Q. But going back to the time before the Trust took over
6 Rathgael, RG82, the method of dealing with such
7 a situation was to restrain the child --

8 **A. It was, yes.**

9 Q. -- and remove the blade from them.

10 **A. It was, yes.**

11 Q. I just was wondering about punishments generally --

12 **A. Uh-huh.**

13 Q. -- for misbehaviour. I mean, if a child was cheeky to
14 a member of staff or --

15 **A. Uh-huh.**

16 Q. -- how would that have been dealt with?

17 **A. That young person would have probably received an early**
18 **bed. That was -- that was one of the main punishments**
19 **was an early bed. If it kept on or something more**
20 **serious, pocket money was held back for a day or**
21 **grounding to the unit. You know, young people -- we**
22 **used to take them to the cinema, swimming pools and so**
23 **forth. That young person would be said, "You have**
24 **misbehaved today. You are not going. You are staying**
25 **in the unit".**

1 Q. Would you as a nightwatchman have been entitled to make
2 that call or was this something that you just reported
3 and then the social workers --

4 **A. I just reported in my night sheet and then the social**
5 **worker the next day would have decided what to do about**
6 **that.**

7 Q. Just in this, where we have this police interview on the
8 screen, if we can scroll down, please, just to 33257,
9 you give an example there of situations where you would
10 have had to restrain a child. That's fine. Just if we
11 can scroll on down maybe. I mean, you remember that you
12 had to remove a boy down to another room, because he
13 basically destroyed the door.

14 **A. Yes, that's right, yes.**

15 Q. That was the kind of situation where restraint would
16 have been used.

17 **A. Yes.**

18 Q. You said -- I don't think I need to call it up -- but at
19 33263 you said that you never ever carried out
20 a restraint on your own.

21 **A. No.**

22 Q. There was at least two people and preferably three.

23 **A. Yes, yes.**

24 Q. And you don't think there was ever more, because you
25 couldn't have got more.

1 **A. You couldn't have got them during the night, no.**

2 Q. One of the things that you were telling to me -- telling
3 me, RG82, is -- and I think you mention this in -- you
4 certainly mention it in the police interview -- that
5 eventually the situation with locking children in at
6 night changed.

7 **A. It did.**

8 Q. And you had what you described as a butterfly lock --

9 **A. Yes.**

10 Q. -- whereby you could lock the door from outside, but if
11 they were inside, they were able to open it.

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

13 Q. I presume the locking it was to secure their possessions
14 and things --

15 **A. Yes.**

16 Q. -- on the inside when they weren't there.

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

18 Q. But when this was introduced, they basically ran riot
19 and tried to get out. There was a lot of abscondings.

20 **A. For a few months they just piled out of the units, you**
21 **know. Some of them just ran around the grounds. Other**
22 **ones went into Bangor, and eventually they actually said**
23 **to us, "It's just because the doors are open. We're not**
24 **used to the doors being open", and eventually it did --**
25 **it settled down, you know. You still always had**

1 **abscondings, but not after the first few months. It was**
2 **really bad.**

3 Q. And you also made the point that when you became night
4 coordinator, one of your jobs was to collect children
5 who had absconded --

6 A. **Yes.**

7 Q. -- from police stations or that.

8 A. **Yes. If a child phoned in, you know, and said, "I want**
9 **to come back", we advised them to go to the nearest**
10 **police station and I went and picked them up there.**

11 Q. I was asking, RG82, whether you had meetings with other
12 staff members --

13 A. **Uh-huh.**

14 Q. -- for example, when you came on shift --

15 A. **Uh-huh.**

16 Q. -- or handover in the morning. What was the position
17 and what information were you given?

18 A. **Well, I had my night sheet, which I filled in every**
19 **hour, and then I -- the social worker on duty the next**
20 **morning, I would have also given a verbal handover as**
21 **well so she had a full run-down of what happened during**
22 **the night, you know.**

23 Q. When you came on shift, were you given a verbal
24 run-down?

25 A. **Yes. I met the senior social worker on duty when I was**

1 doing night coordinator. Sorry. Is this when I was
2 doing coordinator or just in the unit?

3 Q. Well, both.

4 A. When I came into the unit, the social worker on duty
5 would have given me a run-down on the behaviours during
6 the day. When I was night coordinator or senior night
7 supervisor, I met the senior social worker on duty up in
8 their or his office and he gave me a run-through of all
9 the units, what was happening.

10 Q. And you were saying to me that it was only later when
11 the Trust took over that you actually were aware of the
12 details of a child's background or what the difficulties
13 might be that would you need to look out for.

14 A. Yes.

15 Q. Is that correct?

16 A. When we first started -- when I first started as a night
17 supervisor, we were -- especially on the care side, we
18 were not allowed to look at children's files. That was
19 strictly secret between the child and his primary worker
20 and senior management. We were given a rough idea: "She
21 smokes", or "He's sexually active", or something, you
22 know, "He sniffs", "It's alcohol abuse". That's all you
23 were told. That did change when Lakewood came over. We
24 had access to the files. As they said, it gives you
25 a better idea of what you're working with, you know.

1 Q. And did you find that was the case, that you had more
2 information?

3 A. It was far, far better. It was far better.

4 Q. Just about record-keeping --

5 A. Uh-huh.

6 Q. -- you were talking about keeping a night sheet --

7 A. Uh-huh.

8 Q. -- where you recorded I presume if someone had absconded
9 during the night --

10 A. Yes.

11 Q. -- or that kind of thing.

12 A. Yes.

13 Q. What other details would you have been recording?

14 A. Sickness mostly. Later on when the doors were open, you
15 did try to -- get a boy going into a girl's room or vice
16 versa. So, I mean, you had to stop that and that was
17 recorded as well, you know, but it was mostly medical,
18 probably medical during the night, you know.

19 Q. Apart from that sheet what else did -- what other
20 records were kept by you or your ...?

21 A. Later on medical records. When I first started in
22 Rathgael, as you've said yourself, it was very basic.
23 We had a little black book and a pen and a few
24 medicines, which we -- you know, "I've got a headache".
25 Give them a tablet. Sore stomach, and Kaolin &

1 **Morphine.**

2 When Lakewood took over, it became more and more
3 detailed. We had full medical records of every child in
4 the place. An inspector used to come in and inspect
5 those.

6 Q. I'm talking about the records that you as a night
7 supervisor or senior coordinator would have kept. You
8 kept the record sheet at night --

9 A. Uh-huh.

10 Q. -- which you handed over the next morning.

11 A. Yes.

12 Q. And when you were a senior night supervisor?

13 A. Once I am a senior, in the morning -- I had a night
14 diary up in the office. I filled in all the units, what
15 happened in all the units during the night. The senior
16 social worker on duty next morning would read that and
17 --

18 Q. And get an overview of what had happened during the
19 night --

20 A. Yes, yes.

21 Q. -- in the entire centre.

22 A. Uh-huh. Yes. Oh, sorry. When I was doing night
23 coordinator, the Trust had taken over then. I wasn't
24 doing night coordinator on the juvenile justice side.
25 It was on the care only.

1 Q. Okay. I think we have talked about the time out room.
2 You described that in the police statement at -- the
3 police interview -- sorry -- at 33274. You only ever
4 remember one boy being in that room overnight. Isn't
5 that correct?

6 **A. There was one boy, yes. Uh-huh.**

7 Q. But normally it was for a short period of time it was
8 used?

9 **A. It was for a short period of time, yes.**

10 Q. Was it used often, RG82?

11 **A. No, it was not. It was -- once again it was a last
12 resort. Sometimes people were in for ten minutes and
13 you went up. "Have you quietened down?" "Yes."
14 "Right. Rejoin the group", you know, but it was never
15 used. It was eventually discontinued.**

16 Q. One other thing that I was asking you about, apart from
17 these handovers, were there regular staff meetings at
18 all that you would have attended?

19 **A. There was staff meetings. Unfortunately being on night
20 shift, I was in bed obviously the next day. Most of
21 these meetings took place around 2 o'clock. If it was
22 my day off, if I wasn't working that night, I went down
23 to the staff meetings and they gave you a detailed
24 analysis of all the children, what they had planned for
25 them in the future and so forth, you know.**

1 Q. And were they -- it was useful to attend those meetings?

2 A. It was useful. Yes, it was.

3 Q. RG82, I'm going to come on now to talk about the
4 allegations of HIA438. That's the girl HIA438.

5 A. Uh-huh.

6 Q. Her allegations are in her statement that she gave to
7 the Inquiry at paragraphs 11 and 13, which is at RGL122.

8 Now I know you have been given those -- her statement
9 --

10 A. Uh-huh.

11 Q. -- as far as it relates to you, RG82, and you have given
12 us a statement in response to that, but I'm just going
13 to summarise. You were also interviewed by police --

14 A. Yes.

15 Q. -- about her allegations as well.

16 A. Uh-huh.

17 Q. She alleged that you let her out of the dorm to sit in
18 the office and have a smoke with you, and you told
19 police that smoking wasn't allowed in the unit and that
20 anybody who did smoke had to go outside to do that.

21 A. Uh-huh.

22 Q. I just want for the moment before going on a bit more
23 about her allegations to ask you a little bit about
24 smoking. You yourself were a smoker.

25 A. Uh-huh.

1 Q. And you told police at 33269 about an example where you
2 were asked by a senior social worker to give a child
3 a cigarette. He had just learned that his father was
4 dead and was upset.

5 **A. Yes.**

6 Q. And the senior social worker said, "RG82, would you give
7 him a cigarette?"

8 **A. Yes. It was one of the boys during the night and his
9 father died about 11 o'clock. The senior social worker
10 phoned me and said, "I'm coming in to take the boy home,
11 but I have to tell him his father has died". He told
12 him. The boy became very, very distressed, and he says,
13 "Has anybody got a cigarette? I need a cigarette. Has
14 anybody got a cigarette?" and the senior social worker
15 just looked at me and I said, "Yes, I have some here if
16 you want" and gave the boy one, settled him down for the
17 journey home, you know.**

18 Q. You wouldn't normally have given children cigarettes.

19 **A. No.**

20 Q. Were there any other occasions where you might have
21 done?

22 **A. I did on occasions. I have admitted on occasions, yes,
23 I did give young people cigarettes. If they were very,
24 very distressed -- I had on occasions people were
25 self-harming -- sometimes a cigarette calmed them down.**

1 People threatened to abscond because they hadn't got
2 cigarettes or a couple of occasions people were
3 suicidal. So ... It was the wrong thing to do I know
4 at the time. I think you will probably find most of the
5 staff in Rathgael who smoked at one stage or another
6 probably did give a young person a cigarette.

7 Q. Well, RG82, what was the position about smoking? Was it
8 allowed in Rathgael or not?

9 A. It was allowed. Originally when I first started, you
10 were allowed to smoke. You were actually even allowed
11 to smoke inside in those days. You didn't leave the
12 unit. When I was doing nights, I didn't nip -- I just
13 smoked out the window if I had a smoke.

14 Young people were allowed to smoke from 14 upwards.
15 14 they had to have mother or father's permission. Over
16 that age they were allowed to smoke. The cigarettes in
17 each unit were given out by staff. I think they were
18 allowed something like four or five a day -- I just
19 can't remember offhand -- usually after, you know,
20 breakfast, break, dinner, tea and one before they went
21 to bed. I think it was about five a day. Then the law
22 changed, legislation changed. It was against their
23 civil rights to hold their cigarettes back from them and
24 they were allowed to hold on to their own cigarettes and
25 basically smoke as much as they wanted.

1 Q. I wondered was there any attempt ever made to help
2 a child to stop smoking?

3 **A. In Rathgael, no, I can't ever remember any plan or**
4 **scheme or suggestions about stopping smoking. Later in**
5 **Lakewood, yes, we started to supply nicotine patches for**
6 **anyone that wanted to try and give up.**

7 Q. Well, coming back to the allegations made by HIA438, she
8 said that you touched her breast one night and you told
9 her that if she -- when she threatened to report you,
10 that no-one would believe her, and she said she ran away
11 that night. She said that you tried to do it on another
12 occasion and that she told a boy called HIA 429 --

13 **A. Uh-huh.**

14 Q. -- who was her boyfriend. You do remember that boy?

15 **A. I remember HIA 429, yes. He was in my unit, House 3.**

16 Q. She said that she thought he'd said something to you,
17 because this behaviour on your part that she claims
18 stopped. Do you ever remember HIA 429 ever saying
19 anything to you about, you know ...?

20 **A. Never. I actually had a very good working relationship**
21 **with HIA 429. He wasn't a bad lad. He was actually quite**
22 **nice. I think he did work with the gardeners in**
23 **Rathgael at one stage, you know. He certainly never**
24 **mentioned it to me, you know.**

25 Q. The other person that she told the police that she had

1 told was RG52 --

2 **A. Uh-huh. RG52, social worker.**

3 Q. -- who was her key worker at the time, her primary
4 worker.

5 **A. Uh-huh.**

6 Q. Did she ever speak to you about anything or ...?

7 **A. No, no. RG52 -- if HIA438 had said anything to RG52,
8 I can assure you RG52 would have reported it to senior
9 staff, because she is a dedicated social worker. Still
10 is.**

11 Q. And you believe that the only time you met this girl
12 HIA438 was whenever she was in reception?

13 **A. That was the only time. As I said, there was 9 and 9A.
14 9 was for girls and 9A was for boys. Due to
15 overcrowding in 9, HIA438 was in 9A. I sat at the
16 bottom of the stairs. The doors were locked. There was
17 actually only two boys in the unit at that stage and
18 HIA438. So all she had to do was shout down if she
19 wanted to go to the toilet or a drink of water and
20 I phoned into the night -- the female night supervisor
21 in House 9 and she would have come in and seen to
22 HIA438's needs.**

23 Q. Well, just before I go on again to what she told the
24 police and what she told us in evidence, you were
25 speaking to the police and you said that if girls had

1 a crush on a member of staff --

2 **A. Uh-huh.**

3 Q. -- that member of staff would have been moved.

4 **A. He could have been moved to another unit, yes. It was**
5 **called targeting.**

6 Q. Yes. That's the word that you used to the police --

7 **A. Yes.**

8 Q. -- that -- was this a common thing, RG82, that girls did
9 have crushes on male staff?

10 **A. It wasn't, no. It didn't happen. It didn't happen all**
11 **that often, not to my knowledge anyway, but it might**
12 **have happened in some of the other units even during the**
13 **day. I don't know, but it was always suggested, "If**
14 **somebody is targeting you, get out", you know.**

15 Q. And that was the instruction that you were given?

16 **A. Yes. Even, you know, during the day or at night if**
17 **a girl was giving you verbal abuse, really bad verbal**
18 **abuse, or a boy for that matter, you walked away and**
19 **somebody else took your place, because he's no gripe**
20 **with him. So hopefully he will settle down, you know.**

21 Q. Well, now she gave a statement to the police in
22 January 2013 and that can be found at 31145 to 31148.
23 If we just look at 31147, and again this is -- this is
24 something that you have seen, RG82, and she just says
25 there that there was a member of night staff. Now, as

1 you said and pointed out to me and pointed out in your
2 Inquiry statement --

3 **A. Uh-huh.**

4 Q. -- that she has got your name wrong.

5 **A. Yes.**

6 Q. She described you as being in your 50s, tall and
7 well-built. You would have been in your 40s at the time
8 that she --

9 **A. Early 40s.**

10 Q. Early 40s. She said you were nice at the start. You
11 used to let her out for a smoke in the staff room. No
12 other staff there.

13 "Senior night staff was doing his rounds and had to
14 ring to get back into the house."

15 Now you made the point to me that that was not the
16 case.

17 **A. That's wrong, because the senior night supervisor had
18 a master key for every unit in Rathgael bar House 4,
19 which was the secure unit for juvenile justice. The
20 keys did not leave that unit.**

21 Q. So if you were in -- on duty in Shamrock, you would have
22 had to let him into that one.

23 **A. Oh, no, no. Shamrock was -- he had a key for that okay.
24 It was the juvenile justice side of the school.**

25 Q. Oh, I beg your pardon.

1 **A. There was a secure unit over there as well.**

2 Q. Shamrock was on the care side.

3 **A. It was the care side.**

4 CHAIRMAN: Well, we'll rise now.

5 (10.58 am)

6 (Short break)

7 (11.05 am)

8 MS SMITH: RG82, we were talking about the statement that

9 HIA438 gave to the police, which is at 31147. You were
10 making the point that the night supervisor didn't -- the
11 senior night supervisor didn't have any need to gain
12 access to the units, because he had his own master key.

13 **A. He had.**

14 Q. She went on to say that:

15 "RG82 was nice at the start. He used to let me out
16 for ..."

17 Sorry.

18 "So he rang RG82 and put me back to my room.

19 Eventually changed things in that RG82 used to brush
20 against me all the time when there was plenty of room to
21 get past me. He would rub across my breasts with his
22 hand. I said, 'What are you doing?' He said, 'I'm just
23 getting past you'. RG82 used to buy me cigarettes,
24 which staff weren't allowed to do. I remember one time
25 RG82 did have his hand directly on my breast over my

1 nightdress and I told him to remove his hand. I told
2 him I'd tell, but he just said, 'Who'd believe you?'
3 I did speak to RG52 ..."

4 I think it's RG52 rather than RG52.

5 **A. It is RG52, yes.**

6 Q. "... who was my key worker in House 2. I told her what
7 RG82 was doing and I believe she told night staff to
8 keep an eye, but, sure, senior night staff had to ring
9 the bell to get in, so there wasn't much point."

10 Now you were interviewed by police on 16th May 2013

11 --

12 **A. Uh-huh.**

13 Q. -- about these allegations, and that interview can be
14 found at 33242 to 34833. I am not going to call it up,
15 RG82, but essentially at 33244 you denied that you had
16 assaulted HIA438 --

17 **A. Uh-huh.**

18 Q. -- and you thought you didn't even have to restrain her
19 during her time in Rathgael.

20 **A. No, I never restrained her.**

21 Q. At 33277 onwards her statement is read to you.

22 **A. Uh-huh.**

23 Q. You said it was rubbish.

24 **A. Yes.**

25 Q. You said that there was no office as such and that the

1 children weren't allowed to smoke inside.

2 **A. Uh-huh.**

3 Q. And you said buying cigarettes for children was
4 a sackable offence, although you did buy them Christmas
5 presents --

6 **A. Yes.**

7 Q. -- and birthday presents.

8 **A. Yes.**

9 Q. We were talking about that and I wondered was that
10 something that was done on an organised basis.

11 **A. Yes. It was all the night staff in each unit bought the**
12 **kids in that unit a Christmas -- Christmas present,**
13 **usually toiletries, things like that.**

14 Q. You said before you had a female supervisor you would
15 have got your wife to buy those things --

16 **A. Yes.**

17 Q. -- and then the female supervisor would have organised
18 it whenever she came into work.

19 **A. Yes.**

20 Q. About the allegation about you putting your hand on her
21 breast, you described that as absolute rubbish and you
22 said that the only physical contact you had with any
23 child was during restraint.

24 **A. Uh-huh.**

25 Q. And you said it was absolute rubbish that you had said

1 to her that no-one would believe her.

2 **A. Uh-huh.**

3 Q. At 332923 (sic) you denied the allegation and you said
4 that you didn't think that she was in your unit, that
5 you were in House 3 and she was in House 2.

6 **A. That's right.**

7 Q. But they were connected by a corridor. Isn't that
8 correct?

9 **A. There was a -- upstairs there was a connecting door**
10 **between the two units. The door was kept locked until**
11 **all the young people had settled for the night and then**
12 **it was opened, because it was part of the fire escape**
13 **system.**

14 Q. In your inquiry statement you made the point, RG82, that
15 she had got your name wrong.

16 **A. Yes.**

17 Q. That you were in your early 40s, not your 50s, and that
18 she failed to pick you out in an identity parade.

19 **A. Uh-huh.**

20 Q. Ultimately on 3rd June 2014 there was no prosecution
21 directed.

22 **A. Yes. I received word from the DPP that they were not**
23 **pursuing the case.**

24 Q. That can be seen at 33462. HIA438, as you know gave
25 evidence --

1 **A. Uh-huh.**

2 Q. -- on Day 153, which was 21st October of this year, and
3 what she said can be found at 80279 to 80... -- sorry --
4 80270 to 80279. In respect of what she was saying about
5 you, RG82, she said -- she said that in House 2 she had
6 her own room, that you got locked into your dorm in
7 reception, but if you were in a mixed unit, you were
8 locked in the mixed unit because there's boys and girls
9 and they do lock you in at night and that was to keep
10 the sexes separate.

