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HISTORICAL INSTITUTIONAL ABUSE INQUIRY  
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being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at  
Banbridge Court House  
Banbridge

on Monday, 23rd November 2015

commencing at 10.00 am

(Day 163)

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

1 Monday, 23rd November 2015

2 (10.00 am)

3 (Proceedings delayed)

4 (11.30 am)

5 WITNESS <sup>Lindsay Conway</sup> (called)

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

12 Good morning, Ms Smith.

13 MS SMITH: Good morning, Chairman, Panel Members, ladies and  
14 gentlemen. Our first witness today is <sup>Lindsay Conway</sup>. He is  
15 "<sup>Lindsay Conway</sup>". He wishes to take a religious oath and he has  
16 been given a designation, Chairman, because he was  
17 a former social worker working with children in  
18 Rathgael.

19 His -- sorry. The Chairman is going to ask you to  
20 take the oath now, <sup>Lindsay Conway</sup>.

21 WITNESS <sup>Lindsay Conway</sup> (sworn)

22 CHAIRMAN: Thank you. Sit down.

23 Questions from COUNSEL TO THE INQUIRY

24 MS SMITH: <sup>Lindsay Conway</sup>'s statement can be found at RGL5089 through  
25 to 5385. We discovered today that inadvertently the

1 statement had not been signed. That has been rectified  
2 and the non-signed last page of the statement will be  
3 substituted, but can you just confirm, <sup>Lindsay Conway</sup>, that this  
4 is the statement you prepared for the benefit of the  
5 Inquiry that's on the screen in front of you?

6 **A. It is.**

7 CHAIRMAN: You told us that the designation had been  
8 offered. Does he wish to maintain his anonymity?

9 MS SMITH: It is a matter for you, <sup>Lindsay Conway</sup>. We have given you  
10 anonymity because you were a social worker, but I don't  
11 think you're actually -- you don't mind one way or the  
12 other whether you maintain your anonymity, if  
13 I've understood you correctly.

14 **A. I don't. I don't.**

15 Q. In the statement here that's on the screen you set out  
16 at paragraph 1 your career. You were in Rathgael from  
17 1972 to 1996. You set out your career beyond that also  
18 in this paragraph, but included in your time at Rathgael  
19 for a short period you were a social worker, then  
20 a Senior Social Worker and ultimately you ended up as  
21 a Principal Social Worker.

22 I was talking to you about what your job entailed.  
23 It's clear that largely, as you describe in your  
24 statement, while you would have had a very small case  
25 load to begin with -- and please correct me if I've got

1 this wrong -- ultimately your role was more in the  
2 community dealing with the boys who were going to court,  
3 preparing the reports for court and that kind of thing  
4 --

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

6 Q. -- rather than actually dealing with them on  
7 a day-to-day housemaster type basis.

8 **A. That's correct.**

9 Q. In paragraph 2 of your statement you talk about your  
10 current role. Again I'm scanning through your statement  
11 quite quickly here, but you have described what you have  
12 been involved in since 2002 there.

13 You have made this statement in -- as a supplement  
14 to a statement from a former colleague, <sup>Campbell Whyte</sup>, from whom  
15 we are going to hear tomorrow, but there are certain  
16 things that you have shed more light on from what he  
17 said in his statement and other things you feel he may  
18 not have got quite right that you are trying to rectify.

19 If I could go to paragraph 8 of your statement,  
20 first of all, please. It's page 5091. You talk about  
21 the Rathgael Training School as you remember it and say  
22 that the public perception was that training schools  
23 were just a step removed from borstal and Rathgael, in  
24 fact, was known as "the bad boys' home", but you believe  
25 that was a misperception of what Rathgael was actually

1 like, but you do talk here at paragraph 8 about Rathgael  
2 was initially -- was designed to mark a change in  
3 approach for how children were looked after in training  
4 schools away from the industrial reformatory approach.

5 You said that when you arrived -- we have heard  
6 there was still certain terminology -- for example,  
7 "wardens" was a term that was used. That would have  
8 been a hangover from the industrial reformatory  
9 background of Rathgael. You were saying that when you  
10 arrived, there were a few of you who were the signal of  
11 progress, as it were. You were younger. You were more  
12 progressive in your outlook, and there was -- the fabric  
13 of the school had changed even when you had arrived four  
14 years after it opened you felt.

15 **A. Yes. I never knew the old Malone Training School, but**  
16 **it was a large institution, big dormitories. The move**  
17 **to a rural, multiple residential centre must have been**  
18 **a real breath of fresh air and progress in the sense**  
19 **that you had residential units, you had a classroom**  
20 **block, you had a workshop block, a community that was**  
21 **self-contained and in that sense alone must have been**  
22 **a great encouragement to the system that things would be**  
23 **changed.**

24 Q. You did mention, however, in paragraph 11 about the  
25 difficulty with the location of Rathgael. You made the

1 point that while today Rathgael where it was located is  
2 surrounding by housing development, at that time there  
3 were no houses in the area. I wondered did the location  
4 of Rathgael itself and the difficulties that presented,  
5 for example, for families visiting -- you said there was  
6 no direct bus to the centre -- I wondered did that  
7 affect the children's behaviour in any way?

8 **A. Yes, it would have, as I've tried to illustrate here,**  
9 **dislocate them from their own families and communities,**  
10 **and at family times that would have been difficult for**  
11 **young people to relate to a place that was, as you said,**  
12 **very much rural, very much isolated. Yes, Sunday visits**  
13 **were catered for, a special bus, but they were very much**  
14 **out in the -- out in the country and there must have**  
15 **been that sense of isolation and loneliness.**

16 Q. Another thing that you mentioned in paragraph 10 was the  
17 indeterminate quality of a Training School Order. Again  
18 I wondered did that have an effect on children's  
19 behaviour, the fact that they were there for one to  
20 three years. You were saying that meant they did not  
21 see an end date. They had no goal to work towards, as  
22 it were.

23 **A. Yes. I mean, "one to three" must have just sounded**  
24 **endless to them. I mean, probably sitting in court they**  
25 **heard the three years. Parent definitely heard the**

1       **three years, but didn't hear one to three and that the**  
2       **progress would have been -- would have been monitored**  
3       **and assessed as time went on. So, yes, an indeterminate**  
4       **order at that stage in life was probably quite**  
5       **traumatic.**

6    Q. But I wonder did it then have problems -- I mean, also  
7       you were saying you had management problems in terms of  
8       planning for the children, because you couldn't sort of  
9       say, "Well, you know, you are only going to be here  
10      until such and such a date".

11   A. **Yes, and added to that would have been the difficulty in**  
12      **placing them back into their day school and to their**  
13      **children's home. That again -- places couldn't be held**  
14      **indeterminately and, you know, when you think that**  
15      **through, that's just an added dimension to it.**

16   Q. You mentioned to me that you felt the average stay for  
17      a child in Rathgael was 14 to 17 months.

18   A. **Yes.**

19   Q. Part of this is you were saying that you mentioned in  
20      paragraphs 12 to 15 -- you talked about the lack of  
21      specialised options that were open to courts and the  
22      lack of treatment options that were in Northern Ireland.  
23      You say that:

24            "There were a few specialised units being  
25      developed -- were being developed in Northern Ireland

1 and child and adolescent psychiatry was totally  
2 inadequate" at that time. "The substantive response was  
3 the separation of care and justice as recommended in the  
4 Black report in '79 and fully implemented through the  
5 Children's Order 1999."

6 If we can just scroll on down, please, you say that:

7 "On reflection, a large proportion of young people  
8 should never have been sent to a training school."

9 This was simply because there was nowhere else to  
10 send them in Northern Ireland:

11 "Each group ..."

12 Well, you go on to say:

13 "Other jurisdictions within the UK had recognised  
14 this issue some years previously and had provided  
15 alternative care arrangements for young people depending  
16 on their needs. As a result of the relatively small  
17 number of complex cases in Northern Ireland, it was  
18 difficult and expensive to create a series of  
19 specialised and specific units of the type that were  
20 available in other jurisdictions. ... training schools  
21 were the perceived solution, although the specialised  
22 units in England were available young people -- were  
23 available to young people in Northern Ireland, as  
24 discussed in paragraph 15."