11 **A. Uh-huh.**

12 Q. I was reading from her statement to her and then she
13 said that -- when I said to her:

14 "You remember another occasion when the staff member
15 RG82 tried to touch you inappropriately, but you thought
16 HIA 429" -- the boy HIA 429 -- "must have said something to
17 him and it stopped after that."

18 She said:

19 "Yes. That was that one occasion where RG82 had
20 touched me over my nightdress. I did tell HIA 429."

21 I asked her where she told HIA 429. She said that it
22 happened when they went outside the unit having a smoke.
23 She said she was in the same unit as HIA 429.

24 **A. No.**

25 Q. That wasn't the case you think.

1 **A.** When HIA 429 was in House 3, it was an all boys' unit at
2 that stage. House 2 I think -- I'm nearly sure it was
3 all girls staffed by female night supervisors. So to my
4 knowledge she was never in House 3 unless -- unless she
5 moved in after I left. I was moved over to House 1.
6 Unless she moved in then. I honestly don't know --

7 Q. Well, she says --

8 **A.** -- but not while I was there.

9 Q. In fairness to you, RG82, she says that it happened in
10 House 2. She said she also told RG52. She said she
11 mentioned it to her because -- but she never got back to
12 her. Basically that RG52 was taking her to a group
13 meeting in Belfast. She said to her that -- she said
14 that RG52 was meant to talk to her when they came back
15 from the meeting --

16 **A.** Uh-huh.

17 Q. -- and when she brought her back to Rathgael, she then
18 had to go home and said she would see her on the Sunday
19 when she came back in, but never bothered and it was
20 never mentioned again, but that she felt that RG52 must
21 have said something to you also, but there was never any
22 conversation --

23 **A.** No.

24 Q. -- with RG52 about this girl?

25 **A.** As I said to you before, if she had reported it to RG52,

1 **it would have went to senior staff or been recorded in**
2 **her daily log.**

3 Q. Well, she said -- just talking about what houses HIA438
4 was in, she said the only houses she was ever in was
5 Reception, Shamrock, House 1 and 2. She said that all
6 of the houses were mixed at that stage.

7 A. **Uh-huh.**

8 Q. She said the only boy unit there at that time was Youth
9 Treatment.

10 A. **That's Juvenile Justice.**

11 Q. Yes.

12 A. **The units were eventually mixed. When I first started,**
13 **they were separate. House 1 was opened up, as it was to**
14 **be a pre-teen unit. I was moved over there. It was for**
15 **basically kids under the age of 13. It never really got**
16 **off the ground. We didn't have enough pre-teen kids**
17 **coming in. So it ended up a mixed unit as well, so it**
18 **did, but I don't even remember HIA438 being there in**
19 **House 1.**

20 Q. She says that's where she was. Then I was reading from
21 a statement that you had given to the Inquiry to her.
22 She said -- I put it to her that the office door was
23 locked. So you were saying that you couldn't get into
24 the office, and she said:

25 "The night staff -- in House 2 the night staff

1 office was upstairs, so it was."

2 **A. Yes.**

3 Q. "There was an office upstairs, but there was one
4 upstairs where the night staff used to sit."

5 There was an office upstairs. Is that right?

6 **A. There was an office upstairs in House 2 and one in
7 House 3, but, as I have stated, while the young people
8 were not sleeping, the door was kept locked and we based
9 ourselves outside in the corridor on a chair until --
10 and the only time you went into that office would have
11 been to answer the telephone --**

12 Q. Well, once -- sorry.

13 **A. -- or if a kid took sick or something, I would have had
14 to phone the night supervisor.**

15 Q. Once the children were settled down for the night, say
16 --

17 **A. Uh-huh.**

18 Q. -- you know, say after midnight --

19 **A. Yes.**

20 Q. -- would you then have gone in and sat in the office and
21 just then checked on them regularly or ...?

22 **A. Probably to make myself a cup of tea. We had -- we
23 brought a kettle and teabags, milk up. Because we
24 weren't allowed to go downstairs, we brought them up.
25 So they were based in the office. So just to make**

1 **yourself a cup of tea, have something to eat during the**
2 **night.**

3 Q. Well, I put it to her that you had said that you
4 wouldn't have bought cigarettes and that she wasn't in
5 your unit, and he said -- she said:

6 "I was in his unit and he did buy me cigarettes."

7 **A. No.**

8 Q. Then I also put the point to her that you made in your
9 statement that, you know, she didn't pick you out --

10 **A. Uh-huh.**

11 Q. -- on an identity -- in an identity parade, and she said
12 that -- I mean, she made the point that that was in 2013
13 and that, you know, what she remembered was a man from
14 the 1980s, late 1980s, and she then -- I then said to
15 her essentially what you were saying was that you do not
16 actually -- although you have not addressed it in your
17 Inquiry statement, you denied the sexual abuse that she
18 alleged --

19 **A. Yes.**

20 Q. -- and her comment to that was:

21 "But no sexual predators will admit they do do it.
22 I have known this through experience."

23 Now those are the comments that she made about what
24 you had to say about her allegations, RG82.

25 **A. Uh-huh.**

1 Q. I just wonder is there anything else that you want to
2 add to what you have said to us?

3 **A. She calls me a sexual predator. I worked for 19 years**
4 **with young people, juvenile justice, and she is the only**
5 **one ever made an allegation.**

6 Q. You were also interviewed by police, RG82, back in 1999.

7 **A. Uh-huh.**

8 Q. That was as a result of an investigation police were
9 carrying out after two members of staff made complaints
10 about various matters in respect of Rathgael.

11 **A. Yes.**

12 Q. During that interview -- and that can be seen at
13 RGL34816 onwards -- we don't need to pull it up -- you
14 told police then that you never witnessed any assaults
15 by any members of staff on any resident.

16 **A. No.**

17 Q. And you also were asked whether you were aware of any
18 relationship between RG47, who was a senior member of
19 staff --

20 **A. Uh-huh.**

21 Q. -- and a girl in the home, and at 34821 you told police
22 that you remember -- you didn't know the name of the
23 girl --

24 **A. Uh-huh.**

25 Q. -- but you told police that he was absolutely terrified

1 of a girl.

2 A. He was. He was.

3 Q. And you found him hiding under a table --

4 A. Uh-huh.

5 Q. -- from her in the office one night. Is that right?

6 A. Yes. I went in. I was the senior night supervisor at
7 the time. I had to go to the office. We both used the
8 same office. Juvenile justice and ourselves used the
9 same office, and I had to go and pick up keys, you know,
10 just payslips and stuff. When I went into the office,
11 the light was out, which I thought was a bit strange,
12 and I went in, turned the light on, turned right, went
13 down to the filing cabinet and, as I said to you, I just
14 got that feeling that somebody else was in the room, and
15 I looked round, and it was basically a desk like that,
16 and RG47 was hiding underneath it, and I said, "Oh,
17 RG47, what are you doing? You scared the life out of
18 me". He says, "I'm hiding. There's one of the girls
19 out there looking for me. I'm trying to get down to my
20 house". He says, " RG 250 ", a senior night
21 supervisor on the justice side, unfortunately now
22 deceased, "is coming up in his car to take me down".
23 They -- he lived on the centre down in the houses.
24 That's what happened. RG 250 came up in his car and he
25 managed to sneak him out.

1 I met the girl later on still walking about the
2 grounds and she -- at that stage I still didn't even
3 know her name, because I had nothing to do with juvenile
4 justice, and she asked me had I seen RG47. I said,
5 "I think he's gone off centre", and she headed off
6 towards her unit, you know.

7 Q. You also talked about having to restrain -- in this
8 police interview having to restrain another girl, who
9 you named as RG88.

10 A. Uh-huh.

11 Q. You said that no-one had shown you how to restrain
12 a child. You did say that you had three people carrying
13 arms and legs --

14 A. Uh-huh.

15 Q. -- at that stage.

16 A. Uh-huh.

17 Q. And you thought that -- you got training about four or
18 five years prior to your being interviewed in 1999.

19 A. Uh-huh.

20 Q. So that would have put it 1994/'95 --

21 A. Uh-huh.

22 Q. -- before you were actually given training about
23 restraint. Is that right?

24 A. I don't think RG88 was there in '94.

25 Q. No, no, no.

1 **A. Sorry.**

2 Q. Sorry. You were talking about having to restrain her,
3 and in the context of that conversation you were saying
4 that you had -- she had to be lifted by her arms and her
5 legs.

6 **A. Oh, yes, yes, yes, yes.**

7 Q. It was really only in or around '94/'95 --

8 **A. Yes.**

9 Q. -- that you were actually trained in restraint.

10 **A. Yes.**

11 Q. We talked about this earlier, about the methods that you
12 were trained in.

13 **A. Yes.**

14 Q. Was that the natural method that you're talking about or
15 was that the putting the arm up the back that happened
16 in '94/'95?

17 **A. No, we didn't really put arms up the back. As I said
18 before, that was --**

19 Q. It didn't work.

20 **A. It didn't work. You know, you could have done damage.
21 Really you could have done damage. Basically you just
22 held on to an arm or sometimes a leg, just whatever you
23 could. If the person in particular was fighting really
24 hard, it could be difficult, you know, trying -- if
25 you're trying to hold on to a person struggling, it can**

1 **be -- it can be difficult. So, yes, we did basically**
2 **just hold on to what we could, you know.**

3 Q. Well, you mentioned in that police interview about not
4 having access to the children's files --

5 **A. Uh-huh.**

6 Q. -- and just being told to watch for certain things --

7 **A. Yes.**

8 Q. -- in respect of certain children. You said that you
9 held the staff you worked with in Rathgael in high
10 regard.

11 **A. Yes.**

12 Q. You also made the point in that interview that the
13 regime prior to the Trust taking over was stricter.
14 I was asking you in what way it was stricter, RG82.

15 **A. Well, it was mostly, you know, the like of early beds,**
16 **loss of pocket money for a day, grounded to a unit.**
17 **That sort of disappeared when the Trust took over. You**
18 **know, if a child misbehaved, the senior social worker or**
19 **somebody would have given them a bit of a lecture and**
20 **said, "Look, okay. You've done that. Forget about it.**
21 **Away to the cinema", you know, but prior to that it**
22 **would have been early bed or something, you know.**

23 Q. So the emphasis prior to the Trust taking over was on
24 punishment for bad behaviour. Is that what you're
25 saying?

1 **A. It was, yes, yes.**

2 Q. RG82, those are all the questions that I want to ask
3 you, but if there's anything you feel we haven't covered
4 about either your time working there or about the
5 specific allegation that was made about you --

6 **A. Uh-huh.**

7 Q. -- or anything more that you'd like to say, now is your
8 opportunity to do that.

9 **A. Well, the only thing I'd say as regards the allegation**
10 **against me, bar working with HIA438 up in 9, I honestly**
11 **can't remember ever working with her again. So her**
12 **allegations are rubbish, you know, especially**
13 **cigarettes. That was a sackable offence. If I bought**
14 **her cigarettes, I would have been sacked, and my senior**
15 **night supervisor could have walked in any time during**
16 **the night. If he caught me and her or her sitting**
17 **smoking, I would have been in serious trouble, you know,**
18 **but other than that, you know, I think you've covered**
19 **everything, you know.**

20 Q. Well, thank you very much, RG82. I'm sure the Panel
21 Members may have some questions for you. So if you just
22 stay there for another while.

23 **A. Okay.**

24 **Questions from THE PANEL**

25 CHAIRMAN: RG82, can I just take you back to the early part

1 of your evidence? You were being asked about Shamrock
2 House.

3 **A. Uh-huh.**

4 Q. And you said the children weren't allowed out unless
5 they were on a trust programme.

6 **A. Yes.**

7 Q. Does that mean that children could be allowed out of
8 Shamrock provided they had, first of all, shown they
9 could be trusted and were being given, as it were,
10 a chance to see how they could be relied on?

11 **A. Yes. They usually went out with a member of staff. On**
12 **Thursday nights they got their pocket money and you had**
13 **what was known as a shop run, went down to the shop for**
14 **sweets, you know, fizzy drinks, all the rest. If a boy**
15 **or girl was on a trust programme, she could accompany**
16 **that member of staff down to the shop and bring all the**
17 **goods back for the rest of the young people. On**
18 **occasions went to the cinema, maybe went swimming, you**
19 **know. Yes, they worked up -- I think if something like**
20 **three to four weeks' good behaviour, I think they were**
21 **allowed out for a while, but always accompanied by**
22 **staff.**

23 Q. Thank you very much.

24 MS DOHERTY: Thanks, RG82. Can I just ask: one of the
25 things we have heard about is about children barricading

1 themselves in at night.

2 A. Uh-huh.

3 Q. Did you have any experience of that?

4 A. Yes. One boy in the Shamrock Unit -- they had pine
5 dressers and like a pine wardrobe and he barricaded his
6 door one night. It's strange. It was a very strange
7 situation. He barricaded his door, but he broke the
8 pine unit and started banging his door and eventually
9 made a big hole in it. So basically he was barricaded
10 in, but he was trying to break out, which to me didn't
11 make much sense. I had to call RG11, who was senior
12 that night, and that boy was restrained and he was put
13 into the time out room --

14 Q. The time out.

15 A. -- and the next day he went to Lisnevin and I never seen
16 him again after that. That was something I was saying
17 to Christine. The whole time I worked in Rathgael, care
18 and juvenile justice, if a child did major damage to any
19 of the units, they went to Lisnevin and we didn't get
20 them back again.

21 Q. Right, and is that your only experience of a barricading
22 in situation?

23 A. Oh, no. I had one in -- I had one in reception unit one
24 night as well. RG 61 , who was one of the
25 senior social workers -- two boys had barricaded

1 themselves in where we actually had to break the door
2 down, because we thought they had sniffable material in
3 the room. It turned out they had actually. There was
4 a few occasions where, you know, you had to sort of
5 break in unfortunately.

6 Q. Can I just ask: was there ever any -- I know you didn't
7 receive any training in it, but was there ever any
8 discussions at the staff meetings you managed to attend
9 about how male staff should deal with girls and any of
10 the implications for keeping safe within that?

11 A. No. I've said this to Christine. Looking back, you
12 know, we were in a very vulnerable position. I was in
13 a unit with eight kids on my own and eventually mixed
14 boys and girls.

15 There was one occasion -- I live up in
16 and the staff -- I was coming into work at 10.15. The
17 staff phoned me and said, "RG82, would you pick up
18 a girl in the area and bring her? You
19 know, she's out on leave". "No problem. I'll do that."
20 Picked up the girl, brought her down. I met -- I was
21 a bit late getting there and RG41, who was senior
22 manager at the time, said to me, "What kept you?", you
23 know. I said, "I was picking up such and such a girl
24 and had to deliver her down to House 2". "What?
25 What?", and she lifted the phone and what she gave House

1 **2. "That girl has made allegations against taxi drivers**
2 **and you're letting him pick her up." I didn't know, but**
3 **it stopped after that, and she gave merry hell, because**
4 **this wee girl had made allegations against different**
5 **taxi drivers.**

6 Q. But there was no sense that when the girls started
7 moving over and you started to have girls in mixed
8 units, there was any discussion at all for you about how
9 you might ...?

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

11 Q. No. Okay. Can I just ask: did you receive any
12 supervision? Did you -- you know, anybody sit regularly
13 with you and talk to you about your work or ... ?

14 A. **Yes. RG41 and RG14, who were centre managers, when they**
15 **eventually took over from RG 251 , they had**
16 **a meeting with the night supervisors maybe once a month**
17 **and discussed different things, more so when the Trust**
18 **took over. There was more meetings. Far, far better,**
19 **so it was, you know.**

20 Q. Okay. Thanks very much, RG82.

21 MR LANE: What sort of time did you start your shifts in the
22 evening?

23 A. **I started 10.15 at night and finished at 8 o'clock in**
24 **the morning.**

25 Q. And so the activities you mentioned that you joined in

1 to tire out the kids and so on, when would they have
2 been?

3 **A. Sorry. On occasions when I wasn't working night shift I**
4 **did a bit of daywork. So that was actually during the**
5 **day, so it was.**

6 Q. Right. So there were night staff in each of the units
7 separately --

8 **A. Uh-huh.**

9 Q. -- plus the supervisor. So how many would there have
10 been on a typical night then?

11 **A. Well, there was two reception units, Shamrock, which is**
12 **three -- five, five night supervisors.**

13 Q. Right.

14 **A. One in each unit, plus your senior night supervisor and**
15 **your senior social worker on call.**

16 Q. And you would have done, what, alternate nights or
17 something like, would you?

18 **A. I done seven in a row. I would have worked seven in**
19 **a row and then maybe off for five.**

20 Q. Right.

21 **A. During the five off then I could have come in sometimes**
22 **and done --**

23 Q. With the whole team there would have been about a dozen
24 of you or something like that, would there, then?

25 **A. No, there was only -- there was only about five or six,**

1 **so there was, during the night.**

2 Q. Yes, but all together, because some people would have
3 been off duty, wouldn't they?

4 A. **Oh, yes. Oh, sorry. Oh, there was -- yes, there was**
5 **about fourteen. Oh, there was more than that. I think**
6 **there was probably about twenty night supervisors.**
7 **There was full-time and casual. There was, aye, because**
8 **you had sickness, holidays and so forth, you know.**

9 Q. Sure. Thank you.

10 A. **Okay.**

11 CHAIRMAN: Can I just ask you one more thing, RG82? You
12 were answering Ms Doherty a moment or two ago and you
13 said that when you had to restrain a boy, you called for
14 the senior night supervisor --

15 A. **Uh-huh.**

16 Q. -- RG11.

17 A. **Uh-huh.**

18 Q. Were there occasions when --

19 A. **Sorry. He -- sorry. Senior social worker. He was the**
20 **senior social worker.**

21 Q. Senior social worker.

22 A. **I beg your pardon.**

23 Q. Were there people like him who would be called in when
24 they weren't on duty if there was difficulty restraining
25 a child?

1 A. Yes. RG11 actually lived directly facing Rathgael.
2 RG14 and RG41 lived in the white houses down at the
3 bottom of House 5, at the back of House 5.

4 Q. Those were staff houses on site, were they?

5 A. They were staff houses on site, yes. When we were
6 talking about the butterfly locks went into operation
7 and the kids were basically just charging out of the
8 units and running round, night after night RG14 and RG41
9 came in and gave us a hand to find the kids, get them
10 settled. Sometimes 4 o'clock in the morning, 5 o'clock
11 in the morning before you got them all to bed, you know,
12 but there was staff local. There was staff local.

13 Q. Well, were there at any time, whether it was day or
14 night, when you were there that some staff were called
15 more than others to deal with people who were in need of
16 restraint?

17 A. No. It was really just the senior on duty, whoever was
18 on duty, be it a man or a woman, you know. The ladies
19 did restraints as well as the men, you know.

20 Q. I see. Thank you very much, RG82. I'm sure you will be
21 relieved to hear whose are the last questions we want to
22 ask you, but thank you for coming to speak to us today.

23 A. Okay. Thank you.

24 (Witness withdrew)

25

1

WITNESS RG5 (called)

8 CHAIRMAN: Mr Aiken.

9 MR AIKEN: Chairman, Members of the Panel, good morning.

10 The next witness today is RG5, now RG5, who is "RG5".

11 She is represented by Mr Holmes of counsel and Mr Duncan
12 from McConnell Kelly Solicitors, who have given their
13 appearance on her behalf previously.

14 CHAIRMAN: Yes.

15 MR AIKEN: RG5 is aware, Chairman, you are going to ask her
16 to take the oath. She has confirmed her desire to
17 preserve her anonymity.

18 WITNESS RG5 (sworn)

19 CHAIRMAN: Thank you, RG5. Please sit down.

20 Questions from COUNSEL TO THE INQUIRY

21 MR AIKEN: RG5, coming up on the screen will be, all being
22 well, the first page of your witness statement. Can you
23 just check and make sure that matches the hard copy that
24 you have and you recognise it as your statement?

25 **A. I do.**

1 Q. If we move through to 4862, please, which should be the
2 last page of your witness statement, and can you confirm
3 that that is the last page and that you've signed it?

4 **A. Yes, I can.**

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

7 **A. Yes.**

8 Q. I can assure you whenever it is published on the
9 Inquiry's website redactions will be applied so that
10 your anonymity is preserved.

11 There are two aspects to your evidence today, RG5.
12 I am going to try -- I know you were nervous coming to
13 do this after thirty years as a -- working in social
14 work, but I'm going to try and deal with two discrete
15 aspects. One is to deal with the allegations that are
16 made against you, which are three allegations made by
17 three sisters that the Inquiry heard from, that is
18 HIA389, HIA386 and HIA503, and then to ask you generally
19 about your work in Rathgael for the assistance of the
20 Panel as to how difficult issues were dealt with and
21 how -- what part you played in the management of
22 incidents as they escalated --

23 **A. Yes.**

24 Q. -- which has been the substance of much of the evidence
25 that the Inquiry has heard about.

1 So in respect of the three individuals, HIA389,
2 HIA386 and HIA503, what I am just going to do for the
3 assistance of the Panel, having conducted an exercise
4 that hopefully will put this in context, the elder of
5 the three, HIA389, is "HIA389", and from the material
6 that is available to the Inquiry whenever an incident
7 occurred you and your colleagues completed what were
8 known as Untoward Incident Forms on a pro forma --

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

10 Q. -- on Rathgael headed paper, and in HIA389's file there
11 is 28 untoward incidents. Members of the Panel, they
12 run from 44947 to 44986. Only in respect of four of
13 those untoward incidents are you recorded generally by
14 initial, RG 5 as having been involved, and only one of
15 those four, which is the one we are going to look at
16 later, involved any physical interaction between you and
17 HIA389. The other three relate to managing difficult
18 episodes --

19 **A. Yes.**

20 Q. -- overdosing and that type of scenario where matters
21 were allowed to diffuse rather than any physical
22 intervention having taken place, according to the
23 reports at least. The -- that's HIA389, her date of
24 birth being

25 Her younger sister HIA386, who was "HIA386", born on

1 , her papers disclosed 60 Untoward Incident
2 Report forms completed. They run from 44... -- I will
3 have to check that reference, but they end at 44533.
4 I'll give the Panel the correct reference for the
5 page they begin at, because I can see I am missing
6 a digit. In respect of those 60 Incident Report Forms,
7 RG5, you don't seem to appear recorded on any of them,
8 and you were explaining to me earlier that you don't
9 have any great recollection of HIA386 other than being
10 aware that she was the sister of HIA389 --

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

12 Q. -- who you do remember.

13 **A. Yes.**

14 Q. Then the third sister is HIA503, now HIA503, who is
15 "HIA503", and her date of birth is .

16 In her papers there are 32 Untoward Incident Report
17 forms and they run from 46839 to 46886. Of those 32
18 there are only two that involve you and one of which is
19 the same incident that we're going to look at over
20 HIA389 --

21 **A. Yes.**

22 Q. -- with the milk bottles and then one other, which
23 doesn't appear to involve physical intervention. I'll
24 just give the Panel the references for the record at
25 46840 and then the one that we will look at is 46841.

1 So that's the context and we'll look at the specific
2 allegations and then what you have had to say about them
3 shortly, but you were born for the record on

4

5 **A. That is correct.**

6 Q. You are now aged 53.

7 **A. Yes.**

8 Q. And you -- you were involved in social work for
9 30 years. You worked in Rathgael and, as it became,
10 Lakewood --

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

12 Q. -- from round about 1985 --

13 **A. Yes.**

14 Q. -- going in aged 23 as what was then known as
15 a residential social worker unqualified.

16 **A. Uh-huh.**

17 Q. And you worked there until you left Lakewood in 2013.

18 **A. Yes.**

19 Q. And you have continued to social work, but now with

20

21 **A. Yes.**

22 Q. And you -- as you spent that -- some 28 years, if I've
23 done the maths correctly --

24 **A. Yes, I think so.**

25 Q. -- working in Rathgael, then Lakewood, you became

1 a qualified social worker during that process --

2 **A. Yes.**

3 Q. -- in and around 1997.

4 **A. '96/'97.**

5 Q. But it began -- that process began in around '93/'94.

6 **A. Yes.**

7 Q. And you were explaining to me that initially you were
8 a -- what was known then as a casual employee. So you
9 were called as and when you were needed --

10 **A. Yes.**

11 Q. -- as a residential social worker, and the point you
12 made to me is if your performance wasn't satisfactory,
13 you just weren't called, and that's -- for others you
14 can recall --

15 **A. That would have been the same, yes.**

16 Q. -- the organisation just didn't bring them back to work
17 there.

18 **A. Yes.**

19 Q. But eventually you were given a -- what you recall as
20 being a fixed contract for perhaps a year and then you
21 were given a permanent post after the investment was
22 made in getting you qualified.

23 **A. Yes.**

24 Q. The way you were describing it, so that I can put it in
25 context, when you begin initially, you're there and

1 you're part of the team, and you worked in the reception
2 unit on the care side, which was known as House 9 and 9A
3 --

4 **A. That's right.**

5 Q. -- two units of ten, and I think in some of the records
6 it is also recorded as white house --

7 **A. Yes.**

8 Q. -- as the name of it, but in your initial period of time
9 you would have been more the support person, ie the core
10 permanent staff would have -- if something needed to be
11 dealt with, they would have dealt with it with you
12 assisting and working alongside. You weren't left to
13 fend for yourself as someone new coming in.

14 **A. Yes.**

15 Q. I was asking you about restraint, which has featured
16 large in the evidence before the Inquiry, the situations
17 where physical intervention was engaged in, and you were
18 explaining to me that you don't think you were trained
19 the moment you came in --

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

21 Q. -- in physical restraint, and you're not going to now be
22 able to remember the precise dates when, but over the
23 course of your time working in Rathgael various training
24 exercises were engaged in as the methods of restraint
25 changed.

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

2 Q. And you were explaining to me you had C&R, as it was
3 known, care and responsibility.

4 **A. Yes.**

5 Q. And then there was therapeutic crisis intervention --

6 **A. Yes.**

7 Q. -- and sanctuary, and you don't remember yourself
8 precisely when each change in approach occurred.

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

10 Q. And therefore the three things that we're -- the three
11 individuals' complaints that we're looking at, they
12 occurred or were in Rathgael for them to occur between
13 1993 and 1995. So by that stage you'd been working in
14 Rathgael as a residential social worker for between
15 eight and ten years.

16 **A. Yes.**

17 Q. And you were between the ages of 31 and 33 at the time
18 that we're talking about for these specific issues.

19 **A. Yes.**

20 Q. And before I look at the specific events I was
21 discussing with you earlier and would like you to
22 explain to the Inquiry the approach and the ethos that
23 you were expected to engage in working in the care unit.
24 The Panel are aware from the material that's available
25 that the young people coming into Rathgael had

1 particularly acute problems.

2 **A. Yes.**

3 Q. Can you explain the initial role of the reception unit?

4 You were explaining to me it was to try and steady their
5 behaviour so that they could leave again.

6 **A. Yes.**

7 Q. Can you just say a little bit about that to the Panel?

8 **A. The young people would have been placed on a Place of**
9 **Safety Order and the object really was a dual object of**
10 **assessment and also seeing if we could undertake**
11 **task-centred work with them in order to return to their**
12 **own community environment, wherever they'd come from,**
13 **maybe better equipped to deal with things that they were**
14 **presenting.**

15 Q. You were explaining to me that the approach throughout
16 your time working in Rathgael was something you called a
17 team approach --

18 **A. Yes.**

19 Q. -- amongst the staff. You were describing to me the
20 challenging mechanisms between you about how you would
21 deal with certain circumstances that presented
22 themselves to you. Can you just explain what you mean
23 by that to the Panel Members?

24 **A. As a team there were a lot of people who obviously were**
25 **qualified and others who were training. So always our**

1 value base, our practice, our approaches were always
2 being discussed and considered, and in that context
3 whatever arose, we would have looked at the history of
4 the young person prior to coming in, various thing that
5 may be triggers for them and their behaviour, and also
6 then how best to address that or make an approach to
7 them with that in mind.

8 Q. And you were explaining to me that -- about that
9 value-based approach, but that also it was a place where
10 there was considerable scrutiny in the sense you were
11 describing the case --

12 A. Yes.

13 Q. -- conference mechanisms. Can you just explain what you
14 mean by the place was somewhere that was scrutinised?

15 A. During any placement at that time we would have been
16 reviewed by the court system. We would have had case
17 conferences. We would have had contact with people from
18 perhaps the children's home the young people had come
19 from previously, their schools in the community, school
20 in the centre, medical staff, psychologists, anyone who
21 would have had a relevant interest in the case.

22 Q. And I appreciate we're trying to summarise and condense
23 down a major subject, but you were explaining to me
24 about the nature or the level of difficulty of the
25 individual young person who was coming into Rathgael.

1 Can you give the Panel some understanding of how you
2 would place that -- you described them to me as
3 particularly vulnerable individuals.

4 **A. Yes.**

5 Q. Can you explain what you mean by that?

6 **A. They were vulnerable young people who had had difficult**
7 **home experiences, fractured family lives, difficult**
8 **family dynamics, broken education experience, often**
9 **issues with authority, had been subject to any number of**
10 **abuse at home, in the community and not always best able**
11 **to manage how they would deal with those things.**

12 Q. And we were then trying -- and again I am going to try
13 to condense this down -- but you were discussing with me
14 the approach to -- it could be the Panel have seen
15 references to -- we will talk about one shortly -- milk
16 bottles being used to attack staff, incidents of that
17 level, windows being smashed, suicide attempts, very
18 disturbed behaviour. Can you help the Panel to
19 understand the approach that was taken to try to manage
20 that behaviour, and if I give you the key words and then
21 let you explain it. As you were explaining it to me,
22 you were talking about de-escalation --

23 **A. Yes.**

24 Q. -- and how physical intervention was a last resort --

25 **A. A last resort, yes.**

1 Q. -- mechanism. Can you explain to the Panel what you --
2 how behaviour was dealt with and what the ethos towards
3 it was?

4 **A. Well, the ethos was about ensuring safety and that would**
5 **be safety for the individual, but also for the group and**
6 **also for the staff, which would require you to be**
7 **mindful of all of those elements, if anything were to**
8 **arise.**

9 Q. Just if you could say a bit more. You were explaining
10 to me about the group dynamic --

11 **A. Yes.**

12 Q. -- that if -- a particular piece of behaviour by one
13 young person, the spreading effect across the rest of
14 the group and the importance therefore of the
15 de-escalation methods that you were describing to me.
16 Can you explain to the Panel --

17 **A. Yes.**

18 Q. -- what you mean by that?

19 **A. We would have needed to be very mindful of every**
20 **gesture, every word, how you would approach any**
21 **situation, because when you were dealing with one**
22 **individual, there was a risk that others could become**
23 **involved or the situation could escalate into a whole**
24 **group incident, and also protecting the young person**
25 **involved, because there could be an issue where they**

1 **would become ostracised from the group as well. So**
2 **trying to manage it in such a way that their safety on**
3 **all of those levels was being protected.**

4 Q. Again if we can do this in a summary form, you were
5 explaining to me the type of circumstances that you
6 might be faced with, which included overt violence
7 towards staff.

8 **A. Yes.**

9 Q. And do you want to just give some examples of what
10 happened to you in your time working so that the Panel
11 can understand what you mean by then engaging physically
12 as a matter of last resort?

13 **A. Well, it would have been not unusual to be assaulted in**
14 **the course of your work. I've been bitten, scratched,**
15 **kicked, punched, thrown around rooms regularly, to be**
16 **honest, and the objective was always just to try and**
17 **find a way to de-escalate that situation and bring**
18 **people back to a baseline.**

19 Q. And you were explaining to me, and again if you could
20 explain this to the Panel, but dealing with these
21 episodes were always an exercise in professional
22 judgment --

23 **A. Yes.**

24 Q. -- and different members of staff wouldn't always have
25 agreed with each other as to --

1 **A. When to --**

2 Q. -- the right point to engage, as in when it had got
3 beyond any other option other than physical
4 intervention. Can you just explain what you mean by
5 that, professional judgment, discussion, that difference
6 of opinion that there might be dealing with any given
7 situation that's fluid in front of you?

8 **A. I suppose it would depend on the individual situation.**
9 **It would depend on who had been there, and I suppose**
10 **each member of staff would have their own knowledge of**
11 **the situation, their own view of it, and as something**
12 **that developed very quickly each person would be trying**
13 **to draw on their own particular perspective on that, and**
14 **at times perhaps -- well, at times I might have thought**
15 **that we could have stood back or done something**
16 **differently, but I wouldn't necessarily have had the**
17 **information somebody else would have had. So -- does**
18 **that sort of ...?**

19 Q. You were explaining to me about the safety-based
20 approach --

21 **A. Yes.**

22 Q. -- and the compliance-based approach, and how --

23 **A. Right.**

24 Q. -- you might have perceived something as --

25 **A. Yes.**

1 Q. -- "I'll only step in when the young person is a danger
2 to themselves or others" whereas the compliance-based
3 approach would have been potentially to step in sooner
4 --

5 **A. Yes, to prevent it developing into a ...**

6 Q. -- so that you didn't get to the danger, ie, you stop
7 the thing before it gets out of hand, that you are
8 managing a danger --

9 **A. Yes.**

10 Q. -- as opposed to let it get to the managing of a danger
11 and then try.

12 **A. Yes, unless, of course -- yes.**

13 Q. I appreciate we're trying to condense this down, but if
14 you can try and articulate to the Panel that value
15 judgment, how that exercise is conducted and why then it
16 would lead to one person feeling, "Oh, we could have
17 stepped in earlier or later".

18 **A. I suppose that is based on the range of -- where people
19 were at the time of an incident beginning and reading
20 the group and reading how they were interacting with
21 each other, because sometimes would appear that
22 somebody -- a young person may think that somebody had
23 stepped in sooner than they need. We may have thought
24 that, but then we wouldn't necessarily have been aware
25 of the whole group situation and how things were playing**

1 out there. So in order to ensure the safety of the
2 whole group and the individual you would end up gauging
3 at what point it became appropriate, and at times there
4 could be a discrepancy there within our views, but --
5 I'm not expressing that well.

6 Q. What you were explaining to me, and I appreciate I'm
7 trying to -- you were explaining to me at length and
8 then I'm trying to condense down for you for the Panel,
9 but you were explaining to me that, for instance, you
10 would have been characterised as someone --

11 A. Yes, who would have stood back.

12 Q. -- perceived as perhaps too slow to physically intervene
13 and that the situation had escalated beyond. I suppose
14 what I'm trying to help you explain is that this isn't
15 a random you walk along the corridor and just slap some
16 child. That's not alleged of you.

17 A. Uh-huh.

18 Q. It's about the experience of the young person during the
19 episode when things had got out of hand and how that was
20 managed, and what I'm trying to -- you were explaining
21 to me earlier that difficulty in knowing at what point
22 it's the right point in that your other techniques of
23 de-escalating have run out of steam, if I can describe
24 it that way.

25 A. Yes, yes.

1 Q. Can you just say a little more about that?

2 **A. I'm sorry. I'm just blank here.**

3 Q. That is fine. You were explaining to me that the
4 techniques that you used de-escalate.

5 **A. Yes.**

6 Q. You had a range of techniques that you would use before
7 you would --

8 **A. Yes. We would --**

9 Q. -- get anywhere near physical intervention.

10 **A. Yes. I mean, we would -- we would exhaust all the**
11 **possibilities of, you know, trying to engage a young**
12 **person, trying to create space so they could, you know,**
13 **have the space to come down. We would have tried to**
14 **work with them possibly separate from the group, trying**
15 **to protect their dignity as well. Am I ...?**

16 Q. And it's -- you were explaining then that really it's
17 when those types of interventions -- the person was not
18 coming down --

19 **A. Yes.**

20 Q. -- that you could end up --

21 **A. Well, yes, as it was escalating, then that could be when**
22 **it would become necessary to intervene in a physical way**
23 **just to ensure safety.**

24 Q. And you were explaining to me that generally in your
25 unit there was -- there wasn't just you --

1 **A. Uh-huh.**

2 Q. -- and you had your colleague working with you trying to
3 manage the situation, and if you just can explain to the
4 Panel, you were giving me an example of where the group
5 who were not escalating the way that the young person
6 that you were dealing with was could feel you should get
7 involved even quicker --

8 **A. Yes.**

9 Q. -- than you were prepared to and then at other times
10 your concern was that you didn't want the group to feel
11 that you were being heavy-handed with the person,
12 because they would then see that as their -- what might
13 befall them. Can you just explain that type of
14 judgment-based approach? Maybe I'm summarising it too
15 much for you, RG5.

16 **A. Sorry. I just felt that I had said that when I had**
17 **said, you know, we were mindful of how we spoke, our**
18 **tone of voice, every gesture we made, because it could**
19 **be interpreted by anybody who was in the group or the**
20 **young person who was involved directly in the incident**
21 **and every member of staff was having to obviously make**
22 **those same dynamic risk assessments, and the fact that**
23 **in order to gauge it, we were depending on our**
24 **individual response to what we were seeing, but also in**
25 **trying to ensure that perhaps we could manage and keep**

1 **the rest of the group calm while we were dealing with**
2 **the person at the point of the incident.**

3 Q. You -- I was asking you were there situations whenever
4 you were unhappy about how another member of staff had
5 behaved and was there a willingness or an ability to
6 complain to your senior staff about how something was
7 dealt with or a situation that you uncovered and was
8 something then done about it?

9 **A. Yes.**

10 Q. You were giving -- you don't need to give the name, but
11 do you want to give an example that did stick in your
12 mind where you were not happy about something and you
13 took steps to deal with it?

14 **A. Yes. There had been an episode at a point when a member**
15 **of casual staff had had a very tragic family**
16 **circumstance and lost a daughter. She had passed away,**
17 **and in the aftermath of that on an evening he was out.**
18 **He was off duty and had taken alcohol and wandered in to**
19 **chat to staff in the centre, and they had to encourage**
20 **him to leave, but also report it to senior staff. Now**
21 **this man was a casual staff and he didn't work with us**
22 **again, but if there was ever anything that was a cause**
23 **of concern to me or any of the staff that I worked with**
24 **about practice, we were very open to reporting it to our**
25 **managers, and I always saw an outcome to that, should it**

1 **be that somebody was suspended, that it was always**
2 **investigated and dealt with.**

3 Q. I was asking you then in the context of the occasions
4 whenever physical intervention occurred, which is what
5 the Inquiry has heard evidence about, in the 30 years
6 that -- 28 years you worked in Rathgael could you recall
7 an incident where you felt that really it wasn't about
8 protecting the young people. It wasn't about safety.
9 It was a member of staff being too aggressive in how
10 they'd gone about dealing with a situation that faced
11 them.