25 If I can just go down to there, you talk about the

1 alternative care arrangements in England:

2 "... such as the David Lewis Centre" (which was  
3 a centre for those with epilepsy), Cotswold Centre,  
4 Pepper Harow and Aycliffe Centre in Darlington were  
5 available to those young people in Northern Ireland who  
6 were assessed as requiring that specialist treatment and  
7 the placements were fully funded by the NIO."

8 You give the example of one person --

9 **A. Yes.**

10 Q. -- from whom the Inquiry has heard, and I will just use  
11 his first name. That is HIA 172. He was actually sent to  
12 . I know you yourself were  
13 instrumental in acquiring that placement for him.

14 **A. Yes. The point I am making here is not a criticism of**  
15 **anybody but the system in the sense that training**  
16 **schools were very much viewed as the only option**  
17 **available after a major breakdown within the**  
18 **care/education, and from that point of view we then had**  
19 **to develop that expertise. The specialist units were --**  
20 **were very much a development of that. When all else was**  
21 **failing, then we had to look beyond -- beyond our own**  
22 **jurisdiction. Very small numbers, but appropriate**  
23 **placements, appropriate placements for the young people**  
24 **at that time, and again added to that dislocation that**  
25 **you had a stretch of water between them and their**

1           **families and that, but for their -- for their best**  
2           **management it was the only option open to them.**

3    Q.    Yet you mentioned there was -- this disconnection was  
4           greater --

5    **A.    Yes.**

6    Q.    -- because of the stretch of water and the separation --  
7           the greater separation from family.

8    **A.    Yes.**

9    Q.    I was just wondering. We have heard -- and I am not  
10           maybe clear on this and maybe you can help us -- but is  
11           it my understanding that whenever the approved schools  
12           closed in England, that that's when Lisnevin opened  
13           here, because there was a need for a secure unit,  
14           because prior to the closure of those approved schools  
15           or I should say the movement from responsibility from  
16           the Home Office in England to the local authorities in  
17           England for such facilities that Northern Ireland would  
18           have made use of those facilities for children who  
19           had -- were in a training school on foot of offending,  
20           but that option was no longer available and that led to  
21           Lisnevin being created? Have I got that right or ...?

22   **A.    Well, another significant part of that was the ceasing**  
23           **of borstal orders. So borstal -- from memory the last**  
24           **borstal order was maybe 1977/'78. Hydebank Wood was**  
25           **opened. So from that point of view the profile was**

1           **changing.**

2           **The issue with regards to the discontinuation of**  
3           **approved schools, where they were replaced by the**  
4           **community homes, which was a completely different**  
5           **regime, taken away from the Home Office, then you are**  
6           **right with regards to the county council and a welfare**  
7           **approach to all of those under 14, and that was an issue**  
8           **that wasn't developed here or, you know, an intervention**  
9           **that we didn't have here. Training schools, remember,**  
10           **criminal age of responsibility remaining 10. So**  
11           **technically you had 10-year-olds to 17-year-olds in**  
12           **training schools, and that was just something that just**  
13           **could not have been sustained.**

14    Q.    Yes. I think maybe -- we have heard from Dr Bill  
15           Lockhart, who was talking about Lisnevin. I will have  
16           to check exactly what it was that he said to us last  
17           week, but there was some change that came about whereby  
18           children could not be transferred to England. The  
19           option was no longer available. I had understood that  
20           to be children who were offenders could no longer be  
21           transferred, but you can't really assist us with that.

22    A.    No. The transfer from memory was by -- with the consent  
23           of the Secretary of state. Only once did I have to  
24           appear in court in England to negotiate an interim order  
25           to enable a child to be placed. The other examples were

1           **they recognised the order that was made here and**  
2           **respected that, recognised that, but only once did we**  
3           **have to --**

4    Q.    Actually get --

5    A.    -- go for an interim order.

6    Q.    Uh-huh.

7    A.    I would assume the status of TSO was -- sorry --  
8           **Training School Order was the same whether for care or**  
9           **for justice at that stage, because it was still the '68**  
10          **Act, but there's others more qualified than I.**

11   Q.    We can maybe check that with someone else, <sup>Lindsay Conway</sup>.

12   A.    Okay.

13   Q.    I don't mean to just sort of ... -- but one thing you  
14          made the point is, for example, the  
15          example, that had to be done with Secretary of State  
16          approval. It wasn't a case of Rathgael making  
17          a decision and moving a child to that facility. You had  
18          to have Northern Ireland Office approval for that --

19   A.    **Yes.**

20   Q.    -- because of the existence of the Training School  
21          Order.

22   A.    **Because of the existence and the status.**

23   Q.    You talk about -- paragraph 16 then of the ethos and  
24          culture of Rathgael being child-centred. I was asking  
25          you when we were speaking whether that was equally true

1 of the youth treatment children, the children who were  
2 in for offending, and you felt that the service offered  
3 across Rathgael was the same.

4 **A. Yes. I mean, classification was really in preparation**  
5 **for, one, what Black had said with regards to the**  
6 **separation of current justice, and in some way trying to**  
7 **shadow what was being proposed in legislation. So no**  
8 **sense of -- any change between the treatment of**  
9 **children, whether they were care, youth treatment or**  
10 **school refusers was not a conscious issue at all.**

11 Q. Certainly in the early days, the first ten years or so,  
12 before The Prior Compromise that we were talking about  
13 earlier as well and the effective separation within  
14 Rathgael the children all mingled together in the units.  
15 They were not -- there was no distinction between how  
16 they'd come into Rathgael. Isn't that right? You had  
17 a junior school -- reception, junior, senior school and  
18 then what you called the intensive care unit.

19 **A. Yes, that was -- so there was -- there was no separation**  
20 **at that level at all.**

21 Q. Paragraph 17 you go on to speak about the -- what you --  
22 this is one of the typographical errors that we  
23 discovered. It actually should be <sup>Campbell Whyte</sup> 's statement  
24 rather than Mr Campbell's statement in this paragraph,  
25 but you wish to say that:

1 "There was a small percentage of staff who felt that  
2 their only approach, especially with the senior boys,  
3 was to be macho."

4 You say:

5 "That resulted in a more regimented approach with  
6 an emphasis on physical activity and a highly  
7 competitive regime."

8 When we were talking about this earlier, you weren't  
9 saying they were -- these members of staff, you didn't  
10 mean to describe them as macho men, but it was, you  
11 know, "The way we deal with anything is to get them into  
12 sports, get them involved in sports and get them  
13 involved in competitive sports". That was really what  
14 you were trying to convey there. Is that right?

15 **A. Yes. I mean, the whole design of the Rathgael site put**  
16 **great emphasis on sport, swimming pool, a gymnasium,**  
17 **then a sports hall was added, two or three playing**  
18 **fields, and basically what I'm trying to say there is**  
19 **with regards to physical activity and sporting activity**  
20 **that was -- that was the approach, and on the clear**  
21 **understanding that stimulated, busy young people are**  
22 **happier, and so from that point of view of evening**  
23 **groups, sporting activities, there was a great emphasis**  
24 **on that.**

25 Q. I just wondered how that translated when girls arrived

1 on the scene, but you are saying the girls were equally,  
2 if not more, competitive than the boys.

3 **A. That's my memory of some of the girls playing football**  
4 **with the boys. The boys just didn't like being beaten**  
5 **by the girls. So, yes, there was a spin-off clearly on**  
6 **that one, yes.**

7 Q. You go on to discuss the provision of education in  
8 paragraphs 19 to 21. I was just asking in passing about  
9 inspections of the education side of things. Your  
10 recollection is that, because the training schools were  
11 not regulated by the Department of Education, the  
12 Northern Ireland Office had to invite the Department of  
13 Education to come and inspect the training schools  
14 and there was actually a separate branch of the  
15 Department of Education just for that purpose or special  
16 education team --

17 **A. Yes.**

18 Q. -- who would have come to carry out those inspections.

19 **A. Yes. My memory and in my time as Director it would have**  
20 **been a special education team that would have come in**  
21 **and inspected, yes.**

22 Q. You thought those were about eight to ten years apart,  
23 those inspections.

24 **A. I -- yes.**

25 Q. You go on to talk about the medical and dental services

1 in paragraphs 22 to 27. You make the point that those  
2 services were subject to SSI inspection.