12 **A. No, I never encountered that, not in my experience, no.**

13 Q. I was asking you -- one of the matters that the Inquiry
14 has heard about is that when you involved a senior
15 member of staff -- and perhaps you just can explain the
16 set-up. There was a senior member of staff who was on
17 call for all of the units --

18 **A. Yes.**

19 Q. -- and when a situation was getting out of control or
20 you felt that your team couldn't keep it and de-escalate
21 it, then you could have recall --

22 **A. Yes.**

23 Q. -- to that person.

24 **A. Yes.**

25 Q. And I was asking you -- because the suggestion has been

1 made to the Inquiry that one of those at least senior
2 members of staff would come in and tell you to leave and
3 they would then deal with the situation that you could
4 no longer deal with, and I was asking you in your
5 experience do you recall senior staff taking over,
6 removing you from the environment --

7 **A. No.**

8 Q. -- and dealing with --

9 **A. No. If I had a need or the team I was with had a need**
10 **to call the senior member of staff, they would come in**
11 **and give advice and support, but I was never ever asked**
12 **to leave so that could be dealt, with because we were**
13 **involved in the incident and it was about following it**
14 **through.**

15 Q. Those are the general matters, RG5, and I know some of
16 them will come up again in the context of the individual
17 allegations, but I'm going to look now at the three
18 individual allegations that are made against you. In
19 fairness to you I'm going to draw to the Panel's
20 attention to the following and ask you if they're
21 correct: that to the best of your knowledge the
22 allegations that are now made against you by these three
23 individuals were not made at the time they are said to
24 have occurred in Rathgael.

25 **A. That's correct.**

1 Q. And I did draw to the Panel's attention that one of
2 these individuals was involved in a complaint about
3 a member of staff that was not involving you, and the
4 allegations were never made to the police and you were
5 never spoken to by police --

6 **A. That's correct.**

7 Q. -- about these matters at any time, and that you were
8 not subject to any form of investigation to do with
9 them, whether internal in Rathgael or external to do
10 with some other body --

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

12 Q. -- at any stage. The position is that you never had any
13 form of disciplinary proceeding that you have been
14 involved in in your now over 30 years in social work.

15 **A. That's correct.**

16 Q. And you draw attention in paragraph 4 of your statement,
17 4861 -- if we just look at 4861, please, you explain, if
18 we scroll down to the bottom, your own set of values and
19 approach to life. You draw attention to the fact of
20 your own children that you have. Can you just -- you
21 were explaining to me earlier what you meant by that,
22 that by this stage children were coming into somewhere
23 like Rathgael even though their parents wouldn't
24 necessarily have wanted that for them. It could be
25 anybody's child.

1 **A. Yes.**

2 Q. Can you just explain what you mean by that and how that
3 influenced your approach to dealing with children in
4 Rathgael?

5 **A. Well, I felt that the children and young people that
6 I worked with were entitled to all of the respect and
7 care that I would want for my own. So it was as simple
8 as that.**

9 Q. I think the point you were making to me earlier was
10 that, "This could be my own child".

11 **A. It could be. It could be anybody's.**

12 Q. Now HIA389, who is "HIA389", spent approximately
13 14 months in Rathgael between August 1993 and
14 December 1994. That was before her 16th birthday
15 and until she was 17. She has explained to the Inquiry,
16 if we just bring up, please, 090, and I'm just going to
17 summarise it for you, RG5 -- she says that you -- and it
18 is from paragraphs 20 to 22 -- that you bullied her.
19 She gives an example that on one occasion you took her
20 to the swimming pool and she wanted to spend longer in
21 the pool than you were prepared to allow her and you
22 then dragged her out using a long handled net before you
23 grabbed her and twisted her arm up her back, as a result
24 of which she screamed in pain and she had to be taken to
25 hospital as a result of the incident. She says in

1 paragraph 21 and the implication is that she overdosed
2 as a result of this and that you were the one who took
3 her to hospital, and then in paragraph 22 she refers to
4 RG2 beating her, spitting in her face,
5 and threatening her if she misbehaved when you were
6 working, then he would deal with her.

7 Before we look at some specific documents if I could
8 just draw out -- you were saying to me earlier that in
9 order to be in the pool you had to be able to swim.

10 **A. Yes.**

11 Q. Can you remember ever using -- I think you describe it
12 differently, but it was a long handled with a hoop on
13 the end.

14 **A. Yes.**

15 Q. Do you remember ever making use of that to take anyone
16 out of the swimming pool?

17 **A. No.**

18 Q. You were telling me that you could recall one occasion
19 which involved you with that hoop.

20 **A. Yes.**

21 Q. Can you just explain to the Panel what that was?

22 **A. One of the young people in attendance grabbed the device**
23 **and went to try and interact with the kids in the pool**
24 **and I had to remove it just and put it back on the rack.**
25 **It was simply lifted off them and put back on the rack.**

1 Q. But that's the only time you can remember dealing with
2 it?

3 **A. It is.**

4 Q. You were drawing to my attention earlier that -- how
5 effective it may or may not have been if you wanted to
6 bring somebody out of the pool. Can you just explain to
7 the Panel what you mean by that? Would it have helped
8 you if you were trying to drag someone out to use ...?

9 **A. I don't think so. Anybody in the pool would have been**
10 **considered to be an able swimmer and the safety device**
11 **was designed so that it could be placed near somebody in**
12 **difficulty to give them something to hold on to so you**
13 **could guide them out, but to use it to try and remove**
14 **an able swimmer, they would have swim under, around or**
15 **away from it and it would have had no effect.**

16 Q. Now HIA389 gave evidence to the Inquiry on Day 155 and
17 it's pages 32 to 36 of her transcript that relate to
18 you. For the record, Members of the Panel, that's at
19 80397 to 80402, but during her giving her evidence
20 Ms Smith, who took her through her evidence, drew her
21 attention to a number of documents from her Rathgael
22 file.

23 The first of those, if we look, please, at 44792 --
24 and I was asking you was this your handwriting --

25 **A. No, it's not.**

1 Q. -- RG5, and you were saying it wasn't. Ms Smith drew to
2 HIA389's attention this record from 15th August 1993.
3 So it's six months before the one that relates to the
4 milk bottles and the pool that we will look at
5 shortly -- four months beforehand. It records you being
6 the subject of an assault. Now I can't find the
7 incident report that's referred to in respect of this
8 date, but I was asking you could you remember what this
9 was about, and you were explaining to me --

10 A. No.

11 Q. -- you honestly don't remember.

12 A. No, I don't.

13 Q. The particular location jogged your memory --

14 A. Yes.

15 Q. -- but you wouldn't have associated it with HIA389.

16 A. **Having seen this again, I have a vague recollection that**
17 **something had happened and I had been injured, but**
18 **I have no recollection of the incident at all.**

19 Q. And you've explained how common those type of things --

20 A. Yes.

21 Q. -- might be, but there then was an incident on
22 31st December 1993, so that's New Year's Eve, and it's
23 recorded in the unit log, and we are going to look at
24 the documents that surround it. 44820, please. Again
25 you confirmed to me this isn't your handwriting.

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

2 Q. If we just scroll down, please, to 31st, there's
3 reference to being:

4 "Taken to the swimming pool. Involved in incident
5 where staff were threatened with broken bottles (see
6 incident report)",

7 which we will look at shortly.

8 "Had to be restrained from injuring RG5, during
9 which HIA389's arm was hurt, activating a previous
10 injury. Taken to Ards Casualty as a precaution. Soft
11 tissue injury."

12 Now you were saying to me your own recollection is
13 you did record about this incident.

14 **A. Yes.**

15 Q. Now all I can say is in the file that's been given that
16 relates to HIA389 I can't find that report. That's not
17 to say there is not one somewhere, but your recollection
18 is you would have written up after this incident,
19 because it specifically concerned you.

20 **A. Yes.**

21 Q. And there are two incident report forms that we are
22 going to look at. If we look, please, at 44964, and
23 just if we can set the context of this, this is the type
24 of incident report form pro forma that you would have
25 completed --

1 **A. Yes.**

2 Q. -- in Rathgael, and in the top right corner we can see
3 the time is 7.21, and that will be relevant for
4 something else in due course, but the staff who are
5 involved are said to be RG 5 which I take to be you, RG5
6 --

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

8 Q. -- and ^{RG 235} and you were explaining to me that was RG 235
9

10 **A. Yes.**

11 Q. You were explaining to me that this is his writing
12 rather than yours.

13 **A. Yes.**

14 Q. What he is recording is there seems to be three young
15 people involved in this. There is ^{RG 249} and
16 then HIA389 and HIA503. What he says is:

17 " RG 249 and HIA503 were involved -- have involved
18 themselves in an incident, grabbed empty milk bottles
19 and smashed them and RG 249 started threatening staff
20 with them with the broken neck, gesturing for us to come
21 on. ^{RG 235} "advised both to go to the unit
22 door and I held" -- so this is what ^{RG 235} --

23 ^{RG 235} is saying -- "I held HIA389's arm by the
24 wrist to prevent her breaking away again. I then
25 escorted both girls", so HIA389 and RG 249 "to the back

1 door. RG 249 and HIA503 then blocked the doorway
2 physically, then shouted abuse. On entering HIA503
3 grabbed -- on entering laundry HIA503 grabbed an iron
4 and stood giving the appearance to throw some. As
5 HIA389 was led through the 9A kitchen", so that's the
6 reception unit kitchen, "doorway both physically
7 obstructive -- obstructed path and exit of staff. RG 249
8 was physically removed from exit."

9 So that's one record of the incident which refers to
10 the milk bottles, and then in HIA503's file there's
11 a similar incident report from the same date, if we look
12 at 46841, and again we can see in the top right corner
13 7.20 approximately, RG 5 ^{RG 235} Again this is RG 235
14 handwriting, RG5.

15 **A. Yes.**

16 Q. He says:

17 "Attempting to trip me up and block my path. RG 5
18 arrived and again asked girls to leave the pool."

19 So the implication is this is something that's
20 happening at the swimming pool.

21 **A. Yes.**

22 Q. So it may just be before the incident report form we've
23 looked at.

24 "... and again asked girls to leave the pool.
25 Eventually all came out. HIA389 had overheard my

1 request for a Shamrock placement."

2 Now I was just asking you earlier how would that be
3 done, the requesting of a Shamrock placement? Who do
4 you ask?

5 **A. Well, it would have been a senior member of staff would**
6 **have been asked and given sort of what the thinking was,**
7 **what the reason was for that.**

8 Q. Might that -- was there a telephone, for instance, in
9 the swimming pool?

10 **A. No, no. That would have had to have happened in the**
11 **unit.**

12 Q. Well, it seems that it is perceived that HIA389 is aware
13 that she might be going to Shamrock, and then the record
14 then says:

15 RG 5 took HIA389 by the wrist and left pool."

16 **A. Uh-huh.**

17 Q. And then:

18 "RG 235 and HIA389 refused to come out."

19 **A. Yes. We thought that was RG 235 and HIA503.**

20 Q. It might be meant to be RG 235 and HIA503, if you've
21 already taken HIA389 out.

22 "As we walked to the back of reception HIA389 kicks
23 and this ..."

24 **A. "Broke free."**

25 Q. "... broke free from the group and ran off. RG5", you,

1 RG5, "intercepted HIA389 at the kitchen door. HIA389
2 grabbed a milk bottle and attempted to hit out with
3 them. RG5 placed HIA389's arm behind her back."

4 So that's what's recorded in the records and then --

5 CHAIRMAN: Just go back to the middle. It not easy to read:

6 " RG 235 and HIA389 refused to come out",

7 and then the next words:

8 "But moved out"?

9 MR AIKEN: It seems to be "moved out".

10 **A. Yes, it seems to be.**

11 CHAIRMAN: Which might suggest they were taken out rather
12 than coming out voluntarily, if you see the distinction.

13 **A. I do, but if there were two members of staff there and**
14 **I had already come out with HIA389, we assume that this**
15 **is possibly HIA503 and RG 249 who remained in the pool**
16 **at that point. I don't -- I don't believe and**
17 **I certainly am not aware of RG 235 removing anybody**
18 **physically from the water.**

19 MR AIKEN: We looked at the time of this document. So it is
20 7.20. Then there's an A&E record of -- because
21 obviously HIA389 got hurt in this process --

22 **A. Yes.**

23 Q. -- because if we look at 45010 and if we look, first of
24 all, at the time, 7.40 pm, so this is 20 minutes after
25 one of the incident report forms record the events

1 happening and 19 minutes after the other:

2 "Injury to right elbow today. Sore and painful."

3 Now you -- you can remember this particular incident
4 occurring.

5 **A. I can. I can remember certainly the crux of it with the
6 milk bottle, yes.**

7 Q. Can you explain -- you were concerned that your memory
8 would be accurate.

9 **A. Uh-huh.**

10 Q. That's what you were telling me earlier, but doing the
11 best you can, what do you remember occurring that led
12 you to physically intervene with HIA389 that evening?

13 **A. I remember us approaching the corner of the kitchen unit
14 and just stacked at the back of it were crates with
15 empty milk bottles. She grabbed one, hit it against the
16 wall and tried to put it in my face. In some manner
17 I managed to remove the bottle and walk her to the unit,
18 holding her right arm, which -- I was concerned. She
19 did -- she did cry out and I was concerned that it did
20 hurt, and I reported that to the staff as soon as I got
21 in, which is why she probably would have been so quickly
22 to hospital.**

23 Q. Was that one of the -- how would that episode sit on the
24 scale of things you'd been confronted with in your time
25 at Rathgael?

1 A. I think the fact of the broken bottle was probably more
2 than I would normally -- it would normally just be
3 a physical attack using their body, but the broken glass
4 element was frightening. So I think that's why it stays
5 in my mind.

6 Q. After -- can you remember -- I am asking you this
7 because there are no documents that explain it. You
8 have had this episode where a young person has come at
9 you with a glass bottle. That's a serious incident in
10 anyone's book. Was there a mechanism where staff talked
11 through, "Right. Here's what happened. Here's how we
12 dealt with it. How do we avoid this again? What do we
13 do to make sure we manage this better or what could we
14 have done differently?" Did that type of process happen
15 and how did it happen?

16 A. Yes, it did. It happened formally and informally in
17 discussion with our team leader, but also with our peers
18 that were on duty and in a whole team at a team meeting,
19 and any major incidents would be discussed and looked at
20 and considered, but I don't know if it was recorded in
21 those days as a formal debrief, but all of those
22 elements did happen, and I'm aware, for instance, after
23 this that we soon moved from milk bottles to the tetra
24 packs for the milk. So, you know -- so it just --

25 Q. That was a practical step to remove that risk.

1 **A. Yes.**

2 Q. The Inquiry has been given the individual files of young
3 people.

4 **A. Yes.**

5 Q. Those type of records that you're talking about, that
6 reviewing mechanism, I don't know if they -- they are
7 certainly not in these types of files that the Inquiry
8 has.

9 **A. I don't know that they would have been a matter of**
10 **record then. I know certainly latterly they have been**
11 **recorded and I can't remember if they were recorded**
12 **then.**

13 Q. So there would have been informal communication going on
14 about how you were dealing with certain things --

15 **A. Yes.**

16 Q. -- but not necessarily minuted notes being taken of
17 that.

18 **A. As I remember it, yes.**

19 Q. Ms Smith then went on to explain to HIA389 giving her
20 evidence what you said in your response statement. I am
21 just going to show that on the screen at 4860. I am
22 just going to summarise it, that you never bullied or
23 assaulted any young person in your care. You did not
24 bully HIA389. In relation to swimming there would have
25 been another member of staff present during swimming.

1 You couldn't recall an incident arising from someone
2 wanting to stay longer in the pool and you didn't drag
3 HIA389 out of the pool with safety equipment. You
4 didn't think you would have had the strength to do that
5 to anybody and you don't recall doing it to anybody.
6 You're not aware of any incident arising as a result of
7 someone being removed from the swimming tool that needed
8 hospital treatment. You do go on to explain then the
9 one incident that we have been looking at where you
10 recall restraining HIA389.

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

12 Q. Then you explain at the top of 4861 you take issue with
13 being described by HIA389 as an abuser and you take
14 issue with the claims that she makes about you.

15 After that material was drawn to HIA389's attention
16 she was asked whether there was anything else she wanted
17 to add to it and she responded simply that she just
18 wanted to say that you were a liar. Those are the words
19 that she used. Members of the Panel, the reference for
20 that is at 80401 in the middle of the page.

21 Is there anything else that you want to add about
22 that? I appreciate we're looking back over a long
23 number of years ago, but you would have dealt with
24 differently or felt, knowing what you know now but
25 didn't know then, you would have dealt with it in

1 a different way or is it --

2 **A. Not really, because it was a very unexpected and**
3 **threatening incident and it was dealt with in a way that**
4 **I think created safety for both of us, albeit there was**
5 **a soft tissue injury, but, I mean, certainly everything**
6 **was done with care in possibly a disorganised manner**
7 **maybe. Maybe with the training it would have been dealt**
8 **with differently, but I don't know that that's the case,**
9 **because somebody coming at you with a sharp object is**
10 **not something that we're necessarily trained to deal**
11 **with even now.**

12 **Q.** And the second -- you will be pleased these will be
13 shorter, RG5 -- the second sister, HIA386, she was born
14 on . Three spells in Rathgael: two weeks
15 at the end of 1992/start of '93 when 13; six weeks in
16 February '95 to April '95 when 15; and then a year and
17 a half from April '95 to September '96 just before her
18 16th birthday until she was 17.

19 In paragraph 15 of her statement, if we could just
20 put it on the screen, please, at 84, 084, paragraph 15,
21 she says you and your husband would kick her on the
22 shins, spit on her, bully her and at times she was also
23 restrained on hard stairs, though it is not clear -- if
24 you just bring up, please, 084 -- it is not clear in
25 respect of the restraining on hard stairs whether that's

1 a reference to just generally something occurring --
2 scroll down to 15, please -- or whether it's something
3 that was being said of you, but you -- your reply in
4 paragraph 1 of your statement is to -- you deny those
5 allegations, explaining what you would have done had
6 anything like that occurred in front of you to any child
7 --

8 **A. I would have reported it.**

9 Q. -- if you had seen any member of staff. You are saying,
10 "It is not something I ever did and I certainly did not
11 see a member of staff doing it, and if I had, I would
12 have reported them for doing those types of things,
13 kicking and spitting".

14 **A. Yes that's absolutely true.**

15 Q. I think I did draw to the Panel's attention -- yes, it
16 was HIA386 -- there are 60 untoward incidents and you
17 are not involved in any of those as far as the records
18 are concerned.

19 Now when HIA386 gave evidence to the Inquiry on Day
20 155, her evidence was given in closed session for
21 reasons that are unrelated to you, and for the Panel's
22 assistance the reference is that -- it is at pages 42
23 and 43 that relate to RG5. She -- I asked her about the
24 point you make in your statement about your husband not
25 working with you and she accepted that you wouldn't have

1 worked together all the time, but that you did
2 sometimes. You would have worked downstairs and he
3 would have worked upstairs, and you were explaining to
4 me that doesn't make sense. Can you just explain what
5 you mean by that to the Panel, and then can you explain
6 the working arrangements with your family situation?

7 **A. The units were all on a level. There were bedrooms**
8 **upstairs, but the group activities normally -- well,**
9 **they all took place downstairs, and our base for work**
10 **was downstairs in among the young people. On occasions**
11 **at the request of the young person I can think of times**
12 **when I would have been upstairs with one, maybe two,**
13 **while they were doing an activity or something of that**
14 **nature, but -- or -- there's no occasion when a member**
15 **of staff would have been tasked to work upstairs and one**
16 **downstairs in a unit, you know, as a shift.**

17 My husband at that time had a full-time job and
18 worked as a casual worker in Rathgael. We had
19 young children, and the nature of our childcare
20 arrangements was that one would be at home with our
21 children at any time. So it was very unusual for us to
22 be working at the same time, never mind in the same
23 unit, and he would have done an occasional evening and
24 weekend, mainly in a different unit.

25 Q. You were explaining it meant you would have had to have

1 got babysitters in in order for the two of you to work
2 at the same time.

3 **A. Yes, and it was our choice to try and be with -- one of**
4 **us with the children all at time.**

5 Q. You were explaining to me earlier you have very little
6 recollection of her specifically and --

7 **A. Barely at all.**

8 Q. -- when I put what you had to say in your statement to
9 her, she -- I asked her to confirm her recollection of
10 things was different and that's her position. Is there
11 anything else you want to say to the Panel about her
12 particular allegation?

13 **A. Well, I just absolutely refute it. That's all that**
14 **I can say about that. I have never behaved in that way**
15 **and I wouldn't tolerate anyone else behaving in that**
16 **way. So it's ...**

17 Q. The third sister then is HIA503, now HIA503. She is
18 "HIA503". She was the youngest of three siblings that
19 we were talking about. She was born on

20 had three spells in Rathgael: four weeks
21 in October to November '93, spanning her 13th birthday;
22 then December '93 to March '94, 15 weeks while 13; and
23 January '96 to late 1997, which is after the Inquiry's
24 terms of reference.

25 Her allegations are in paragraph 23 of her

1 statement, if we put 130 on the screen, please. Again
2 she described an incident in the swimming pool similar
3 to her elder sister HIA389, except it is not you using
4 the large hook, as she describes it, but it is
5 a colleague of yours called RG232. I was asking you did
6 you remember RG232 and you said you worked with him for
7 years.

8 **A. Yes.**

9 Q. He's described here as he got her out of the pool with
10 the hook, sat on her with his 18 stone weight, pushed
11 her face into tiles. She says she screamed for help.
12 No-one came to assist. In fact, you were present when
13 this was occurring and you didn't do anything to help
14 her.

15 You were explaining to me -- you made a number of
16 points that I am going summarise and then you can add
17 to. You don't recall RG232 ever behaving like that with
18 anyone.

19 **A. No.**

20 Q. It is the case that he was a heavier man.

21 **A. Yes.**

22 Q. You don't know what his precise weight was, but you
23 don't recall him ever out of -- in a swimming pool
24 context sitting on a young person at the side of the
25 swimming pool.

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

2 Q. I was asking you is that sufficiently unusual that you
3 think even now you probably would remember that if it
4 had occurred in that way?

5 **A. Well, the pool was a high risk environment. So, you**
6 **know, if something like that was happening, it would**
7 **stand out in your memory I think, but I have no**
8 **recollection of anything even close to that.**

9 Q. Then I moved to ask you not necessarily in the context
10 of RG232, but the restraining mechanism -- you were
11 explaining to me there would have been occasions -- you
12 tried to use arm and hand and shoulder to bring matters
13 under control --

14 **A. Uh-huh.**

15 Q. -- but at times being on the ground was not that unusual
16 with the child -- with the young person, because there
17 was actually more control on the ground than when
18 standing up, and you were saying you were less likely
19 to -- for them to get hurt and for you to get hurt --

20 **A. Yes.**

21 Q. -- if it was dealt with in that way. Can you just
22 explain to the Panel what you mean by that?

23 **A. Any of the techniques that we ever learned regarding**
24 **standing holds, if a young person had the purchase to be**
25 **able to push or, you know, try to break away I suppose,**

1 **there was potential for falling. Anybody could fall**
2 **badly, staff and young people, and that did pose a risk**
3 **for breakages or, you know ... Any injury really of**
4 **a member of staff and a young person could be bad,**
5 **especially because we are, you know, various weights and**
6 **sizes.**

7 Q. And you make the point in your statement that if
8 something like this -- we see this at 4861, please,
9 paragraph 3 -- if something like this had happened, it
10 would have been document, reported. I wanted to ask you
11 is that the type of incident report form you mean so
12 that if ever there was a physical intervention between
13 a staff member and a young person, there ought to be
14 a report of it?

15 A. **There would be. I'm not aware of any incidents taking**
16 **place that weren't recorded on one of those incident**
17 **report forms.**

18 Q. So that --

19 A. **Physical intervention particularly.**

20 Q. So if people have done their job properly, and in her
21 case there are 32 of them, if people have done their job
22 properly, there should be a full record of each occasion
23 when there was a physical intervention between a staff
24 member and the young person --

25 A. **Yes.**

1 Q. -- as well as -- and in fairness most of those -- we
2 have looked at over 100 this morning in the context of
3 the three sisters -- most of them don't involve physical
4 intervention but record the particular difficulty that's
5 being dealt with and how it was managed out.

6 **A. Yes.**

7 Q. And then in respect of some of them there is physical
8 intervention that's recorded as having taken place.

9 **A. Yes.**

10 Q. Is that -- was that the mechanism that was utilised for
11 recording and reporting?

12 **A. Yes.**

13 Q. And those incident report forms, did they then involve
14 senior staff coming back to you about them after they
15 were submitted or were they again were informally dealt
16 with? Can you remember a process where --

17 **A. All physical -- all incident reports would have**
18 **certainly been viewed by the team leader, and those that**
19 **involved physical intervention often to senior**
20 **management as well.**

21 Q. And would that have led potentially to a discussion
22 taking place about, "Well, how was this managed? How
23 was it dealt with? Why did you need to do that? How
24 could we avoid doing that?"

25 **A. Yes, yes. We were generally looking for learning as to**

1 **how to do it better.**

2 Q. If we just look at her transcript, please, 80440, you --
3 she explains in a little more detail the episode of
4 coming out. If we just scroll down, please:

5 "... put the hook over me and trailed me out. It is
6 like a big metal bar with like a wide hook thing on it."

7 You don't recall seeing that being done by any --

8 **A. No.**

9 Q. -- even if it wasn't RG232, by somebody else?

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

11 Q. One thing that HIA503 does talk about in paragraph 25 of
12 her statement at 130, please, she complains about you
13 cutting cigarettes to make them shorter.

14 **A. Yes.**

15 Q. And she spoke about that during her oral evidence at
16 80441 on to 80442. She said at 80442, if we bring that
17 up, please, that you were the only member of staff who
18 cut them down, that others confiscated them, but you
19 would have been able to earn them back off those members
20 of staff whereas when you cut them, there was no coming
21 back from that. I'm just going to set all this out and
22 then I'm going to ask you about it.

23 **A. Yes.**

24 Q. She was asked if it was the cutting she regarded as
25 abusive, and she felt it was, because she was -- she

1 talked more in the "us". "We were addicted to nicotine
2 and you weren't getting cigarettes and then everyone was
3 more worked up." She goes on to say at 80443 that there
4 was no good reason for shortening the cigarettes.

5 You address the issue in your statement at 4861,
6 paragraph 3 in the middle of the page. I was having
7 this discussion with you earlier and I am just going to
8 quickly summarise it and then you can add to it. When
9 you came in, there was -- to work in Rathgael, there
10 already was this policy of a young person, if they
11 smoked, they got six or seven cigarettes per day.

12 **A. Yes.**

13 Q. I was asking you, "Was it never a subject of discussion
14 'Why are we giving young people cigarettes?'" and you
15 told me that it was a discussion. There were a number
16 of you felt, "Why are we doing this?"

17 **A. Yes.**

18 Q. Do you want to just say a little bit more about ...?

19 **A. Well, a lot of staff did query it, because these young
20 people weren't of an age where they could legally have
21 bought cigarettes, and again reflecting on their own
22 children, they were thinking they wouldn't be
23 encouraging or, you know, buying or supplying cigarettes
24 for them.**

25 Q. You were explaining to me that it was -- the young

1 person viewed having a cigarette -- that was part of
2 their coping mechanism and that's why -- that's your
3 understanding for, "They smoked already. Therefore
4 we'll not make things worse for them by depriving --

5 **A. Yes.**

6 Q. -- them of that and will allow them to smoke a certain
7 amount."

8 **A. Yes.**

9 Q. And then the cigarettes were utilised as one of a range
10 of ways of there being a consequence for behaviour.

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

12 Q. And just if we look at what you had to say, if we go to
13 4861, please, and you characterised the cutting, RG5, in
14 a different way, that in effect by doing that that was
15 a halfway measure, because you don't agree with HIA503
16 that those who lost cigarettes necessarily got them
17 back, and your way of cutting a piece of cigarette away
18 meant that they still got the cigarette, the opportunity
19 to smoke as they wanted --

20 **A. Yes.**

21 Q. -- but there was a recognition that their piece of
22 behaviour meant they were not having all of the
23 cigarette.

24 **A. Yes.**

25 Q. Was this an area that you were particularly happy about

1 in Rathgael, this issue over smoking and how it was
2 being dealt with?

3 A. Well, I think that the cigarettes themselves gained
4 an importance among the young people and became
5 a currency almost. If cigarettes were confiscated or
6 held back, the person who had lost the cigarette would
7 often go out and get a smoke off everybody else. So it
8 had an impact on the whole group again. So in a sense,
9 apart from the health issues, which I do have thoughts
10 about, I think that it gave them an importance that
11 probably was beyond what was warranted. I understand
12 that I think that they were a coping mechanism for the
13 young people and for that reason I suppose I supported
14 the fact that they were able to use them, but I didn't
15 question particularly the policy of them having
16 cigarettes.

17 Q. The impression that HIA503 was giving to the Panel was
18 that you were -- and she used the word a number of times
19 with the gesture snip, snip, snip, snip, snip -- that
20 you looked forward to snipping the cigarettes as
21 a punishment for her for her behaviour. Is that how you
22 viewed how this was dealt with?

23 A. No. It's something that would have happened only
24 occasionally really. It wasn't the ongoing policy. It
25 would have been something more in a situation where

1 **there had been a lot of incidents and a lot of**
2 **difficulties and people were losing a lot of cigarettes,**
3 **so in order for them to maintain their coping mechanism**
4 **rather than lose the cigarette, but all of this would**
5 **have been discussed with young people at the time, and**
6 **I was never the nominated cigarette provider, you know.**
7 **It would have been a matter of whichever member of staff**
8 **was there.**

9 Q. Were you the only one who ever cut some of the
10 cigarette?

11 A. **No, I wasn't.**

12 Q. So there were other members of staff who ...?

13 A. **Yes. I never unilaterally introduced any policies or**
14 **methods of dealing with things into Rathgael.**

15 Q. I've covered quite a lot of ground in a short space of
16 time both generally and looking at the three
17 allegations.

18 Is there anything else -- you are aware of the terms
19 of reference of the Inquiry. Is there anything else
20 that you want to say about your time working in Rathgael
21 that you could assist the Panel with?

22 A. **The -- probably the strongest impression that I'm left**
23 **with after working in Rathgael for quite a lengthy time**
24 **is that throughout all of the staff group that I worked**
25 **with it was always felt that the relationship with the**

1 young people was our strongest tool, and it was usually
2 something that we worked very hard at developing
3 effective working relationships and trying to -- trying
4 to make the experience of having to go through all of
5 the processes as agreeable or understood as possible,
6 and I suppose that's why I find it a bit strange and
7 difficult to have three people making allegations about
8 my particularly I have to say emotional abuse, because
9 the tool that we depended on is our relationship with
10 the young people we worked with and trying to be as fair
11 as we could.

12 Q. RG5, I am not going to ask you anything more. If you
13 bear with us for a short time, the Panel Members may
14 want to ask you something.

15 Questions from THE PANEL

16 MS DOHERTY: Thanks very much, RG5. That has been really
17 helpful. Can I just ask: you started as a casual member
18 of staff and then your husband did and we have heard of
19 other people. Was that very common, that there would be
20 casual members of staff on duty?

21 A. Yes.

22 Q. Would they be used differently from the permanent
23 members of staff? Had they a different responsibility?

24 A. Yes, they would. To a point the core staff would have
25 been the people more privy to the information about the

1 young people, doing primary work sessions, and it would
2 have a direct responsibility for the social work tasks
3 in the unit. Casual members of staff would have been
4 support in sort of primary care and general sort of
5 group supervision.

6 Q. Okay. So the core members of staff would more likely
7 work as key worker and more (inaudible) with the
8 children?

9 A. **Yes.**

10 Q. But could you have a situation where, you know, casual
11 members of staff -- I don't mean that as casual --

12 A. **Yes.**

13 Q. -- but casual in terms of their contract -- would be on
14 duty by themselves with children?

15 A. **I really don't think so. I can't think that I can
16 remember that. It may have happened, but if it did, it
17 would be an absolute ...**

18 Q. It would be very unusual?

19 A. **Very unusual. I really don't think so.**

20 Q. So when you were on that more casual contract, you would
21 have been with -- working alongside --

22 A. **I always worked with qualified staff and full-time
23 staff.**

24 Q. And when you became a full-time member of staff, what
25 were the supervision arrangements for you?

1 **A. A team leader would have given me ongoing supervision**
2 **and obviously in the first sort of three, four years**
3 **I had supervision because of my training as well. So**
4 **I had practice teacher interventions as well.**

5 Q. And that would entail looking at the work you were doing
6 with children and any issues you were having?

7 **A. Yes, all aspects of the work.**

8 Q. Can I ask: do you have any memory of inspections of
9 Rathgael?

10 **A. Yes.**

11 Q. Do you want to say a bit about that?

12 **A. I remember RQIA coming in and everybody feeling**
13 **accountable I suppose, you know. I would have had on**
14 **occasions to -- you know, they'd select a member of**
15 **staff to go through their work and on occasions I would**
16 **have been the member of staff. So I have had -- I have**
17 **had dealings on that level.**

18 Q. Okay, and would that have involved things like use of
19 restraint? Would that ever have been --

20 **A. All aspects, yes.**

21 Q. All aspects. Okay. You will be glad this is the last
22 question. With the three sisters being in at the same
23 time would there have been work done with them as
24 a family or any attempt to ...?

25 **A. I honestly couldn't -- couldn't answer that. I think**

1 that I worked more often in the unit -- in fact, I think
2 that I worked solely in the unit that HIA389 was in, and
3 I think that if I had any contact with HIA503, it was
4 sort of just because of being called upon to the other
5 unit or we were doing a joint activity, but the primary
6 workers would have been the people involved in that and
7 I can't remember any discussions about that. I think
8 there were visits, but I can't remember specific work.

9 Q. Okay. Thanks very much.

10 MR LANE: The three sisters that have been mentioned, did
11 they stand out to you as presenting bigger difficulties
12 than the other children?

13 A. Yes and no. I remember -- probably because of the milk
14 bottle incident I particularly remember -- well,
15 I remember HIA389 better. I don't particularly remember
16 her, but there would be other people who would have had
17 as many issues and acted as overtly as they did, yes.

18 Q. The number of untoward incident reports made about them
19 you have mentioned, was that typical of most children or
20 was that more than most do you think?

21 A. Certainly a high number --

22 Q. Uh-huh.

23 A. -- but most? I don't know. Probably the majority, yes.

24 Q. I'd like to get a balanced view of what life was like.

25 On a typical day how many untoward incidents would there

1 be? Were there a number or was it a rarity?

2 **A. Oh, there were a number.**

3 Q. Right. A number each day involving different children
4 typically though?

5 **A. It's hard to quantify that, but probably largely, yes.**

6 Q. You mentioned that you'd been assaulted a number of
7 times. Again was that a frequent thing or was it just
8 once in a while that something like that happened?

9 **A. It was very frequent.**

10 Q. And would that be true of all staff or did you get
11 picked on a bit more than most?

12 **A. No. I think it happened to a great many staff.**

13 Q. Right. Okay. Thank you very much.

14 CHAIRMAN: Well, RG5, you'll be relieved to hear I'm sure
15 that those are the last questions we want to ask you.
16 Thank you very much for coming to speak to us today.

17 **A. Thank you.**

18 **(Witness withdrew)**

19 MR AIKEN: Chairman, I note the time. I know Ms Smith is
20 taking the next witness.

21 CHAIRMAN: We'll sit again not before 2.10.

22 (1.05 pm)

23 (Lunch break)

24 (2.20 pm)

25

1 MAX MURRAY (called)

2 CHAIRMAN: Yes, Ms Smith.

3 MS SMITH: Good afternoon, Chairman, Panel Members, ladies
4 and gentlemen. Our next witness and last witness today
5 is Max Murray. He wishes to take a religious oath,
6 Chairman.

7 MAX MURRAY (sworn)

8 CHAIRMAN: Thank you. Please sit down, Max.

9 Questions from COUNSEL TO THE INQUIRY

10 MS SMITH: Now Max's statement and exhibits thereto can be
11 found in the Hydebank bundle at HYD⁴⁶⁹ to 1671. When we
12 were going through it earlier, Max, we discovered that
13 there are a couple of typos in paragraph 5, where -- and
14 I think it is paragraph 5.5. It should read:

15 "In instances where ...",

16 W-H-E-R-E. Again then in the same paragraph:

17 "Confinement to run for a period not exceeding 14
18 days or where ...",

19 again with an H in the word.

20 Then at paragraph 18 we discovered that you refer to
21 one of the Inquiry applicants' statement and you refer
22 to it as the statement of a HIA138. Again I'm using
23 names that aren't to be used outside the Inquiry
24 chamber. But, in fact, that is actually -- you were
25 actually referring to the statement of a HIA253 in that

1 paragraph 18.

2 Also at paragraph 20.2, where it reads "1978", it
3 should, in fact, be 1987 when you transferred to prison
4 headquarters -- prison officer headquarters.

5 We were looking at -- some of the details that you
6 give in your statement, Max, are not from your own
7 personal knowledge, for example, the numbers that went
8 through Hydebank, but largely what you have described in
9 your statement is from your own personal experience.
10 Isn't that correct?

11 **A. It is, yes.**

12 Q. And you describe your career working in the Prison
13 Service Northern Ireland from 1978 until you retired,
14 which we learned this morning was September of this
15 year.

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

17 Q. And you -- in paragraphs 1.2 to 1.4 you set out the
18 training that you received as a prison officer when you
19 joined. That included being trained on disciplinary
20 procedures.

21 **A. That is correct.**

22 Q. I am not going to go through -- I see we don't have the
23 statement on the screen, but maybe if we could pull it
24 up, please, at 469. As I assured you, the Panel have
25 read your statement and know the details. So I am not

1 going to go through every paragraph of it, but
2 paragraph 1.6 you were in Hydebank from 29th
3 October 1984. You went there, first of all, as deputy
4 governor and then governor, and you were there until
5 November 1987.

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

7 Q. In paragraphs 1.7 to 1.8 you describe the senior
8 management team that you had in Hydebank. Then in --
9 one of the questions that we were discussing and I was
10 asking you when we were talking earlier today was you
11 describe the training and about the white sheet that
12 there was, which essentially meant that you were
13 assigned to somebody within the facility, within the
14 institution to essentially shadow them and learn from
15 them the ropes of that particular institution.
16 I wondered was it possible then that you could pick up
17 their bad habits, the corollary, of course, being their
18 good habits, but you accepted that that could be the
19 case, that there was an element of that that might
20 occur.

21 **A. I accepted that could happen obviously if you are teamed**
22 **up with somebody who perhaps doesn't do the job that**
23 **is -- the way it is intended, but equally there are**
24 **protections in place through the Training Department,**
25 **first of all, in selecting the people that you would**

1 shadow with on a white sheet, and also at the end of the
2 day whenever you would do a debrief at the Training
3 Department, whenever they would ask you about the
4 working practice and what was -- what you had learnt
5 during the day, there's an opportunity there to correct
6 any wrong behaviours that you may have picked up. It's
7 not an issue I would have to say that I would have any
8 particular concerns about.

9 Q. You felt that there was that checks and balance, as it
10 were --

11 A. Checks and balances, yes.

12 Q. -- system in place. I was asking too whenever you did
13 transfer to Hydebank, you had been working in adult
14 prisons prior to that. I wondered if you yourself
15 received any training on how to deal with young people
16 and you had done so.

17 A. Yes. I had received specific training. I should have
18 told you I was also previously a residential social
19 worker in Whiteabbey Girls' Training School. So I had
20 done that work previously, but specifically whenever
21 I went to Hydebank, I undertook training, which
22 included, for example, engaging with Rathgael and
23 Lisnevin, as it was to become. I also went to Scotland
24 on a visit to Hillmount, as it was at the time, and
25 there is two other establishments. I am not sure of the

1 **specific names at this point in time, and also visit**
2 **Prison Service headquarters, looking at the management**
3 **of young offenders. So, yes, both Chief Officer**
4 **, who he was at the time, and I had -- he had**
5 **just transferred in about the same time -- both of us**
6 **had gone.**

7 Q. You were saying to me that this was something that you
8 did voluntarily.

9 A. **Yes.**

10 Q. It was not a compulsory personal development that you
11 had to partake of. It was something you wished to do to
12 better prepare yourself.