3 Just coming on to inspections, the Inquiry has heard  
4 -- and we were discussing this -- that prior to around  
5 1987 the Social Work Advisory Group would have been the  
6 body responsible for inspecting training schools, and  
7 the system appears to have been somewhat informal,  
8 advice and support certainly. Some people have  
9 described it as an "old boys' network", because of the  
10 familiarity between -- Northern Ireland being a small  
11 community and the familiarity between the people who  
12 were working in SWAG and people who were in management  
13 of the training schools, that that led to a sort of old  
14 boys' network in that sort of a more relaxed, informal,  
15 chatty sort of, less independent regulatory system than  
16 what happened when the SSI took over. I wondered was  
17 that your experience?

18 **A. Not really. I mean, as a younger -- much younger social**  
19 **worker in those days, SWAG would have still had the**  
20 **same -- you know, the same reputation of you were**  
21 **being -- you were being inspected. The relationship**  
22 **definitely was different. The old Social Work Advisory**  
23 **Group journeyed with you through developments. So from**  
24 **that point of view if you were being innovative, if you**  
25 **wanted to introduce something new, they journeyed with**

1           you, advising you every step of the way.

2           So, yes, SSI came out of that, then RQIA after that,  
3           but at every one of those stages I have to say that, you  
4           know, our lead inspectors, those who journeyed with us  
5           through, you know, some very difficult times, but also  
6           you had the benefit of those brains round the table if  
7           you were talking about a new regime, if you were talking  
8           about a new approach. So there's swings and roundabouts  
9           on the approachability and the accessibility of your  
10          inspection teams as opposed to, dare I say, more  
11          distancing and remote inspection regimes which, you  
12          know, we could discuss, but yes, SWAG was -- SWAG and  
13          SSI were very approachable, very amenable and from my  
14          point of view were also those who could --

15        Q.    Help.

16        A.    -- who could help, but also could point out shortcomings  
17              and challenge some of your -- your decisions and  
18              regimes.

19        Q.    I just asked you when we were chatting whether you  
20              recalled Miss Forrest ever visiting. You certainly did  
21              remember her visiting. I think you related her -- your  
22              recollection of her was a formidable lady.

23        A.    Formidable lady, yes.

24        Q.    You also remember that she had you move towels apart.

25        A.    Towel hooks had to be moved so that they weren't

1 touching, so to reduce infection. Fair point, but they  
2 were touching, yes.

3 Q. You also recall you thought a pretty rigorous inspection  
4 at some point by a Home Office Inspector you thought,  
5 who criticised you for being approachable in your  
6 dealings with the children.

7 A. Yes. It was either a Home Office Inspector or Home  
8 Office Inspector on secondment to SSI observed that  
9 I was approachable or too approachable to the young  
10 people, and I took exception at that and said, "Well,  
11 I thought that was my job", but he changed the wording  
12 in the draft report to accommodate me. So ...

13 Q. You talk in paragraph 60 of the report about the  
14 relationship with inspectors and with the regular being  
15 a good one and being good with the other training  
16 schools as well.

17 One of the points made by the -- I mean, we have  
18 heard -- the Inquiry has heard and has seen the SSI  
19 inspection report into the training schools from -- no,  
20 you don't need to scroll to -- right down. Sorry.  
21 I just see we're jumping ahead -- but the 1989 report on  
22 the '88 inspections of the training schools, one of the  
23 points made at paragraph 4 of that report by the SSI was  
24 that in Rathgael and in St. Pat's there were no rules,  
25 no central rules on restraint and how restraint should

1 be used.

2 I just wondered whether you remembered any -- first  
3 of all, any general rules about the operation, you know,  
4 like a staff handbook of how certain situations should  
5 be handled or anything like that in your time in  
6 Rathgael.

7 **A. No staff handbook as such, but I can remember definitely**  
8 **guidelines relating to Shamrock and to Fox Lodge.**

9 Q. Yes.

10 **A. Restraining is a difficult task in any residential**  
11 **setting. Most of the expertise in those days was coming**  
12 **from psychiatric care or the Prison Service, and yes,**  
13 **observations with regards to child developmental issues**  
14 **were definitely taken on board, but I can't recall**  
15 **a handbook or -- the training was given and as far as we**  
16 **were concerned to the best of our ability in those days,**  
17 **but, yes, the expertise lay within psychiatric care and**  
18 **the Prison Service.**

19 Q. And that's where Rathgael went to get the trainers to  
20 come in to help train staff?

21 **A. From memory it was mainstream either psychiatric nurses**  
22 **or Prison Office staff.**

23 Q. I was asking if you yourself had any recollection of  
24 having to restrain children in Rathgael.

25 **A. Yes, I assume I did, but, as I said to you, at 6'4"**

1           **there was always an advantage of control was assumed,**  
2           **but present at times when, yes, at least, if not taking**  
3           **part in it, but definitely having to witness restraint.**

4    Q.    I wondered -- I mean, you can't I understand now  
5           remember what the circumstances might have been that led  
6           to a child being restrained.

7    A.    **Not really, but I assume it was just called to**  
8           **an extreme -- the only time I would be there would be in**  
9           **some crisis or other being called to it. So ...**

10   Q.    Can I just explore that a little bit with you, <sup>Lindsay Conway?</sup>  
11           You were saying that you were called in from somewhere  
12           else presumably in the unit to assist in a particularly  
13           difficult situation. Would that be right?

14   A.    **Well, I'm talking about a major incident. I would have**  
15           **been quite a distance from the residential unit. So the**  
16           **only time I would be involved would be in those**  
17           **extremes.**

18   Q.    You talk about staff at paragraphs 28 through to 30 and  
19           you mention that stress was an issue for staff.

20           I wondered were you yourself aware of complaints being  
21           made against staff. The Inquiry has heard, as you know,  
22           complaints that staff were -- assaulted children, that  
23           they were overly physical in terms of restraint, or in  
24           some instances -- and I will come on to that -- about  
25           the sexual relationships between staff and girls in

1 Rathgael, but were you -- first of all, in respect of  
2 complaints of a physical nature, were you as a member of  
3 the team aware that such complaints were made or what's  
4 your recollection of that?

5 **A. I mean, my level of awareness would have been second,**  
6 **third hand staff meetings, Board meetings of that.**  
7 **Remember, I was not within the residential units or**  
8 **education. So, yes, you'd be aware of major -- major**  
9 **episodes which were brought to the attention of the**  
10 **senior staff team or the Board, yes.**

11 Q. And I was wondering what -- I mean, you would have been  
12 aware, for example, that somebody had been put on  
13 a precautionary suspension pending an investigation.

14 **A. Yes.**

15 Q. I was wondering whether -- when you heard such  
16 an allegation was made against a certain member of staff,  
17 what your view was. Was that surprising to you or was  
18 it behaviours that you might feel might -- I am not  
19 asking you to name anyone in particular or that -- but  
20 I am just wondering was there anybody who you felt,  
21 "Well, I am not really surprised to hear that, because  
22 I have seen that person maybe be a bit heavy-handed with  
23 children", or anything like that? Can you recall?

24 **A. No. I mean, some staff, yes, would have been maybe**  
25 **shouting a bit more than others and you would be aware**

1 of that as I would have walked round units and so forth,  
2 but remember I was just in and out. I wasn't there for  
3 prolonged periods of time. So when that was being  
4 discussed at staff meetings and Board meetings, it would  
5 have been probably my first -- first time I would have  
6 been aware of it, yes.

7 Q. You yourself didn't have any occasion to speak to  
8 anybody about, "Look, I don't think you should do this"  
9 or anything like that?

10 A. No, but again that wouldn't have been my role. If it  
11 had been brought to my attention, I would have brought  
12 it to someone else's attention.

13 Q. I think when we were talking earlier, you were saying  
14 that there was quite a strict regime in terms of  
15 tolerance of behaviours of staff in Rathgael. I mean,  
16 for example, staff weren't allowed to use bad language.  
17 That wouldn't have been tolerated. You were saying even  
18 the use of surnames was something that had been moved  
19 away from.