13 A. **Something I wished to do, but also something my governor**
14 **made clear that I would wish to volunteer for as well.**

15 Q. So there was an element of encouragement involved?

16 A. **Yes, there was.**

17 Q. You were saying to me that you would have had a certain
18 degree of expectation that your senior staff would have
19 also engaged in that kind of training programme.

20 A. **Absolutely, yes. It is part of the performance**
21 **appraisal process to look at personal development and**
22 **certainly there was an expectation that they would**
23 **similarly seek development opportunities, and they would**
24 **be directed in directions that they should perhaps look**
25 **at, and similarly that was cascaded down.**

1 Q. You say that you had to train those who transferred
2 about the different approach and that would have been
3 part of that training, encouraging them to do these
4 courses. That's at paragraph 6.7. We were discussing
5 whether there was any specific training in respect of
6 how children as opposed to young people, and I am going
7 to make the distinction. We know that there were
8 14-year-olds and upwards went into Hydebank up to the
9 age of 21. Some 22-year-olds might have stayed on to
10 complete their sentence and so forth, but the children
11 would have been -- what the Inquiry is particularly
12 interested in would have been those young people up to
13 the age of 18. I wondered was there any distinction --
14 specific training relevant to treating them as opposed
15 to treating the older inmates?

16 A. I have no -- I can't remember that there was any
17 particular distinction made. The only relevance I can
18 think is that, you know, they would have learnt on the
19 job with probation officers coming in, dealing with
20 juveniles. They would understand that juveniles had
21 a different -- there was a different management
22 responsibility attaching to the management of young
23 people under 18, and certainly in the likes of the
24 juvenile justice unit, you know, they would have been
25 learning from the likes of the probation staff and that

1 **who came on to the unit.**

2 Q. In Hydebank the only separation that there was, as
3 I understand it, between -- was between sentenced
4 prisoners, on the one hand, and the Juvenile Remand
5 Unit, on the other, which we know came down to Hydebank
6 when it closed in the Crumlin Road --

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

8 Q. -- from the Crumlin Road. So those remand unit children
9 and young people were kept separate --

10 **A. Yes.**

11 Q. -- from the sentenced prisoners, but there was no
12 separation within either the sentenced prisoner side or
13 the Juvenile Remand Unit side in terms of age --

14 **A. Sorry?**

15 Q. -- in the sense that 14 to 17-year-olds would have been
16 in the Juvenile Remand Unit. Isn't that correct?

17 **A. Yes.**

18 Q. Because we know anyone over 18 would have been remanded
19 to an adult prison.

20 **A. Yes.**

21 Q. But the -- there was no separation in the sentenced
22 community --

23 **A. No, no.**

24 Q. -- according to age.

25 **A. No, no, although -- sorry -- just to clarify, I mean,**

1 I did make the point that if you did have a 15-year-old
2 coming in, that there would be specific case management
3 in working with social services and others and probation
4 in particular taking the lead. You would have to make
5 -- you would have looked at decisions about, you know,
6 where you would allocate that young person to. I mean,
7 particularly, you know, putting them into the general
8 sentenced population may not have been the appropriate
9 option.

10 Q. Where would they have gone to if they weren't put into
11 the general --

12 A. They would probably have went to the JRU.

13 Q. And stayed there instead.

14 A. Yes, yes.

15 Q. But that would have then meant that the JRU people were
16 mixing with someone who was sentenced. Is that right?

17 A. It would have meant that, yes.

18 Q. So paragraph 2.1 you say, as you explain, there were
19 these 14 to 17-year-old age group there, and apart from
20 this particular instance that you just described, there
21 was no real distinction made --

22 A. No.

23 Q. -- between them and the other sentenced prisoners. The
24 one thing you were describing to me when we were talking
25 earlier was that probation would have had a different

1 focus on how to treat this group of people compared to
2 the older inmates. In fact, someone under 18 would have
3 been seen as somebody needing more support and more time
4 from the probation officer in Hydebank. Is that right?

5 **A. Absolutely, yes.**

6 Q. At paragraph 2.2 you give these figures that we were
7 discussing earlier. You say that from it opened until
8 1995 there were 14,000 receptions in Hydebank. Those
9 would not have been 14,000 individuals. You and I were
10 discussing how many individuals that might represent.
11 You thought it could be anywhere between 5,000 and 7,000
12 people who would have gone through the doors.

13 **A. Something of that order, yes.**

14 Q. Included in that would have been people who had
15 defaulted on fines, for example.

16 **A. Yes.**

17 Q. So they wouldn't necessarily have been people sentenced
18 for major offences --

19 **A. No.**

20 Q. -- but fine defaulters too.

21 **A. Uh-huh.**

22 Q. There were, however -- the people who were under 18 and
23 who were sentenced had been sentenced for very serious
24 offences, things like attempted murder, significant
25 sexual offences or grievous bodily harm, that level of

1 criminal offending.

2 **A. Yes.**

3 Q. Unless they were a persistent burglar or something like
4 that, they wouldn't have gone into Hydebank. Those
5 people would have been dealt with in the training school
6 system.

7 **A. System.**

8 Q. Is that correct?

9 **A. That is correct.**

10 Q. In paragraphs 2.3 through to 2.5, and again I am not
11 going through the details, but you describe what
12 Hydebank offered in terms of facilities, including the
13 education centre and the gymnasium and the football
14 pitches and so forth.

15 You make point that although visitors were not
16 searched, inmates were searched at the end of a visit,
17 before and after the visit, to ensure that there was no
18 contraband. I will come back to that in terms of what
19 someone else has said to us about how they felt about
20 that searching, but just you were confirming to me that
21 contraband was found on such searching.

22 **A. It was found on such searching. It was found in cells
23 and that during routine searches, yes.**

24 Q. This system was different to what would have happened in
25 an adult prison, where visitors would have been

1 searched. Isn't that correct?

2 **A. Yes, and prisoners would have been searched as well**
3 **before and after visits.**

4 Q. You describe that in the years you were there in
5 paragraph 3 what the situation was, the regime that it
6 was then '84 to '87. You say your predecessor had
7 already initiated a programme of regime development to
8 ensure that the regime delivered the functions
9 identified for the centre while at the same time meeting
10 the needs of young offenders in its charge. You have no
11 personal knowledge of some of the charges, but some you
12 were aware of. We will come back again and look at some
13 of the complaints that were made to talk about some of
14 that.

15 You also talk about the emphasis that there was at
16 3.2 on hygiene. That wasn't just hygiene within the
17 unit. It was personal hygiene also. Isn't that
18 correct?

19 **A. Yes, that's correct.**

20 Q. You felt that there was never really any difficulty with
21 conforming to those standards.

22 **A. I can never recall an instance where it became**
23 **a particular problem. I do recall discussions about**
24 **someone's, you know, personal standards or hygiene**
25 **standards, but those were easily resolved. It never**

1 **became an issue.**

2 Q. Certainly it wasn't an issue for the sentenced juveniles

3 --

4 **A. No.**

5 Q. -- who conformed very quickly you were telling me.

6 **A. Yes.**

7 Q. On the Juvenile Remand Unit it might be slightly more of
8 a problem individually.

9 **A. Sometimes, whenever they feed off one another, but again**
10 **I can never remember it becoming a lasting problem or**
11 **a difficult problem to solve.**

12 Q. You go on to talk about the induction and movement
13 through the houses at paragraph 4.2. Again, I mean,
14 there's a lot more detail in your statement here, Max,
15 that I am not going to go into, because I am just going
16 to highlight certain things that people have spoken to
17 us about really. I wondered was there any distinction
18 between those under 18. They just stayed in the
19 Juvenile Justice -- sorry -- Juvenile Remand Unit. They
20 didn't move out of that. Isn't that correct? Those who
21 were on remand.

22 **A. Those who were on remand, yes.**

23 Q. The sentenced under 18s could have progressed in the
24 same way as any other inmate progressed.

25 **A. Yes.**

1 Q. And the movement, the progression would have been
2 dependent on a number of factors. Is that correct?

3 **A. It would have been, yes.**

4 Q. You were explaining to me that you went into committal
5 and you were there for a number of weeks. Depending on
6 your behaviour and so forth, then you might have been
7 moved through the houses.

8 **A. It is down to your personal behaviour, your attitude,
9 your performance, your working with staff, adjusting to
10 the routine of the centre and then, yes, you would move
11 on, but usually four to five weeks would have been
12 a good average.**

13 Q. Paragraph 5.1 you talk about discipline and control.
14 That's page -- yes, we've got in front of us here.
15 There are a number of offences that are set out there
16 with which an inmate could be charged, disciplinary
17 offences with which he could be charged. You list them.
18 Included in that, if we can just scroll down, you can
19 see here that -- I think it might be on the next page
20 perhaps. Yes.

21 "Makes repeated and groundless complaints.

22 Makes false or malicious allegations against
23 an officer."

24 We were having a discussion around this, Max, and
25 I was asking whether the fact that these things amounted

1 to disciplinary offences might have made people less
2 likely to complain. You quite emphatically said to me
3 "No".

4 **A. I can be 100% emphatic. Definitely not.**

5 Q. You said to me that the individuals were essentially
6 quick to complain --

7 **A. Absolutely.**

8 Q. -- if there was anything they were unhappy with.

9 **A. They didn't seem to have any inhibitions as far as I was**
10 **concerned. I also said both of those are in there as**
11 **offences taken from the prison rules. I mean, I never**
12 **recall through my 37-odd years in the service anyone**
13 **being charged with either of those offences.**

14 Q. The other thing that I was asking you about was if
15 someone was charged with a disciplinary offence, did
16 they have access to legal or other representation for
17 the determination of their complaint?

18 **A. At that stage, no. The changes in adjudication came in**
19 **around the 1990 -- late '90s, but at this stage if**
20 **somebody had difficulty reading and writing, for**
21 **example, or understanding, you would look for**
22 **an advocacy arrangement, be it a member of the Visiting**
23 **Committee or another member of staff from the teaching**
24 **or Probation Service, probation, to help them.**

25 Q. That was to ensure that they understood what charge they

1 were facing --

2 **A. Yes, the procedure, yes.**

3 Q. -- and what the outcome might be.

4 **A. Yes.**

5 Q. You said you were cautious to ensure the young person
6 did fully understand the disciplinary procedure.

7 **A. Absolutely, yes.**

8 Q. You also go on to describe in the rest of the
9 paragraph the normal and exceptionally -- exceptional
10 disciplinary measures that could be taken for somebody
11 who was found to be guilty of a disciplinary offence.
12 You say officers were trained in the general principles
13 at paragraph 5.9.

14 **A. Yes.**

15 Q. I wondered if you were ever aware of an occasion where
16 an officer didn't abide by those general principles that
17 are set out there?

18 **A. No, I never came across it during my time at Hydebank.**

19 Q. Although there may have been complaints about their
20 behaviour.

21 **A. Yes, the staff, yes.**

22 Q. But you weren't aware of any perceived indication that
23 the officers weren't --

24 **A. Yes. That is correct.**

25 Q. -- abiding by those general principles.

1 **A. Principles. Agreed.**

2 Q. Paragraph 6 you go on to talk about minimum use of force
3 and technical intervention training. You make the point
4 that no batons were issued to staff in Hydebank --

5 **A. That is correct.**

6 Q. -- as there was an emphasis on trying to foster
7 a working rapport with young people in the institution.

8 Paragraph 6.5 you say that control and restraint was
9 only introduced in the mid '80s.

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

11 Q. You describe essentially what that sets out. The
12 Inquiry has received from another person a very detailed
13 statement about the system of control and restraint and
14 the manuals that accompanied such training. I think
15 you -- if I've understood that correct, people went on
16 rotation to be trained. Is that right?

17 **A. Yes, they did.**

18 Q. There was a record kept of every officer who had been
19 trained in this method of restraint.

20 **A. Yes, that's correct.**

21 Q. Paragraph 7 you go on to describe how Hydebank was
22 managed in terms of staffing. Paragraph -- you go on to
23 say how they were deployed daily on regular posts where
24 they were familiar with the operation of the area and
25 inmates under their charge. Again this would have been

1 something to help build up a rapport with particular
2 inmates, having the same members of staff look after
3 them.

4 **A. Yes.**

5 Q. Paragraph 8 you say -- you go on to describe the ways in
6 which inmates could make a complaint, and if I can
7 summarise those, they could complain to the Visiting
8 Committee, they could petition the Northern Ireland
9 Office or they could make a representation to their own
10 MP, and presumably they could speak to their own legal
11 representatives if they were a sentenced prisoner --

12 **A. Yes.**

13 Q. -- who had their own lawyers.

14 You also mentioned to me that things were also
15 brought to your attention, complaints or concerns, not
16 just by inmates but by other people within Hydebank.
17 Isn't that right?

18 **A. Yes. At paragraph 8.2 I talk about in addition the
19 management being visible throughout the centre and other
20 staff, including chaplains, probation, teachers,
21 counsellors, administrative staff. I mean, they too
22 would have made you aware if there was something
23 untoward to be concerned about.**

24 Q. You also mentioned you had a meeting every morning with
25 the senior team.

1 **A. Yes.**

2 Q. And there would have been concerns discussed at those
3 meetings.

4 **A. There would have been, yes.**

5 Q. I'm going to come back -- you talk in paragraph -- sorry
6 -- paragraphs 9 and 10, if we can just scroll on down --
7 I mean, you talk here in paragraph 8 about the Visiting
8 Committee, but you go on to talk in paragraph 9 and 10
9 about the level of scrutiny that there was in respect of
10 Hydebank. There were inspections by Her Majesty's
11 Prison Inspector. There was the Visiting Committee that
12 is referred to there.

13 In paragraphs 12 and 13 you relate incidents where
14 the International Committee for the Red Cross visited
15 Hydebank and visits by the Secretary of State to the
16 facility.

17 So there seemed to be a fair degree of oversight of
18 Hydebank. Was that your recollection?

19 **A. Yes, it certainly felt that way at the time.**

20 I wouldn't, though, want to skip past 9.1, where I do
21 refer to my direct boss, the Director of Operations,
22 Roger Kendrick, his deputy, Stanley Hilditch, and the
23 team from Prison Service Headquarters, as it would be
24 called now, from the Treatment of Offenders Branch, who
25 were regular visitors to the establishment as well.

1 Q. And that would have been an internal oversight.

2 **A. Oh, sorry. Yes, it would be an internal oversight.**

3 Q. No, but it would have been an internal oversight --

4 **A. Yes.**

5 Q. -- as well as this external scrutiny, as it were --

6 **A. Yes, yes.**

7 Q. -- more ...

8 **A. Yes, yes.**

9 Q. Paragraph 14 you talk about the daily journal that you
10 kept and I'll come back to that when we look at some
11 extracts about it.

12 You then go on to address the allegations made by
13 those who have spoken to the Inquiry. You will be aware
14 that we are not going to deal with the person who you
15 deal with in paragraph 16, but if we go on to
16 paragraph 17 of your statement, and this is in respect
17 of a person -- I am just going to use the first name --
18 HIA373, because I don't actually have the reference
19 number in front of me, but he -- you address the
20 allegations that he made in his statement that you have
21 read and then I understand that you have also seen now
22 the transcript of his evidence.

23 **A. Yes.**

24 Q. He gave evidence on Day 156. What I am going to do,
25 Max, is just summarise the things that he said in his

1 evidence to the Inquiry and allow you to comment on
2 those as we go through them.

3 He said about the progressive regime. He disputes
4 that he progressed through the houses, but you made the
5 point, as you already have done, that that would have
6 depended on his behaviour. Now unfortunately we don't
7 have his file, because we know that that would have been
8 destroyed in accordance with the destruction policy for
9 documents of that nature, but generally you moved out of
10 committal after three to five weeks. Is that right?

11 **A. Generally, yes.**

12 Q. And he then said that the admission procedure he felt
13 was oriented towards maximum humiliation and said that
14 he had to wear prison issue clothing, and he expanded on
15 that to describe it as red polo neck jumpers and
16 trousers that he described as paper trousers. They
17 weren't denim jeans. They were very light.

18 We were discussing that, and you are saying that at
19 that time certainly when you were there in the mid '80s
20 the issue of prisoners' clothing was a very live issue
21 in Northern Ireland, given the hunger strikes and so
22 forth, and you yourself actually were someone who had to
23 get clothing for prisoners. Is that right?

24 **A. Yes. I was in the working group with the introduction**
25 **of civilian clothing in Maze at the time, but it was**

1 **service-wide, and that was about introducing proper**
2 **civilian clothing, shirts, jeans, trousers, pullovers.**
3 **It certainly wasn't about substituting a prison uniform**
4 **with another type of civilian clothing. I'd no --**
5 **I mean, I can't remember and certainly didn't have any**
6 **indication of any issue around red jumpers and polo**
7 **necks.**

8 Q. We know that there's someone else who I will come to in
9 a moment --

10 **A. Yes.**

11 Q. -- who also makes a complaint about red jumpers, but you
12 say things could have been bought in a batch of, say,
13 two dozen --

14 **A. Yes.**

15 Q. -- and maybe it just happened that they all happened to
16 be a red jumper. Would that be possible?

17 **A. Well, it depends on the time, but, I mean, obviously**
18 **things did come in in bulk, yes.**

19 Q. And the prisoners themselves, the inmates, would not
20 have had any choice of clothing as such.

21 **A. Generally not, no.**

22 Q. He goes on to describe what he meant by being locked up
23 16 hours a day and essentially what he meant was that in
24 terms of being locked up it could have amounted to
25 16 hours a day rather than a 16-hour block, as it were.

1 He described physical abuse and described it as
2 systemic. He said that a consequence of complaining
3 would be adverse treatment and physical punishment.

4 I am just going to pause there to ask you a little bit
5 about that. I mean, was it acceptable for prison
6 officers to physically chastise anyone?

7 **A. Absolutely -- absolutely not.**

8 Q. And that is irrespective of age?

9 **A. Absolutely.**

10 Q. He said that he felt that discipline could have been
11 achieved without the high levels of punishment. He said
12 that prison officers routinely wrecked the cells of
13 inmates. I think that was again in regard to how clean
14 they were.

15 He said that they weren't allowed -- I will come
16 back to that again when we look at someone else -- but
17 he said that they weren't allowed to communicate at meal
18 times. That wasn't your recollection of the situation.

19 **A. No. I mean, I have no doubt on occasions on landings if
20 something was about to, as we term it, kick off or
21 issues on the landing where, you know, there was verbal
22 abuse or verbals between prisoners, there may have been
23 occasions that staff would have said, "Right. There is
24 no talking over meal time", but that was not the
25 routine.**

1 Q. He also said the food improved when official monitoring
2 bodies came round, but you made a very strong point
3 about that.

4 A. No. I mean, definitely not. I mean, the issue in
5 relation to -- there are two things prisoners value.
6 One is his visits. The other is his food. Mess around
7 with any of those and you're going to have problems, and
8 certainly I had very few, if any, complaints about food
9 during my time in Hydebank. I think if there's issues
10 around food, then I would have known about it.

11 Q. He went on to complain that the only work allocated on
12 the committal wings was that of cleaning and you would
13 accept that there was a dominance of cleaning in the
14 committal wings.

15 A. Yes. Cleaning was important, yes.

16 Q. You say they did have down time, but it probably
17 appeared to them that they had a lot of cleaning to do.

18 A. Yes.

19 Q. He gave an example of a boy having a migraine, wrecking
20 his cell and then being taken and hidden away. I know
21 you felt that was just a ludicrous suggestion.

22 A. No. I mean, there is no circumstance that I could
23 perceive where that could remotely happen. I mean, the
24 suggestion is a couple of weeks. I mean, if you think
25 of the level of conspiracy you need and the number of

1 staff who would have been involved, bearing in mind
2 staff worked weekend on, weekend off, and the number of
3 other disciplines within the establishment who work
4 around the prison, I mean, that just would not and could
5 not happen.

6 Q. He also said that staff carried batons, but you said
7 they didn't do that.

8 A. Absolutely, categorically not.

9 Q. He repeated his allegation about being stripped and
10 assaulted by a female police officer in the presence of
11 prison officers on his arrival. You just don't accept
12 that that happened.