20 A. Yes. That type of approach was discouraged. Definitely  
21 no tolerance of bad language with children. That just  
22 became part of the -- likewise with the young people.  
23 It was easier to defuse than people imagine if you just  
24 "Language" and it stopped. Use of surnames, yes,  
25 discouraged. All of that was very, very much there.

1 Q. I wonder would you accept it would have been more  
2 difficult for those who had come from the Malone  
3 background, from the Balmoral background to change their  
4 practices than those of you who were coming in afresh?

5 **A. Yes. I mean, coming from a social work stable, we**  
6 **always felt that that was -- the "Mr", the "sir", you**  
7 **were always uncomfortable with that. That was just part**  
8 **of the whole scene, but yes, others felt that that was**  
9 **the only way.**

10 Q. I am not going to scroll down, but just while we are  
11 talking about staff, at paragraph 54 you talk about the  
12 shift pattern. That can be looked at later.

13 Paragraphs 31 to 33 here you discuss the arrival of  
14 girls and the transfer of girls from Whiteabbey. Now  
15 I know that one of the reasons you are addressing this  
16 is because<sup>Campbell Whyte</sup> seemed to think that that had not  
17 really been a planned process, but it is clear from the  
18 bundle of material that the Inquiry has that this was  
19 something that was planned. I did refer to these  
20 documents earlier.

21 I don't think we need to call them up, but certainly  
22 at RGL20482 to 20569 there are minutes of meetings about  
23 the closure of Whiteabbey and the transfer to Rathgael.  
24 They show that in '81/'82 Whiteabbey was operating at  
25 about half its capacity and the per capita costs were

1 well in excess of what other training schools were. The  
2 Board set up a working party on rationalisation of the  
3 Whiteabbey and Rathgael Schools and there were proposals  
4 for amalgamation and rationalisation discussed  
5 throughout 1984. For example, in February '84 it is  
6 recorded that the working party reported to the Board  
7 about what it felt should happen.

8 You were part of -- you weren't actually part of the  
9 working party -- is that correct -- but you were part --  
10 you were sent to Whiteabbey?

11 **A. Yes. I wasn't part of the working party and, yes, I was**  
12 **sent to Whiteabbey. My recollection is I went there**  
13 **with one of the clinical psychologists for one or two**  
14 **days a week. The plan was that the girls would -- as**  
15 **many girls would be placed out before the transfer to**  
16 **the Bangor site; in other words, to reduce the**  
17 **population going to Rathgael. That was -- that was our**  
18 **intention. So we worked at returning girls to their**  
19 **homes, to the communities, to children's homes, and then**  
20 **sadly the fire accelerated that whole process. So, yes,**  
21 **there were some attempts to lessen the impact on the**  
22 **closure.**

23 **Q. We know that the fire, as you say, accelerated the**  
24 **process, but it was -- I mean, the fire really coincided**  
25 **around the time when the closure was supposed to happen.**

1 It wasn't -- there wasn't -- it wasn't a case of, you  
2 know, six months before the closure was supposed to  
3 happen the fire happened. It was really a matter of  
4 weeks beforehand really. It was quite close in time.  
5 Is that right?

6 **A. From memory, yes.**

7 Q. I mean, certainly the documents would show that the --  
8 there was a minute from January '85 showing that they  
9 were planning to close Whiteabbey by 30th April '85. So  
10 the fire happening in around Easter time or thereabouts  
11 precipitated that closure. We know that the working  
12 party's report went to the Northern Ireland Office and  
13 approval was sought from them for the closure. So it  
14 wasn't something that just happened overnight. That  
15 was -- that approval was obtained from the Northern  
16 Ireland Office and that's at 21556.

17 Whenever the -- I was wondering, though, were you  
18 aware of whether any alternatives to the transfer from  
19 Whiteabbey to Rathgael were considered, whether, you  
20 know, setting up a smaller children's home for girls was  
21 -- somewhere other than the Rathgael site was  
22 a consideration, and you don't believe it was, because  
23 of the capacity that Rathgael had.

24 **A. Yes. I think it coincided with the capacity that**  
25 **Rathgael had and the merger on principle was agreed for**

1 that very reason and that -- I can't recall any other  
2 options, remembering that the girls' population was  
3 always quite small, and there was no doubt at all that  
4 that could be absorbed within an existing site.

5 Childcare reflected that as well. So we were in  
6 an era that there were some purpose-built children's  
7 home being built as well that reflected a mixed gender  
8 regime and approach. So, you know, this wasn't -- this  
9 wasn't unusual, and the weeks or few weeks trimmed off  
10 that, I am not sure what the consequences would have  
11 been if that had -- whether we would have kept to that  
12 deadline of end of April or there would have been some  
13 slippage in that, because some adaptations were going to  
14 have to be made to the Rathgael site.

15 Q. Certainly part of the process of transfer was girls  
16 coming down to Rathgael, going to school there and going  
17 back to Whiteabbey at night. Do you recall that  
18 happening too?

19 A. Yes.

20 Q. I think you said to me in total the numbers who came to  
21 Rathgael -- and I know we have received recently  
22 a statement about the actual numbers who transferred --  
23 but it was somewhere in the region of ten, eleven girls  
24 who transferred down.

25 A. From memory, yes.

1 Q. Initially those girls were put into one unit, as we have  
2 heard. The staff transferred down with them -- isn't  
3 that correct -- the female staff?

4 A. Yes. Well, both male and female staff from Whiteabbey  
5 came to the Rathgael site. So, yes-- so the skills and  
6 the familiarity and all of that came with the girls.

7 Q. With the girls.

8 A. There were familiar faces from day one.

9 Q. I was wondering whether any help was given to either the  
10 Whiteabbey staff or the Rathgael staff with how to cope  
11 with children of the opposite gender to what they had  
12 been used to dealing with. Do you remember any help or  
13 assistance or training being given in that regard?

14 A. No, but I assume, you know, most of our teachers would  
15 have taught in mainstream boys and girls. Social work  
16 in those days was being generically trained, as with  
17 childcare, and I acknowledge, yes, there was a number of  
18 untrained, but many of them would have come through  
19 youth sector, youth work, and dare I say most of us  
20 would have had sons and daughters. So the skills mix  
21 was maybe assumed. I'm not aware that we put special  
22 training in place, but the issue was reduced by staff  
23 coming en bloc with the girls.

24 Q. You -- although you would accept you weren't there on  
25 a day-to-day basis, but you didn't see the transition as

1 something that caused major upset in the way the Inquiry  
2 has heard described. You felt that, yes, putting them  
3 into the one unit didn't work out very well, but quite  
4 quickly that changed.

5 **A. No. Very aware that some staff were uncomfortable with**  
6 **the girls coming and resisted it, but it was at a bigger**  
7 **level that we were discussing that. I mean, you know,**  
8 **it was just difference. The girls were coming and we**  
9 **tried to manage it as best we were -- yes, we could have**  
10 **done it better because of -- if we had more time, but**  
11 **I think we survived reasonably well.**

12 **Q.** You had some of the practical things you mentioned that  
13 had to be done. For example, the staircases were open  
14 tread. Those had to be boxed in for girls walking up  
15 the stairs.

16 **A. Yes. Practical things like that from memory were**  
17 **I suppose not a big issue, but had to be done.**

18 **Q.** There was perhaps some tension, if I can put it that  
19 way, in regards to the transition, because staff at  
20 Whiteabbey had done things their way, Rathgael staff had  
21 done things their way, and there was some conflict as to  
22 an outworking of the resolution of what was the way it  
23 was -- things were to be done. Would that be fair?

24 **A. Yes, and again not unusual that we would have lived for**  
25 **a couple of years with Rathgael -- Rathgael's way. "We**

1        **did it this way in Whiteabbey." What was best, but**  
2        **again the senior staff team reflected that as well. By**  
3        **then some Whiteabbey staff were -- were part of the**  
4        **senior management team and, you know, that transition**  
5        **probably took a year or two, yes.**

6        Q. Do you remember any help being sought from the Social  
7        Work Advisory Group or from the SSI around this time to  
8        help with the transition and to help prepare or deal  
9        with some of the issues that were coming up?

10      A. I just assume -- in relation to what I said before that  
11      SSI journeyed with us or SWAG/SSI journeyed with us  
12      during major development, so I assume they were -- they  
13      were with us during that -- that time.

14      Q. You also made reference to the fact that the APRU was  
15      also particularly helpful and would have helped with any  
16      difficulties.

17      A. Without a doubt they -- I mean, from an assessment point  
18      of view and from regimes, yes, APRU were very much part  
19      of the team and seldom did we -- if ever, did we, you  
20      know, plan anything that didn't have their input.

21      Q. Coming on to the allegations the Inquiry has heard  
22      about, the sexual relationships between staff and girls,  
23      were you yourself ever aware of any gossip or rumours to  
24      that effect, that there was anything like that going on?

25      A. No, no.

1 Q. The other side of that was, you know, we have heard  
2 girls had crushes on male staff and perhaps vice versa  
3 with the boys on female staff, but was that something  
4 you were aware about?

5 **A. Aware of and very aware how to reduce those risks with**  
6 **regards to travel, accompanying young people to court,**  
7 **picking them up at police stations. It wasn't always**  
8 **possible to send two members of staff and so forth, but,**  
9 **yes, girls would have, you know, and boys, as you said.**  
10 **So it's very much a dynamic that residential care would**  
11 **be -- would be aware of and deal with.**

12 Q. Going back to your statement, <sup>Lindsay Conway</sup>, at paragraphs 34 to  
13 36 you talk about the issue of absconding, and one of  
14 the things that the Inquiry has heard about is how  
15 absconders were punished. You talk about them being  
16 locked up. Some persistent offenders might have been  
17 sent on to Lisnevin, which was not an option obviously  
18 available to girls. We have heard that there was the  
19 Maghaberry five-week warrant that would have been  
20 obtained in some cases, but what's your recollection of  
21 how absconders were treated?

22 **A. Absconders were -- you know, a number of young people**  
23 **absconded all the time and some young people never**  
24 **absconded at all. As the APRU or study said, again**  
25 **there was -- there was a debate about the language, that**

1 a child running away from a children's home was  
2 a runaway and from a training school was an absconder  
3 and dealt with in different ways.

4 Young people would have lost their privileges coming  
5 back from absconding. I have also heard with regards to  
6 the use of shorts and so forth, but again I have to say  
7 the junior school in my time all the boys wore shorts,  
8 blue jumpers and grey shirts. Senior school was brown  
9 corduroys, brown shirts and green jumpers. So there's  
10 a time when shorts were being used on a daily basis and  
11 that was the boys' uniform.

12 Being sent to their room, losing leave, other  
13 privileges were a sanction as opposed to being clearly  
14 defined as a punishment.

15 Q. But were they locked up?

16 A. They would have been sent to their own rooms. I mean,  
17 Fox Lodge was the first special unit only opened in the  
18 late '70s. So lock-up -- sending boys to their own  
19 room, yes, was an option.

20 Q. I mean, we have heard that it was really only in later  
21 days that the bedrooms were -- the bedrooms were locked  
22 at night, for example. So if somebody was sent to their  
23 bedroom, they could have been locked in presumably.

24 A. Yes. That was -- I mean, that was the accepted practice  
25 in those days, but there was night waking staff all the

1           **time.**

2       Q.    Forgive me, but I am talking about an absconder who was  
3           sent to his room might have been locked into that room.

4       **A.   Possibly, yes.**

5       Q.    You were talking there about the APRU report on  
6           absconding from 1991 and it is attached to your  
7           statement at 5124.  This was clearly something that the  
8           NIO had asked for and got the consent of the Board of  
9           Management.  I think probably the background to this is  
10          political disapproval, if I might put it that way.  We  
11          heard that the local MP complained about the amount of  
12          absconding from Rathgael and that might have led to this  
13          report being commissioned by the NIO perhaps.

14       **A.   Yes.  There was political concern.  There was also**  
15       **concern from Bangor police in the sense that each**  
16       **absconding demanded a response and a paper trail and**  
17       **that would have been -- that would have been accepted,**  
18       **but again I have to say that the majority of Rathgael**  
19       **was an open establishment, at that time one closed unit,**  
20       **so it was an open school, and then latterly you would**  
21       **have had Fox Lodge and Shamrock.  So we were an open**  
22       **establishment, encouraged to be so, and yes, absconding**  
23       **was a -- was a product of that, but yes, the political**  
24       **concern, but also from memory was a genuine concern from**  
25       **Bangor police at a time when they were probably**

1           **stretched for other reasons that this was just very much**  
2           **in their -- in their division and it came their way. So**  
3           **...**

4    Q.   It is an attempt to try to address the overall problem  
5           that was perceived anyway.

6    A.   **And to, as we discovered through the report, some**  
7           **causation and some issues that could be -- could be**  
8           **tampered with and adjusted.**

9    Q.   You also mentioned the NIACRO Independent Representation  
10           scheme. I wondered did you find that effective?

11   A.   **Yes. This was an attempt to bring the outside in. That**  
12           **was always desirable and NIACRO had that reputation and**  
13           **had that passion. So we were pleased, as with other**  
14           **schemes that we highlight, was trying to normalise in**  
15           **some way life for the young people on the site.**

16   Q.   You talk again -- and I am just going quickly through  
17           some of the things that are in your statement -- you  
18           talk about the fact there was no distinction between the  
19           facilities offered to those children who were in the  
20           secure units and in the open units in terms of the  
21           activities that they would have engaged in.

22           Now you talk about time-out rooms at paragraph 44.  
23           We had this discussion. There were time-out rooms in  
24           both Shamrock and Fox Lodge, a special designated D room  
25           or time-out room that children would have been put into

1 that was monitored and so forth, but we have also heard  
2 that there were rooms in individual units in the open  
3 section that were used for time-out or quiet room or  
4 used for time-out in the units. Were you aware of that?

5 **A. I mean, I had no immediate memory of that, but, as we**  
6 **discussed, "quiet room" meant more to me than "time-out**  
7 **room" if it's on the ground floor. The quiet rooms**  
8 **were, well, at different times were called hobbies room,**  
9 **music room, but yes, I could relate to that, yes.**

10 Q. Can you recall how often those might have needed to be  
11 used? I mean, I appreciate you weren't the person in  
12 the unit, but from your recollection was this something  
13 that was frequently used or not?

14 **A. In extremes. In the open units they would be the**  
15 **extreme, because they remained open throughout the --**  
16 **throughout the time of the training schools. There was**  
17 **never an attempt to make them totally secure.**

18 Q. You go on in paragraphs 45 to 53 to describe the routine  
19 in the home and the rewards system and the sanctions  
20 that were available. We have heard early bed was  
21 a major sanction.

22 You talk about special occasions being marked at  
23 paragraph 56. You talk about the records that were kept  
24 at paragraphs 57 to 59. The Inquiry have seen examples  
25 of those.

1           At paragraphs 62 to 64 you describe the composition  
2           and role of the Management Board.

3           At paragraph 65 you talk about the Review Committee.  
4           You said that a child who had gone in on a one to three  
5           year order would have been reviewed at the end of the  
6           first year and then every six months after that. I asked  
7           you if you felt that a year was too long?

8   **A. A year was too long for some children, and when we -- we**  
9   **brought that to the attention of the Department, the**  
10 **facility was -- was to grant them extended leave. We**  
11 **were advised we could not tamper with the primary**  
12 **legislation, but that a facility -- and we called it**  
13 **extended leave -- would at least give you an opportunity**  
14 **to release that child. A number actually came back as**  
15 **day pupils, because we couldn't negotiate their return**  
16 **to their parents' school. Different connotations of**  
17 **that, but the way we were able to deal with that with**  
18 **the Department was through extended leave, then bring**  
19 **them to the Review Committee on their assigned date of**  
20 **a year, and then ...**

21   **Q. Release them if that was appropriate.**

22   **A. Yes, but again would be released on licence and**  
23 **supervision, which was a complicated formula to start**  
24 **with, but yes.**

25   **Q. We have heard that there was an aftercare facility or**

1 team, if you like, in Rathgael, a community team who  
2 would have looked after those children who were on  
3 licence as well.