13 A. Well, the process in reception -- I mean, first of all,
14 reception is quite visible from the main corridor in the
15 main admin building just outside where my office would
16 have been. The doors would normally be open, lie open.
17 The other thing is the process is that a body receipt is
18 handed over to prison staff from the police to confirm
19 the person has been delivered and any markings or
20 bruising or anything else that the prisoner would have
21 on arrival would be noted on that sheet. I mean,
22 I cannot perceive any situation where police would be
23 drawn into a confrontation at the reception procedure
24 whenever they are about to hand the prisoner over to
25 staff, and certainly I would expect I would have heard

1 **about it very quickly if that was the case.**

2 Q. Well, he also repeated the allegation that he was
3 threatened that he would be got when he left Hydebank.

4 He then goes on to talk about the social skills
5 course, which he was very derogatory about, on pages 78
6 and 79 of the transcript. I know that you feel quite
7 offended by his description of the social skills course.
8 I wondered if you could tell us a little bit more about
9 that what entailed.

10 **A. The social skills course was set up by myself with the**
11 **support of the senior probation officer at the time. It**
12 **was a programme that was meant to address things that --**
13 **you know, a lot of these young people who came from very**
14 **difficult backgrounds and who had very difficult**
15 **upbringings. So it was things like, you know, drugs and**
16 **alcohol. It was issues around abusive behaviours. It**
17 **was issues around interpersonal skills, issues around**
18 **living alone and more particularly about resettlement**
19 **and discharge procedures and what would be expected of**
20 **them going back into the community, what support was**
21 **available to them. I mean, I would say it's**
22 **an exceptional course.**

23 Q. I mean, you made the point that the course on alcohol,
24 for example, was a four-day course.

25 **A. The course on alcohol was a four-day course. It was**

1 delivered by the healthcare centre in particular and the
2 lead was the manager in charge of healthcare, and in '85
3 he was one of the first ones in the UK to be honoured
4 with the Butler Trust, where he got a travel fellowship,
5 which was awarded at Buckingham Palace for his work on
6 the alcohol course. He was actually nominated by
7 I think it was probation staff, but it was mainly
8 inmates who had nominated him. So, I mean, things that
9 are being said about that course I just --

10 Q. You just don't accept.

11 A. -- don't accept remotely.

12 Q. He went on to say that he felt that strip searching
13 after visits was punitive rather than for any kind of
14 preventative or safety function, but you have made the
15 point that visits -- this kind of searching was the norm
16 in all prison establishments and certainly you would
17 have found contraband on such searches.

18
19 A. Absolutely. No. It was a critical element of the
20 visits process that there was some sort of control on
21 contraband coming into the establishment.

22 Q. He also said in answer to Panel questions that when the
23 Red Cross came, he was instructed to say that everything
24 was fine and that he would have been too frightened to
25 complain. You would not accept that either, Max.

1 **A. No, I wouldn't accept that. I mean, the other thing**
2 **I didn't say was that the HMCI inspector was there for**
3 **a week. I mean, they walked the landings themselves.**
4 **They are not accompanied by staff. The same with the**
5 **ICRC. Their inspectors would have walked the**
6 **establishments, had every opportunity to speak to an**
7 **inmate, and, no, I mean, I just do not accept that.**

8 Q. One other thing he said is that governors didn't
9 prescribe any physical punishment, as you've said. That
10 was never a punishment for a disciplinary offence, but
11 he said that the punishment could have been administered
12 before you as governor would have adjudicated on
13 a disciplinary offence, because somebody was kept in
14 a cell. I know we didn't discuss this, but I know that
15 somewhere in one of the reports there was some issue as
16 to use of special cells --

17 **A. Yes.**

18 Q. -- and the punishment cell. Isn't that correct?

19 **A. There was.**

20 Q. Is it the case that if somebody was being brought up on
21 a charge before you, they would have been taken to the
22 punishment cell until you had time to look at it? Is
23 that right?

24 **A. No. I mean, the punishment -- the punishment -- the**
25 **adjudication would be held within 24 hours of the**

1 incident happening. So it would happen the next day,
2 and if somebody was sitting before you who had been
3 assaulted, quite clearly you would have seen the
4 distress. You would have seen the markings. I have
5 absolutely no recollection of ever seeing that situation
6 happening. I mean, it just doesn't, and also the inmate
7 before adjudication is seen by the medical officer, who
8 must sign the front sheet of the adjudication to
9 indicate that he has seen him and that there are no
10 medical concerns. So again I have no recollection of
11 that ever, you know, drawing any adverse attention in
12 relation to physical assaults.

13 Q. Well, paragraph 19 you talk about another person who has
14 spoken to the Inquiry. That's HIA434. This is the
15 issue -- it transpires that he was actually 16 when he
16 went into Hydebank and was released 17
17 . He is I should say "HIA434".

18 In evidence on Day 153 he still makes the complaint
19 that he was forced to shave. He also complained about
20 lack of food and the strictness of the regime. It was
21 a strict regime. It was a -- although it was a young
22 offenders centre, it was still -- it was governed by the
23 prison rules and the strict regime that would have
24 applied.

25 A. Well, we need to be slightly more cautious than that.

1 I mean, it was a strict regime and certainly I would
2 accept at the committal stage and the reception stage
3 there was a robustness in the regime in terms of what
4 was expected as inmates, but as inmates progressed
5 through the system, the regime relaxed progressively and
6 the inmates earned more privileges and had more
7 opportunities, reduced supervision and certainly
8 wouldn't be required to have the same standard of
9 cleanliness. The concentration then was on outside
10 activity, you know, going to work, education, DT
11 training, social skills, whatever.

12 So, I mean, in this instance here where you're
13 saying that he was required to shave, I mean, again if
14 he was in Elm or Willow House, the wash-hand basin is in
15 the cell. He would have shaved before the cell door
16 opened. If he didn't need to shave and presented
17 clean-shaven, the staff would have -- wouldn't have
18 known he hadn't shaved and would have no concern.

19 Now, having said that, there obviously was an issue
20 around his shaving. I don't know the detail of what it
21 was, but I find it difficult to understand the
22 circumstances that he presents.

23 Q. You made the point that, you know, if a doctor
24 recommended that he only shave every other day, that's
25 something that was abided by.

1 **A. That would be.**

2 Q. Any doctor's ruling in respect of the treatment of
3 inmates would have been abided by.

4 **A. Absolutely, yes.**

5 Q. You also said that -- he complained about lack of food
6 but you say there genuinely were no complaints really
7 about the food. That was something that you were keen
8 to look after, because such things would have
9 destabilised the environment if the inmates were unhappy
10 about the food.

11 **A. That's the difficulty I have with some of the evidence**
12 **that I have been reading, because, I mean, the prisons**
13 **only work with the cooperation of the prisoners. If you**
14 **don't have that cooperation, control and discipline**
15 **quickly breaks down. I mean, I know I have worked**
16 **12 years in the Maze. So I know what happens.**

17 **At Hydebank Wood there are those things which are**
18 **important to inmates and certainly visits is one. Food**
19 **is another. The issue around systemic violence, if**
20 **there was the level of systemic violence that is**
21 **perceived here or quoted here, we would have been**
22 **dealing with major riots and major concern of acts of**
23 **indiscipline every day. The young people we were**
24 **dealing with in Hydebank in those days would not have**
25 **countenanced that type of behaviour, what's being**

1 **suggested in these reports. It would just be totally**
2 **unacceptable.**

3 Q. Well, paragraph 18 of your statement you talked about
4 what you thought was another person's statement, but it
5 was actually that of HIA253, who is "HIA253". He gave
6 evidence on Day 142. At pages 26 to 33 he said quite
7 a bit more than was in his Inquiry statement about
8 Hydebank. We read through this and I am just going to,
9 if I can -- I read through it fully with you and I know
10 you've seen the transcript as well. I am just going to
11 try and summarise what he said in addition to what was
12 in his statement if I can.

13 Basically he had said in his statement that he
14 didn't find the regime at Hydebank to be abusive, but
15 that he had thought back on it over the years and there
16 were a number of things that he said he would like
17 answers to, because he felt that when he was in it, he
18 felt that was the sort of treatment that he had to
19 accept, that it was a policy, and that it was going to
20 knock out bad behaviour, and he just accepted his
21 punishment, as it were, but he always want to question
22 a lot of stuff that happened.

23 He said the guys were all ex-army. I think by
24 saying that he is trying to suggest not that there was
25 any issue with it being ex-army but they would maybe

1 have been stricter than other people might have been.

2 Would that have been the case in your experience?

3 **A. I mean, an officer's background in many ways is**
4 **irrelevant. It is the performance on the day I look**
5 **towards. Certainly I didn't see anything that would**
6 **have singled out ex-army as being particularly different**
7 **in their behaviours to other staff who were not**
8 **ex-military. So, no, I don't accept that.**

9 Q. He said -- a couple of the things that he complained
10 about. He said about cold showers for punishment and
11 getting beat at the gym if you didn't do things right.
12 He said you got locked up for an hour at lunch time.
13 Your room was so neat you had to make your bed pack like
14 the army. There couldn't have been a crease. You
15 accept these bed packs were used --

16 **A. Yes.**

17 Q. -- until duvets were introduced much later.

18 **A. Yes.**

19 Q. Was there a strictness about how beds were made?

20 **A. Yes, there was.**

21 Q. He described how it looked and he said then if they came
22 in with a white glove and found dust in your room, they
23 would have wrecked the cell and made you scrub it again.
24 He just put up with it, because he thought, "That is
25 what you get. That's your punishment".

1 Were you ever aware of prison officers behaving in
2 this way and upending a cell, if I can use that term,
3 because it wasn't sufficiently clean or neat or tidy or
4 whatever?

5 **A. No, definitely not and, I mean, again I would draw back**
6 **to the evidence I have already given. If those were the**
7 **behaviours and those were routine, I as governor would**
8 **expect to find that out. I expect my managers to be on**
9 **the ground, as I was on the ground, walking the**
10 **landings, patrolling, and you arrive on landings**
11 **unannounced. You get access and you are straight down**
12 **to where -- you know, because you had to walk past the**
13 **cells to go to the next landing. I had a range of**
14 **people working within the establishment, probation**
15 **staff, teachers and others, chaplains, for example, and**
16 **I would have expected if there was that level of**
17 **behaviour by staff, that I would have known about it,**
18 **and again I emphasise if that was going on with staff,**
19 **I would have expected to have a lot more issues and**
20 **concern of acts of indiscipline with inmates. I don't**
21 **accept that.**

22 **Q. Just in fairness to both this witness and to yourself,**
23 **Max, he left just as you were arriving in Hydebank. So**
24 **he's not suggesting that you were governor at the time**
25 **--**

1 **A. I understand that.**

2 Q. -- the behaviour he alleges happened did.

3 **A. I understand that.**

4 Q. But he also goes on to talk about an incident where at
5 lunchtime he had been locked up for an hour and he said
6 that:

7 "Some days officers would take their shoes off, open
8 the gate quietly, sneak down and open your hatch."

9 One day he was lying under the bed:

10 "... because you were too scared to lie on the bed
11 if you put a crease on it and you used to lie under it
12 for a sleep over your lunch break or whatever."

13 He had loosened his belt for comfort. He basically
14 got a slap -- got a couple of slaps by the officer who
15 brought another officer down and were disciplining him
16 for this. Then he was made -- basically he was taken by
17 the ear and walked up and down in front of the other
18 inmates and made to say -- "Tell everybody what you're
19 doing over your lunch break", and he was forced to say
20 he was doing something that he said he wasn't doing, and
21 that he found that humiliating, and he had seen another
22 person humiliated in the same way for talking through --
23 we have "fence", but you think it was a vent in the cell
24 --

25 **A. Vent.**

1 Q. -- which they were able to talk through, and he said if
2 you stood on top of your toilet, you could talk to
3 people maybe down below you or further down the wing.
4 He talked about this behaviour for what was perceived to
5 be untoward behaviour on his part perhaps and
6 humiliation that he faced.

7 Were you ever aware of any treatment like that of
8 any of the inmates by prison officers?

9 **A. The first point to make is that a lunch time lock-up all**
10 **the keys are withdrawn from the landing, including more**
11 **particularly the cell door keys. That's to avoid a key**
12 **compromise whenever staffing level is reduced to**
13 **a skeleton level while staff go and have their lunch.**
14 **So there wouldn't have been cell keys on the landing.**
15 **You would have to make specific arrangements to have a**
16 **cell key withdrawn from the key room to gain access to**
17 **the cell.**

18 The second point I would make is that if this type
19 of behaviour was happening on the landing , it was
20 totally unacceptable. It shouldn't happen. It
21 certainly wouldn't be condoned. The officer would have
22 been -- if I found out or any of my managers found out,
23 the officer would have been severely dealt with, but
24 again I have had no reports of behaviour like this. So
25 it's difficult to comment on really.

1 Q. Okay. The other thing that he went on to say is that
2 when he -- when you got in, as he put it, you were given
3 a well oversized red jumper, bright red, big flarey
4 jeans.

5 "This was to embarrass you too. You had to earn
6 like half decent clothes after this. This was like the
7 other boys, you know, 'Are you the new one?'"

8 So again he is saying they would laugh at you and
9 things like that and there was a lot of things to
10 embarrass you. So he also making the point that
11 clothing was used in an attempt to humiliate the
12 newcomers.

13 A. Well, again newcomers would be quickly identifiable in
14 any case. I mean, you are only talking about small
15 landings with a maximum of 18 on the landing. So it's
16 not as if, you know, they wouldn't be known.

17 Again the issue of red jumpers came up. I mean,
18 I have had an opportunity to speak to colleagues who
19 were there at the time. None us have a recollection of
20 red jumpers. I don't know where that's come from.
21 I just don't.

22 Q. He also went on to say that -- about the -- he'd signed
23 up for mechanics, but he never learnt anything, because
24 the teacher, HB 13 , instead got them to make canoes,
25 which he then went on and sold. Is there anything you

1 want to say about the training facilities and that that
2 were provided?

3 **A. Well, again, I mean, there was a range of training**
4 **facilities from mostly vocational training courses**
5 **around bricklaying, plastering, motor mechanics,**
6 **woodwork, and certainly in terms of somebody making**
7 **canoes, I mean, I had no knowledge of that and**
8 **I~certainly never seen anyone making canoes. There was**
9 **as far as I would have been concerned no facility for**
10 **making canoes. There was in Millisle, but that, as**
11 **I understand it, never transferred to Hydebank whenever**
12 **Millisle closed. So I don't know where that again is**
13 **coming from. Certainly on my rounds, and I was in the**
14 **workshops several times a week -- I was with my managers**
15 **-- I have no -- I never seen that.**

16 **Q. Just while you are mentioning Millisle there, the point**
17 **you made to me earlier was that whenever Millisle**
18 **closed, staff transferred --**

19 **A. Yes.**

20 **Q. -- to Hydebank. The borstal shut down and the staff**
21 **transferred over to Hydebank.**

22 **A. Yes.**

23 **Q. So there would have been a continuity of that staff from**
24 **Millisle into Hydebank.**

25 **A. Yes, and similarly with the Juvenile Remand Unit, it was**

1 **the staff who were --**

2 Q. Same staff.

3 **A. -- staff from Belfast Prison who transferred with them,**
4 **so that there would be continuity.**

5 Q. He goes on to talk about the screaming and shouting. He
6 said:

7 "If you asked for something, you were squealed at
8 why you wanted it. Screaming and shouting, things like
9 that, never stopped."

10 Were you aware of high noise levels or shouting?

11 **A. More particularly in the committal areas, yes, there**
12 **would have been -- there would have been quite a lot of**
13 **shouting going on, particularly during the activity**
14 **times, but not during association and that in the**
15 **evening, but whenever things were meant to be happening**
16 **on the landing, yes, there would have been shouting.**

17 Q. I take it -- he is suggesting there was shouting by the
18 prison officers at the inmates.

19 **A. Yes.**

20 Q. And you would accept that did happen.

21 **A. I would accept there was a degree of that now. Do I**
22 **accept it was there all the time? No, I definitely do**
23 **not, but I do accept that the officers would have raised**
24 **their voice.**

25 Q. He complained about the treatment in the gym. He said

1 it was the toughest area. He went on about having to do
2 frog hops, not getting it right and being made to repeat
3 it and that. You were surprised to hear that, because
4 you say that the gym -- in all your years whatever
5 facility that you were working in the gym was something
6 that was actually popular. It was not something about
7 which you received complaints.

8 **A. Well, I mean, that's absolutely correct, and also if you**
9 **look at, you know, the work that the gym did, it didn't**
10 **matter whether it was an outdoor football league,**
11 **whether it was the Mourne marathon, the Belfast**
12 **marathon, or whether it was an outside football league**
13 **that we played in. I mean, the gym did fantastic work**
14 **and was highly regarded. I have no say unequivocally**
15 **I never had a complaint about the gym and the gym staff**
16 **in all the time that I was at Hydebank. If you look at**
17 **the certificates and awards that the -- through the gym**
18 **the Duke of Edinburgh awards and that that were made,**
19 **I mean, the gym did a very good job.**

20 Q. You actually brought a couple of photographs which you
21 showed me earlier of the marathon team --

22 **A. Yes.**

23 Q. -- and another team. I can't remember now what it was.

24 **A. The Mourne marathon team, they convinced me to do the**
25 **Belfast Marathon with them in '86. So I did a marathon**

1 with them and, in fact, whenever the inmates finished
2 and I hadn't appeared at the finish line, they actually
3 came back up the Newtownards Road to find me. So
4 I couldn't drop out. I had to do it. No, but, I mean,
5 the point -- it's a serious point -- the gym was very
6 well regarded, and the gymnasium generally across the
7 system -- the physical education facility across the
8 system would be very well regarded.

9 Q. I suppose it is possible, though, that there might have
10 been a particular child who just was not terribly
11 physical and might not have --

12 A. It could happen, yes. I accept it could have happened,
13 yes.

14 Q. -- appreciated it.

15 He also complained about the cleaning. He said it
16 just never stopped. You say there was certainly
17 a dominance of cleaning in the committal section.

18 A. I would like just to clarify, though, that, yes, there
19 was a dominance of cleaning in the committal section and
20 personal hygiene as well, but that was interspersed with
21 others coming on the landing. So during the committal
22 process you would have had your probation coming on and
23 carrying out the probation assessments. You would have
24 had your education assessments, your work assessments,
25 your vocational training assessments. You would have

1 had your medical assessments, your PE assessments. All
2 committals over the period of -- you know, if they
3 gather up over two or three days, would have been taken
4 to the gymnasium, and then they would -- you know, you
5 would look at the individual development needs of the
6 individual person before a Labour Allocation Committee.
7 Then people would be allocated to work. So whenever
8 they talk about cleaning, yes, there is an emphasis on
9 cleaning, and probably on reflection young people
10 thought that is what the committal procedure was all
11 about. It wasn't. It was a lot more than that.

12 Q. One thing, though, that he did talk about, and you do
13 remember that this was something that was being phased
14 out when you arrived, were these brown tiles --

15 A. Yes.

16 Q. -- that they weren't allowed to walk on. I think they
17 were highly polished. There was a lot of work involved
18 in getting them to that highly polished stage. So
19 therefore they had to avoid those tiles and not walk on
20 them. Is that right?

21 A. That is as I understand it. I didn't see it myself, but
22 yes. It was purely punitive and my predecessor stopped
23 it, rightly.

24 Q. He then goes on to simply say that he later found out
25 that the year he left they actually changed the

1 governor.

2 "He started to change a lot of rules from then on."

3 Now that would have been you, because you came in
4 October when he was leaving in October. I just wondered
5 when you arrived, did you find anything, any practice in
6 Hydebank that you felt needed changing?

7 **A. Certainly some of the things that were already changing,**
8 **because it was Alistair Hayes who initiated those**
9 **changes, I would have agreed those things should have**
10 **been changed, but walking around that establishment, no,**
11 **there was nothing that immediately jumped out at me, but**
12 **regimes develop.**

13 I mean, for example, whenever I was there, there was
14 nothing for inmates in terms of the pinnacle of
15 progressive system. There was no working out in the
16 community and we introduced a new level called special
17 privilege level, where people could progress to special
18 privilege, where they could have free movement around
19 the establishment unescorted, where they could go out
20 and work in the community. So regimes constantly evolve
21 and that's what would have happened in Hydebank, but
22 there was nothing that I witnessed that I would have
23 balked at after I arrived.