4 **A. Yes. My main function throughout my time was definitely**  
5 **the development of a community care, through care,**  
6 **whatever was the in term at the time. To commend it --**  
7 **I mean, the training school system -- training school**  
8 **rules 52 dictated that. I mean, the only part of the**  
9 **childcare system in Northern Ireland at that time that**  
10 **gave compulsory aftercare were the training schools.**  
11 **Clearly in the rules set out was the appointment of the**  
12 **appropriate people. As that developed, we developed**  
13 **a very traditional community care team, which dealt with**  
14 **intake right through to release.**

15 Now that was no different than what was going on in  
16 family and childcare in the Health & Social Services  
17 Board. We reflected that. We kept the same job titles,  
18 so that that transition and the nomenclature was  
19 acceptable.

20 **Q. Paragraph 66 you talk about bullying. You say that:**

21 "Bullying in various forms, including that of  
22 a sexual nature, was becoming a recognisable issue in  
23 training schools and children's homes from the early  
24 '80s, when staff increasingly started to question  
25 certain behaviours."

1           We were discussing bullying may well have been  
2           a problem prior to the early '80s, but it wasn't maybe  
3           called that or maybe -- you were saying bullying was  
4           a comparatively new term for the behaviours that we  
5           would now recognise as being bullying behaviours.

6   **A. Yes. Terms started to approaches -- it is where I also**  
7   **said somewhere else in my report the transition between**  
8   **talking about "problem young people" compared to "young**  
9   **people with problems", and that transition was round**  
10   **about this time, that bullying behaviours -- and**  
11   **remember that is still an issue within schools, work**  
12   **places and so forth -- but my recollection of that is it**  
13   **was only then that we started to take this seriously as**  
14   **a term as something that needed very, very clear**  
15   **monitoring, clear interventions that up until then we,**  
16   **like everybody else, were struggling with.**

17   **Q.** You go on to describe how staff were to be more  
18    observant, trained to detect such behaviours and  
19    immediately challenge the individuals involved. I was  
20    saying to you certainly from the police material there  
21    is evidence that there was what the Inquiry has learnt  
22    of as peer abuse and perhaps peer experimentation  
23    amongst children within the Rathgael setting. Some of  
24    those were obviously investigated by police, whether  
25    they were allegations of rape or buggery or just mutual

1 sexual activity between boys particularly. Again this  
2 would have been just something that was coming on to the  
3 radar of those of you who had to care for children in  
4 the early '80s. Is that what you are saying?

5 **A. Yes. I mean, every child -- well, the majority of**  
6 **children coming to training school or coming to Rathgael**  
7 **definitely came with a court report. So you never had**  
8 **a blank piece of paper. You never were starting from**  
9 **scratch with regards to their behaviours, with regards**  
10 **to their family history and so forth. So, yes, many**  
11 **a time you would be alerted by the sending children's**  
12 **home or probation officer, whatever, that certain**  
13 **behaviours were concerning. So that's the type of thing**  
14 **I'm talking about that staff would be aware, that we**  
15 **never -- plus our own assessment. So no child except**  
16 **for those on place of safety orders naturally came down,**  
17 **were disposed of and we had a blank piece of paper. We**  
18 **had the benefit of a court report, of an assessment,**  
19 **which would highlight a number of behaviours that we**  
20 **would be aware of and would have to monitor, and this**  
21 **would be clearly one of them.**

22 **Q.** You go on to discuss in paragraphs 67 to 70 the issue of  
23 self-harming that became manifest, particularly when the  
24 girls arrived in Rathgael. Then it was not gender  
25 specific after a while.

1 Paragraphs 71 to 76 you talk about the aftercare, as  
2 we have already discussed.

3 Paragraph 77 you talk about the East Side Project,  
4 which you say piloted in 1982, which was the practical  
5 outworking of the Black report recommendation.

6 Then at paragraph -- sorry -- the next page there  
7 something went wrong with the paragraph numbers, but at  
8 paragraph 68 on this page, 5113, you talk about the  
9 allegations of abuse. You describe how they were  
10 handled. You say you can confirm in conjunction with  
11 what<sup>Campbell Whyte</sup> has said to the Inquiry that the policy was  
12 -- as he outlines it in his statement was in place and  
13 implemented.

14 Obviously there was a difference of approach taken  
15 after Kincora and the scandal of what happened there  
16 with regard to matters being reported to police perhaps  
17 more quickly than they might otherwise have been. The  
18 Inquiry has seen that has happened through the course of  
19 its work, but I just wondered -- we have also heard that  
20 complaints -- say a child complained to a member of  
21 staff that they were struck by a -- sorry -- by another  
22 member of staff. That appears to have been investigated  
23 in-house. If that child then either withdrew that  
24 statement or said they didn't want it to go any further,  
25 even though they weren't withdrawing the allegations,

1 that seems to have been an end of it and it doesn't seem  
2 to have progressed any further. I mean, obviously the  
3 more serious matters where a member of staff was  
4 suspended pending a police investigation, but those  
5 other examples that I'm talking about, were you aware of  
6 things like that happening, of in-house investigations,  
7 as it were, that didn't seem to have any consequences  
8 for the staff on the ground? I mean, what can you tell  
9 us about that?

10 **A. Again as a member of the senior team you would be aware**  
11 **of allegations and what was being said about staff and**  
12 **you were aware they were being taken seriously and they**  
13 **were investigated, absorbed within the system, as was**  
14 **the given practice of those days. I mean, in those**  
15 **early days the training school system was the training**  
16 **school system. As we progressed, then there was more**  
17 **partnership. So the involvement of social work teams**  
18 **coming in and out would have been the way we would have**  
19 **approached that, the joint protocol stuff. We had**  
20 **police liaison, you know. So as time progressed, that**  
21 **would have been different, but yes, something that**  
22 **happened in the class, in the education would have been**  
23 **dealt with by the head teacher, the headmaster at the**  
24 **time, likewise with the team leader, only coming to**  
25 **senior staff in the extreme.**

1 Q. You yourself at paragraph 81 say that you personally  
2 never witnessed any abuse or had any complaint made to  
3 you.

4 I was just checking that -- paragraph 83 -- you were  
5 aware of the investigation following complaints being  
6 made by staff members to the SSI. You yourself were  
7 never interviewed by police in respect of any complaints  
8 either that were made about you or as a witness to  
9 anything else. Isn't that correct?

10 **A. That's correct.**

11 Q. Either then or later in a later police investigation?

12 **A. No.**

13 Q. You made the point to me that you felt that there was  
14 a low tolerance of behaviours on the part of staff  
15 throughout your time in Rathgael, but what was  
16 acceptable behaviour in the 1970s/early '80s obviously  
17 was no longer acceptable in later years.

18 **A. Yes. To me, as I started my career in Rathgael,**  
19 **I probably never meant to stay. It was a stepping stone**  
20 **and -- but, as you see, I stayed a long time, and it was**  
21 **that place that gave me an opportunity to be innovative,**  
22 **to improve my practice, very seldom, if ever, resisted.**  
23 **As with others of a particular generation, we came in**  
24 **with a different vision, were encouraged to be**  
25 **innovative and to do different things and to make it --**

1           that transition from training school to a centre for  
2           children and young people, all of those things that  
3           Campbell Whyte 's report will illustrate.

4           East Side was the biggest example of that with  
5           regards to finding an alternative to training schools,  
6           because, I mean, personally speaking, Black was  
7           an opportunity that we just did not take full advantage  
8           of, and I was internal then and, as you say, The Prior  
9           Compromise changed all of that, but to me to this day  
10          I would have resisted some of that, because it was about  
11          local interventions as opposed to regional resources,  
12          and that's a very complex thing in a small jurisdiction,  
13          but that's my -- that's my view and can only be mine,  
14          because that was my journey, but that's my impression.

15    Q.   Well, <sup>Lindsay Conway</sup>, you will be glad to know that that's all  
16          I wanted to ask you about, but if there's anything you  
17          feel you haven't had the opportunity to say -- and you  
18          will appreciate that I didn't go through your statement  
19          paragraph by paragraph and just highlighted a few  
20          issues, but the statement has been read in its entirety  
21          by the Panel and by the Inquiry. If there's anything  
22          else that you feel that we haven't covered that you want  
23          to say, now is your opportunity.

24    A.   I think the only thing I would add is just a personal  
25          regret that any child, young person felt ill-treated,

1       abused, neglected in Rathgael. We tried hard not to  
2       allow that to happen. Clearly the Inquiry is hearing  
3       differently, but we did endeavour to change, to adapt to  
4       changing legislation, to changing needs.

5                Childcare in Northern Ireland is still I think  
6       under-provided for. I am well out of it now, working at  
7       the other end of things with regards to that, but my  
8       impression is that some of those -- some of those issues  
9       are still live today within the childcare field and --  
10      but I think I've said most things through my -- through  
11      my report. Thank you very much.

12    Q. Thank you. The Panel Members may have some questions  
13      for you.

14                                Questions from THE PANEL

15    CHAIRMAN: Thank you. You have given us an extremely  
16      detailed account of so many aspects of the way Rathgael  
17      ran. We are very grateful to you for doing that, but  
18      can I just ask you one or two points in relation to some  
19      of the detail?

20                Going back to the early part of your evidence, you  
21      had used this expression in paragraph 17 I think it is  
22      of a small percentage of staff feeling their only  
23      approach, especially with the senior boys, was to be  
24      macho. You explained by that you wished to convey that  
25      there was an emphasis on sport, games, competitive games

1 and matters of that sort, but you did say that it  
2 resulted in more regimented approach in your statement.  
3 Some of the staff we know from what we have been told by  
4 some individuals came from a prison service background  
5 or a service background. Did you think that some of  
6 them were less likely to be tolerant of things like  
7 answering back or general bad behaviour than perhaps  
8 someone coming from a social work background such as  
9 yourself may have been?

10 **A. Yes. I think that was more the case with some of the**  
11 **senior boys, that I suppose staff would have resisted**  
12 **asking the question, "Why the behaviour?", and that's**  
13 **the different dimension from a social work point of view**  
14 **of why a child is behaving in such a way. So from --**  
15 **that's what I am trying to say with regard to that more**  
16 **regimented approach, that they thought that would be**  
17 **a better outcome than trying to ask why and to assess**  
18 **what their -- what their real needs were, and likewise**  
19 **some of the senior boys were of an attitude that they**  
20 **were there to do their time and didn't want to invest in**  
21 **any analysis or any intervention. So there was two**  
22 **sides of that. "I'm here to do my time" and maybe this**  
23 **is what's required.**

24 **Q. You used an expression that I don't think, subject to**  
25 **correction, we have heard before today, which is**

1 "evening groups". What sort of things might they have  
2 done? You did in passing refer to hobbies later on. Is  
3 that you sort of thing an evening group would do? Was  
4 it music or what was it?

5 **A. It was all of those: table-tennis, it was music,**  
6 **photography, pottery, badminton. It was very -- it was**  
7 **very normal and that was -- that was encouraged. So**  
8 **after teatime -- and there were waiting lists for some**  
9 **of those. I probably missed some of them, but that**  
10 **was -- that was the way, especially in the winter**  
11 **months, the boys would have been occupied.**

12 Q. And were these things that were laid on by staff who had  
13 a particular interest, say, in photography or badminton  
14 --

15 **A. Very much so.**

16 Q. -- or were people brought in from outside specifically  
17 to do it, or a mixture of both perhaps?

18 **A. Probably a mixture of both, but mostly staff. It would**  
19 **have been, yes, an opportunity for them to share their**  
20 **-- 5-aside football you can imagine was a preoccupation,**  
21 **but the sports hall allowed for 5-aside and the playing**  
22 **fields, but the evening groups were more hobbies and**  
23 **making things and crafting.**

24 Q. I presume to encourage the boys and then the girls when  
25 they arrived always to be occupied in something that was

1 worthwhile and interesting for them rather than just  
2 lounging around.

3 **A. That was -- that was the goal, not -- not respected**  
4 **sometimes by the young people, but yes, that would have**  
5 **been, but you can imagine during times like Christmas**  
6 **and other times making craft stuff and it was trying to**  
7 **very much normalise the whole -- the whole thing.**

8 Q. If I could turn then to the move of the girls from  
9 Whiteabbey Training School, as you have pointed out or  
10 have been reminded, this was a process that had been  
11 anticipated and to a degree at least planned for. Isn't  
12 that right?

13 **A. That's correct.**

14 Q. There can often be a difference in what planning means  
15 in that those who have been given specific  
16 responsibility for organising the move may be working  
17 away on things of a practical type whereas those who are  
18 going to be on the receiving end of the change when it  
19 comes may not necessarily have been given the necessary  
20 information and instruction, because it hasn't quite  
21 reached the point where it's necessary to do that. The  
22 decisions may not have been finally made.

23 Here, as we understand it, what happened was that  
24 there was -- somebody set fire to part of Whiteabbey and  
25 the decision was then made to accelerate the process of

1 change. Now a number -- at least one I think member of  
2 staff regarded it from his perspective as being not  
3 properly planned. Was it possible that those staff on  
4 the receiving end were taken to some extent by surprise  
5 by the acceleration of the process?

6 **A. I think that is possible. The only reason why I was**  
7 **aware is because I was instructed to try and place out**  
8 **as many girls back to their communities as possible.**  
9 **So, yes, I could see that happening in that era, that**  
10 **either this was part of the relationship with NIO and**  
11 **the Board that they could only go so far with that**  
12 **disclosure, because there were sensitivities about the**  
13 **closure, and that would -- as with any closure, would**  
14 **have to be done sensitively, yes. So I could see that**  
15 **happening, that NIO had expected the Board to be -- to**  
16 **be very confidential to one stage, and then this fire**  
17 **changed the whole -- the whole scene, because there was**  
18 **no planning at all. It was in response --**

19 Q. Yes.

20 **A. -- to the fire.**

21 Q. And I am not entirely clear from your account. Were you  
22 already working in Whiteabbey prior to the fire or did  
23 your involvement come in the period between the fire and  
24 the final tranche of girls moving permanently?

25 **A. No. My involvement was prior to the fire. From memory**

1 Whiteabbey had its own social worker as well, who wasn't  
2 transferring I think, because I think there was --  
3 that's what I am talking about with regards to the  
4 other, negotiations with regards to who was going to  
5 come and who was going to leave.

6 Q. Yes. There may have been redundancies and early  
7 retirement.

8 A. Yes, and that would have been dealt with very  
9 confidentially and not in open ...

10 Q. Yes. So some girls had already appeared, even if it was  
11 only for attendance at school, on the Rathgael site  
12 before the fire. Is that correct?

13 A. That's my memory. The girls also came most Fridays to  
14 use the pool --

15 Q. Yes.

16 A. -- throughout history. So there was that level of  
17 involvement, but yes, from memory the school may have  
18 been used before that to -- to again reduce the  
19 difficulties on the moving.

20 Q. I see. Thank you very much. I imagine my colleagues  
21 may have some questions as well.

22 MS DOHERTY: Thanks very much. That has been very helpful.  
23 Can I just ask about the -- in terms of the macho, more  
24 macho approach, would that have included a more physical  
25 approach to managing behaviour between boys?

1 A. Not from memory. I mean, I suppose "macho" maybe is  
2 giving the wrong impression as opposed to a more  
3 disciplined approach, but no, there was not that sense.  
4 It was the regime of achieving house marks, achieving --

5 Q. Just kind of competitive?

6 A. Competitive. I mean, it was very competitive when you  
7 got down to house marks and house of the month or -- and  
8 again I was on the fringes of that, but that -- that's  
9 the type of regime I'm trying to -- to outline.

10 Q. So the -- so the notion of kind of informal kind of a  
11 cuff across the ear or, you know, separating boys or  
12 whatever, that wasn't in your experience?