24 **Q.** Going back to your statement, Max, at paragraph 20 you
25 talked about this governor's journal that was kept,

1 which would have been a daily record, or maybe not
2 a daily record, but a record of significant events in
3 Hydebank. Would that be a fair description of it?

4 **A. I describe it in the statement at an earlier stage as**
5 **a gist of what would have went on in the day. It wasn't**
6 **exhaustive by any stretch of the imagination.**

7 Q. You did record significant events such as allegations --

8 **A. Yes.**

9 Q. -- that were made about staff, for example. Here if we
10 just look here from January '86 until you left in April
11 '87 you had recorded a number of things.

12 **A. Yes.**

13 Q. I am not going to go through them, but this first one is
14 about an allegation made by an inmate that officers had
15 assaulted him. You felt that was something that ought
16 to be reported to police. You did that and then you set
17 out the various investigations --

18 **A. Yes.**

19 Q. -- that were carried out. The inmate was admitted to
20 the Ulster Hospital in Dundonald. He actually had
21 a broken jaw.

22 **A. Yes.**

23 Q. Now you go on and just we can scroll down through those.

24 At this remove it is impossible for you to tell us

25 whether any of these people who were making complaints

1 were under 18. Isn't that correct?

2 **A. I can't. No, I have no way.**

3 Q. Now we haven't -- and I was explaining to you that we
4 haven't actually received any files from the PSNI and we
5 are following that up to see if they can assist us with
6 anything in relation to these particular incidents that
7 you relate there and we will be able to ascertain
8 whether **HB 14** was under 18 at the time he
9 complained or not, but certainly that was a very serious
10 allegation.

11 **A. Absolutely.**

12 Q. The person, child or young person, in any event clearly
13 had a significant injury --

14 **A. Yes.**

15 Q. -- as a result of what happened. Can you recall the
16 outcome or had you left by the time that investigation
17 was completed?

18 **A. I cannot recall the outcome, no.**

19 Q. One other matter. We talked about the, and you talk
20 about in your statement, the 1983 Inspector of Prisons'
21 report on Hydebank, which was by and large positive. It
22 highlighted a number of things. One of the things it
23 said in paragraph 104, if we look at that, page 506,
24 please, HYD506 -- and this obviously was before you
25 arrived in Hydebank, but I don't know -- while it is

1 being called up, essentially what paragraph 104 said
2 there -- just if we can scroll down -- your predecessor
3 had been in charge since Hydebank opened. So you were
4 essentially the second governor.

5 **A. Third.**

6 Q. Third. There was someone acting up.

7 **A. No. Dessie McMullan opened the centre in '79. Alistair**
8 **Hayes then transferred in as governor and I transferred**
9 **in as his deputy, both of us coming from Maze compound**
10 **and -- because Maze compound at that stage was closing.**
11 **Alistair then subsequently took a stroke and I was**
12 **acting governor for a period of around 24 -- 23 months.**

13 Q. And certainly in this paragraph whenever the inspection
14 was carried out, which would have been 1982 I think, it
15 said that:

16 "At the time of our inspection there was a shortfall
17 of 30 discipline staff while seven other officers were
18 aware on detached duty. The remaining staff were called
19 upon to work long hours of overtime, often on rest
20 days."

21 I think it is clear that of an authorised discipline
22 staff of 153 to have a complement of 30 missing is quite
23 a substantial portion of staff at that time, and I was
24 wondering whether the long hours that those who were
25 there had to work might have affected their performance.

1 A. My recollection in those days was that all staff across
2 the Prison Service were stretched in terms of working
3 very long hours, particularly at Maze and Belfast
4 Prison, and there was a major emphasis on supporting
5 both the regimes at Maze and Belfast. There was
6 overtime available to compensate for staff if they
7 weren't up to complement. I have read another document
8 somewhere, and I can't find the reference, but my
9 understanding is there was an average of 16 hours
10 overtime being worked at Hydebank. In my recollection
11 that would not have been usual across the system.
12 Indeed, if anything, that would have been the lower end
13 of the overtime requirement in those days, and that's
14 against a backdrop I have to say of constant recruiting
15 and training that was going on as well. So it's not as
16 if, you know, we weren't training staff, but it was at
17 a time whenever Maze compound was closing. The detached
18 duty staff were returning back to England and Scotland.
19 So obviously there were pressures on, but I don't have
20 a recollection of that being a pressure whenever I came
21 as deputy governor. and I would have been operationally
22 responsible for managing the prison, or as governor. So
23 it had been -- must have been resolved or at least
24 significantly --

25 Q. Alleviated.

1 **A. -- alleviated by the time I was there.**

2 Q. Well, Max, you will be glad to know that I have no
3 further questions for you, but before I hand you over to
4 the Panel for some questions they may have, is there
5 anything you feel we have not covered? I know we have
6 taken a whirlwind tour through your statement and I have
7 not looked at all the exhibits you have attached to it,
8 but they are there and the Panel will have looked at
9 them and will look at them again, but is there anything
10 else that you wanted to say about Hydebank or about any
11 of the allegations that have been made about Hydebank?
12 Now is the opportunity to do that.

13 **A. I think my last paragraph sums it up. I mean, I look**
14 **back with terrific pride on my time at Hydebank. I had**
15 **a great team of managers, a great team of senior staff,**
16 **and great officers and, you know, I think some of the**
17 **things we did then and some of the activities that the**
18 **young people -- many of them who come from very**
19 **disfunctional backgrounds, many with very poor low**
20 **self-esteem, many with no real ambitions in life, many**
21 **who had fallen foul of their own local communities and**
22 **had actually been assaulted, and HMCI pays credit to the**
23 **work that we did with those with gunshot wounds, who had**
24 **been injured by paramilitaries, kneecappings and**
25 **whatever. I mean, I take great pride in the work that**

1 Hydebank did, and I don't claim it for myself; I claim
2 it for the staff that worked in the establishment.

3 Was everything perfect? I wouldn't sit here and say
4 everything was perfect. Certainly if I or any of my
5 team became aware of things being wrong, it wasn't
6 ignored. It wasn't brushed under the carpet. It was
7 brought forward and it was dealt with. I think that's
8 basically all I would want to say.

9 Q. Thank you very much, Max.

10 Questions from THE PANEL

11 CHAIRMAN: Mr Murray, might I just ask you something further
12 about the way people could make complaints? There were,
13 of course, the formal mechanisms that you have described
14 and so on, but you have I believe identified a number of
15 external means by which checks could be carried out by
16 people other than prison staff themselves. So if
17 an inmate was concerned lest they could in some way be
18 pressurised by the staff, there were other people they
19 could complain to. Isn't that right?

20 A. Well, one of -- one of the major protections that the
21 establishment had in those days, and I think it played
22 a very important role in those days, was the -- what
23 would have been the Board of Visitors in prisons or the
24 Visiting Committee at Hydebank.

25 Q. Yes.

1 **A. Those were people appointed by the Secretary of State**
2 **who had unfettered access at any time and who could walk**
3 **around the establishment unaccompanied and appear on**
4 **landings. So, I mean, you know, those people would have**
5 **been readily available, but, I mean, there are those**
6 **staff who were there every day, chaplains, probation**
7 **staff --**

8 Q. We will just deal with the Visiting Committee first.
9 They presumably represented a variety of views across
10 the community.

11 **A. They certainly did, yes.**

12 Q. How conscientious were they as far as you could tell in
13 going around the Young Offenders Centre and seeing for
14 themselves what was happening as opposed to, if I can
15 put it this way, being taken on a conducted tour?

16 **A. No. They would never have went on a conducted tour.**
17 **They would never have been accompanied and they would**
18 **have valued that significantly, their independence, and**
19 **they made it very clear that they were independent and**
20 **wouldn't be accompanied. They were extremely**
21 **conscientious. Both the chairman, who I remember well,**
22 **a Mr Weir, and a Mrs Shillington, the deputy chair, who**
23 **subsequently became chair, were extremely conscientious,**
24 **as was the committee. I mean, I would have attended --**
25 **part attended the monthly meeting to account for issues**

1 **that they may have discovered during their unannounced**
2 **visits or during their schedule visits. So yes.**

3 CHAIRMAN: And taking both scheduled and unannounced visits
4 together, doing the best you can to remember, in the
5 course of, let's say, a week or seven days would you
6 expect a member of the Visiting Committee either as
7 an individual or a group of them appearing to come into
8 the prison unannounced at any time during that working
9 week?

10 **A. Yes, I would. Yes, I would.**

11 Q. And had they not only the freedom you describe to walk
12 along wings, but could they choose where to go to?

13 **A. Yes.**

14 Q. There was nowhere off limits to them, was there?

15 **A. No, no, no. More particularly there were those areas**
16 **where they would routinely have visited, such as, as it**
17 **was called in those days, the punishment segregation**
18 **unit or the medical centre. They would routinely have**
19 **went on any visit to those areas. I mean, my**
20 **recollection is that the VC members in those days were**
21 **allocated certain areas for themselves, but that didn't**
22 **stop them walking round the whole of the establishment.**
23 **So, for example, two members might have looked after**
24 **workshops and education and specifically reported on**
25 **that, but there was still an expectation that they would**

1 **take a wider view across the centre, not just**
2 **concentrate on their own specific areas.**

3 Q. And you have referred to monthly meetings of the
4 Visiting Committee with yourself as acting governor.
5 What sort of issues were raised by them on those
6 occasions?

7 A. **It's very difficult to say. I mean, it could have**
8 **covered any range of activities across the centre, be it**
9 **to do with education, to do with, you know, the regime**
10 **on the landings. It could have been about attitudes of**
11 **staff. I mean, it's just anything at all that came up**
12 **in the course of their -- their visits could finish up**
13 **being discussed at that meeting, and subsequently then**
14 **discussed through our senior management team meetings in**
15 **the mornings.**

16 Q. Well, if somebody were to say, for example, "Well, we
17 have noticed that there appears to be a degree of
18 unhappiness about the attitude of a certain officer or
19 group of officers or on a particular landing", or
20 something like that, would that have been conveyed to
21 you at these meetings or --

22 A. **Yes, it would.**

23 Q. Would they come to you at the end of the day and say,
24 "Look, you know, I am not really very happy about the
25 atmosphere on B Wing", or whatever the identified area

1 would be?

2 **A. It certainly wouldn't necessarily have waited till the**
3 **monthly meeting. I mean, if they had concerns on the**
4 **day, they would have sought to speak to me or one of my**
5 **senior management, yes.**

6 Q. You described also and referred to the visits by Her
7 Majesty's Chief Inspector of Prisons. Did I follow you
8 correctly to say that those visits lasted several days?

9 **A. Yes, over the period of a week.**

10 Q. And they I think you have said were unaccompanied on the
11 wings?

12 **A. That's correct.**

13 Q. Does it follow that they could go wherever they wished?

14 **A. It does, yes.**

15 Q. And speak to whoever they wished?

16 **A. Yes.**

17 Q. If I could turn then to the International Committee of
18 the Red Cross, it's hard to remember exactly, but
19 conditions in prisons and penal establishments, by which
20 I would include Hydebank, was a real source of political
21 interest, to put it in as neutral a way as possible.

22 Isn't that right?

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

24 Q. There were many general allegations that prisoners were
25 ill treated, particularly from the Catholic community,

1 in various penal establishments. Isn't that right?

2 **A. I'm not sure.**

3 Q. I mean by political representatives, commentators and so
4 on. I am not saying they were correct, but there was
5 a good deal of public discussion about this.

6 **A. Well, the history of the Maze is well known.**

7 Q. Isn't that right?

8 **A. That is correct.**

9 Q. The International Committee of the Red Cross paid
10 a number of visits to establishments in Northern
11 Ireland, didn't they?

12 **A. Yes, and still do so.**

13 Q. And when they came to Hydebank, you have described how
14 they were allowed to walk wherever they wished on the
15 wings. Is that right?

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

17 Q. Would any of those members of the Red Cross who carried
18 out those visits raise concerns with you about the way
19 that prisoners were being treated in terms of physical
20 abuse or anything of that nature?

21 **A. They would have -- there was -- there would have been
22 a formal debrief at the end of the visit, as there was
23 with the HMCI, who would have come and done a formal
24 debrief. So yes, very much so.**

25 **The International Red Cross, if I remember right,**

1 would also have had a debrief with the Secretary of
2 State or the Minister at the time. So -- because -- for
3 the reasons you have said, because of the highly
4 politicised atmosphere in which we were working.

5 Q. Finally, the question of people being afraid to make
6 complaints, I think, if I have understood you correctly,
7 you're saying there was never an unwillingness on the
8 part of people in Hydebank to complain, rightly or
9 wrongly. Is that right?

10 A. I had 168 on average, and I can assure you if they had
11 something to say, they had no reservations about saying
12 it. I mean these were young people who had limited
13 respect for authority, who were very much -- what is the
14 word for it -- very disturbed in their own right, but
15 also people who were very clearly individuals and people
16 who very clearly had a view and a -- and if they had
17 a comment to make, they had no hesitation in making it.
18 They had no fear in speaking openly.

19 Q. Thank you very much.

20 MS DOHERTY: Thanks very much. That has been very helpful.

21 Can I just pick up on something you have just said about
22 young people who didn't respect authority? Was part of
23 the regime to try and instil a respect for authority in
24 them?

25 A. I guess yes, it was. I mean, that was part of the

1 initial process, because, you know, the young lads
2 weren't going anywhere and certainly the regime wasn't
3 going anywhere if there wasn't some level of respect for
4 authority or some acceptance of the routine of the
5 centre. So, yes, there was that element.

6 Q. So it is interesting that some witnesses have talked
7 about that, about a sense that they were clearly away
8 from the start that they were under a different regime
9 to ones they had been in before.

10 A. Can I just say, though, I mean, the statements also that
11 I have read and the transcripts indicate, you know,
12 terms like "breaking my spirit". I mean, that was never
13 the intention, to break anyone's spirit, because that
14 serves no purpose whatsoever, and I accept there is
15 a balance to be struck between the two.

16 Q. Can I ask: were you ever having to discipline a member
17 of staff? Can you remember having to discipline
18 a member of staff because of the way they were behaving
19 towards the children?

20 A. I can remember dealing with staff who -- yes, yes.

21 Q. Dealing with them in what way?

22 A. Well, I can't remember the detail now. Interestingly in
23 the governor's journal I don't -- there were no --
24 I wasn't able to find any references to that, but yes,
25 there were staff whose attitudes, be it what was being

1 asked in terms of shouting and that or their general
2 approach, wasn't acceptable.

3 I do remember shortly after my arrival starting
4 an in-service training programme, which was very much
5 about, you know, developing staff's interpersonal skills
6 and it was probation-led to talk to staff about, you
7 know, the importance of respect and engagement and
8 working closely with young people and the benefits that
9 could be accrued from that.

10 Now the vast majority of staff responded very
11 positively, but quite clearly within any group of staff
12 that size you're going to get people who you would be
13 concerned about and they have to be specifically
14 managed.

15 Q. And was there a formal disciplinary process or would it
16 be managed through the management process?

17 A. I can't remember the detail, but I do know I had
18 a number of staff before me for formal disciplinary
19 procedures, yes.

20 Q. Okay. Can I just ask in terms of the boys was there
21 special arrangements for boys where there was mental
22 health problems, where there was concerns about their
23 mental health? Was there ...?

24 A. Again it would not have been as developed or
25 sophisticated as would be available today, but in those

1 days, yes, there would have been facilities available.
2 There would be opportunity to bring a psychiatrist in.
3 The medical centre was run by the practice from the
4 Ormeau Road, the GPs. So they would have made sure that
5 the same facilities that were available to a GP practice
6 outside were also made available to young lads in
7 Hydebank Wood.

8 Q. And did you have a psychologist coming in regularly?

9 A. I don't remember. I certainly didn't have one on my
10 staff in those days. It was much later that
11 psychologists appear, but I do remember through the
12 medical side that if there was a specific need for
13 occupational therapists or psychologists, then it would
14 have been sourced through the medical staff.

15 Q. In relation to sectarianism, I mean, and the mixture of
16 boys, how was that dealt with?

17 A. It may seem incredible to sit here and say this, but
18 I had never an issue during my time, nor am I aware of
19 any issue at Hydebank in relation to sectarianism,
20 either between the inmates, because they come from very
21 different backgrounds, or between inmates and staff, and
22 again coming from their respective backgrounds. So
23 sectarianism never came -- never came forward as an
24 issue at that time definitely. Definitely not. Inmates
25 mixed. Indeed, the photographs that I was showing

1 earlier, you know, it was very much a mix of inmates
2 from mixed backgrounds.

3 Q. How do you think that was achieved, because that is --
4 does sound remarkable?

5 A. I guess, you know, the likes of the young lads coming
6 into Hydebank, you know, it was that commonality of, you
7 know, fitting into the establishment and working
8 together, but, I mean, we certainly weren't -- I mean,
9 social skills didn't really touch on it. In fact, it
10 was the sort of area you avoided, you know, because it
11 was a potential minefield. It worked. I genuinely
12 don't have any concerns in relation to sectarianism or
13 anything of that nature.

14 Q. Can I just ask -- we talked about a shortfall of 30
15 staff. Did that mean vacancies or people off sick? I'm
16 not clear.

17 A. Yes, you would have had people off sick. I don't
18 remember sick being a particular problem at the time.
19 There was a fairly robust response to people who were
20 sick, particularly if it was thought that perhaps they
21 should be back on duty, but in terms of the pressure on
22 staff, no, there was -- I don't recall any specific
23 pressure during my time, and certainly the overtime
24 requirement to fill the vacancies, I mean, the overtime
25 was readily available in those days.

1 Q. But the vacancies -- was it difficult to attract staff,
2 sufficient staff?

3 A. I think there was a whole combination of things, such as
4 the return of the detached duty staff, the closure of
5 Maze compound. I think there was a range of
6 circumstances at the time. Certainly I know at the time
7 we were regularly recruiting. So I can't give
8 an explanation as to why Hydebank finished up thirty
9 short.

10 Q. Just a last question. We have heard in Rathgael there
11 was a use of casual staff in those vacancies. I presume
12 that would never have happened?

13 A. No, no.

14 Q. Thank you.

15 MR LANE: Clearly a number of the young men who came to you
16 had been in training schools and so on beforehand. Do
17 you think there's anything in the system that you could
18 identify which might have helped to prevent that sort of
19 escalation in their careers?

20 A. That's a very good question. I'm not sure. I mean, you
21 know, I certainly wouldn't be critical of training
22 schools, and having worked in the training school
23 environment, I certainly commend a lot of the good work
24 that is -- that does go on. I can't really think of how
25 I would have felt in those days. I certainly know today

1 that, you know, the early age interventions that people
2 talk about, you know, that is the future. It's working
3 with families at a very early stage, and it is about,
4 you know, the enhancement of parenting skills. It is
5 about the support to young people, more particularly now
6 the issue around mental health. I mean, I again don't
7 remember in Hydebank in those days major issues with
8 mental health or drugs. Certainly today that is a major
9 -- major concern. You know, if you look for adolescent
10 psychiatry services, they are virtually non-existent.
11 So, I mean, I do think, you know, there is
12 an opportunity at that age, whether it is in a training
13 school environment, wherever it is, to address some of
14 the significant deficits that some young people find
15 themselves in. I think young people sometimes today get
16 labelled as, you know, subversives or difficult people
17 or whatever the language is and, you know, yet, you
18 know, there's no recognition of the fact that some have
19 ADHD, some have autism issues, others have, you know,
20 whatever behavioural -- you know, personality disorders.
21 It's still a big issue in Northern Ireland about
22 managing people with personality disorder. So, you know
23 -- but that's the time for that support to come to those
24 young people, keep them out of the justice system so
25 they don't get into the justice system, but early age --