13 A. No. I mean, I know in my early days the cane and the  
14 slipper were still being used, but, you know, from that  
15 point of view that was -- that practice ceased, and  
16 again more competitive, more sort of acceptable regimes  
17 with regards to progress through mark systems. Latterly  
18 in my final years I suppose you had the bronze, silver  
19 and gold award with regard to behaviours and award. So  
20 that was a progressive thing, but yes, more --

21 Q. Use.

22 A. -- more sort of physical in that sense of what was  
23 acceptable in the '70s and '80s, yes.

24 Q. Can I just ask, I mean, about the girls moving from  
25 Whiteabbey? If you can remember or know why the notion

1 -- because they were first put together in a unit and  
2 then it was decided that wasn't appropriate. Can you  
3 remember the thinking about that that changed that  
4 approach?

5 **A.** Again it was -- because we hadn't planned it, I think  
6 the issue was we -- a house unit was empty. I can't  
7 even recall whether we were doing any, you know,  
8 modifications to that unit, and then as we sat down to  
9 try and look at it, I think the impression was clearly  
10 to mimic what was going on in family and childcare. The  
11 design of the units allowed for the safe sleeping of  
12 girls on one side and the boys on the other, and again  
13 from memory those mixed gender units didn't present  
14 a daily problem or issue. It was -- it was actually the  
15 pay-off was that boys started to relate to girls and  
16 girls to boys in a normal way. So from that functional  
17 point of view it wasn't that strange to some of us who  
18 had worked in other places and other schools that there  
19 was more pay-offs than -- you know, than --

20 **Q.** Disadvantages.

21 **A.** -- disadvantages.

22 **Q.** Can I ask in relation to bullying was sectarianism  
23 an issue? Was that an element of the bullying?

24 **A.** Not really. I mean, not that -- when -- when we became  
25 non-denominational, I can recall that we definitely had

1 a conversation with NIO and others not to make a public  
2 statement about this. We just wanted it to happen, and  
3 from an assembly point of view and from the chaplain's  
4 point of view it was never an issue.

5 I can recall one story that a Management Board  
6 member came into the unit during their visits and asked  
7 one of the girls, who was clearly from a Protestant  
8 background, where her friends were and she said calmly,  
9 "They're away to mass. They'll be back at 12 o'clock"  
10 without any negative, derogatory comment. Her friends  
11 had gone to mass. It was a Good Friday and --

12 Q. It was matter of fact.

13 A. It was a matter of fact. I am not denying that maybe  
14 the 12th and Drumcree Sundays were tense, but we managed  
15 it, and being aware of it assisted us in managing it so  
16 that they were busy and occupied.

17 Q. Occupied. In relation to your particular role, I mean,  
18 there is obviously the aftercare and throughput, but if  
19 there was a child who was having issues with their  
20 family or there were concerns, would you undertake  
21 therapeutic family work, you know, with children and  
22 their families in the community, like take children out  
23 and -- or bring families in?

24 A. Yes, or work with the residential staff. The key worker  
25 and my team would have worked very closely together so

1 that -- that again was acceptable practice, but reviews  
2 and so forth was another opportunity for families to  
3 come on to site and as that developed, but a lot of the  
4 family work, yes, would have been done, monitoring of  
5 home leave --

6 Q. Uh-huh.

7 A. -- monitoring of holiday times, that the house staff  
8 would have given a list to the community care team and  
9 that would have been -- that would have been a part. So  
10 there was a great working and co-working, and again very  
11 similar to what was going on in children's homes with  
12 team work staff and residential staff, the exact same  
13 relationship and dynamic.

14 Q. The same. Just two more. One was about casual staff.  
15 We were told there was quite a dependence on casual  
16 staff, particularly during the summer months, and that  
17 had implications for the care. Was that your  
18 experience?

19 A. Casual staff were used and there was a -- there was  
20 a list of casual staff that you could call on at short  
21 notice, and a lot of them tended to be possibly teachers  
22 on summer holidays or youth workers, but a lot of them  
23 were well known to the children, and again some of them  
24 were, you know, very much part of the team, because of  
25 maybe working at weekends as well. It just wasn't

1           **holiday times. They would have been in mainly at**  
2           **weekends and holiday times, the occasional evening.**

3    Q.    So it didn't present a problem as far as you were aware?

4    A.    **No. I mean, there was some induction, even though it**  
5           **wasn't I suppose formal in those days, but you would**  
6           **have been conscious they needed trained into the role**  
7           **and clearly not left in major issues with -- by**  
8           **themselves and so forth, but --**

9    Q.    Presumably there would be limitation on the role in  
10           terms of key worker responsibilities.

11   A.    **Casual staff would never have been used in a key worker**  
12           **role. Definitely not.**

13   Q.    My last question is just to ask for a bit of  
14           clarification. You talked about the tension between  
15           local provision and regional resources. Could you just  
16           say a wee bit more about what ...?

17   A.    **I think I was always conscious as one who was doing most**  
18           **of the negotiation with the Boards, both Health & Social**  
19           **Services and Education, that it was sometimes impossible**  
20           **to return a child to the local community, and I could**  
21           **understand that, that their behaviour in the children's**  
22           **home or in mainstream school was totally unacceptable,**  
23           **but to retain them in a training school was equally**  
24           **unacceptable. So I was in that difficult position of**  
25           **trying to negotiate, of trying to be innovative in our**

1 practice, because we would accept that maybe can we  
2 negotiate a trial period back, because we had the  
3 facility to recall immediately.

4 Q. Uh-huh.

5 A. We did not need Secretary of State permission to recall,  
6 and we could debate that, but we could do that  
7 internally. So you could negotiate with the school,  
8 "Look, if things go badly wrong" -- or with the  
9 children's home -- "Look, we don't have to go back to  
10 court. We can -- we can recall". For those that it  
11 worked very well, we worked very well with. There were  
12 schools who we worked with very well throughout the  
13 years and children's homes that we worked with and it  
14 worked both ways, because if a child had to come our way  
15 through time, then there was a relationship already  
16 there. So that's what I am saying.

17 With regards to psychiatric and adolescent  
18 psychiatry, I don't think any of us were ever satisfied  
19 that Northern Ireland was adequately provided for.

20 Q. Uh-huh.

21 A. Small in-patient unit in both Lissue and the Young  
22 People's Centre, waiting lists, and again personally  
23 I think that led to inappropriate referrals to training  
24 schools, and especially in the days of Shamrock and Fox  
25 Lodge, that that should have been resourced differently,

1           **but that -- that's just my impression over the years and**  
2           **as one who kept an eye to that debate.**

3    Q.   Thank you.   That's really helpful.   Thanks.

4    **A.   Thank you.**

5    MR LANE:   Something that I may have missed, but were you  
6           seconded for qualifying training while you were at  
7           Rathgael?

8    **A.   I was, yes.**

9    Q.   Right.   What course was that that you did, please?

10   **A.   That was DipSW, Diploma in Social Work, with CPSW.**

11   Q.   Right.   Okay.   Was that the stage at which you moved  
12          over to the social work side?

13   **A.   Yes, yes, yes.**

14   Q.   The mentions meetings, it's an unusual term for that  
15          sort of thing.   I just wonder what's the significance  
16          behind that and how the meetings actually worked.   You  
17          mentioned it in your evidence, but it would be  
18          interesting to hear a bit more.

19   **A.   Yes.   I mean, a lot of the terms weren't just punitive.**  
20          **They were somewhat naval I think in origin, because**  
21          **"stand easy" and "sick bay" and, you know, other things.**  
22          **Mentions meetings, I have no idea of the root of it, but**  
23          **it was basically a meeting at Friday lunchtime where the**  
24          **house team and the young people sat.   Their marks were**  
25          **allocated.   The weekend activity was being discussed and**

1           that was basically it. The house marks would have been  
2           awarded. It would have been just basically a community  
3           meeting I suppose in modern terms.

4   Q. But that happened in every house then?

5   A. It definitely happened in the junior school. I never  
6           worked in the senior school, so -- but into the junior  
7           school that would have been the practice.

8   Q. The children were able to raise issues about the way the  
9           house was running then?

10   A. Yes. Again in those days there would have been  
11           housemothers would maybe, you know, sort of take  
12           requests for what special meal they wanted at the  
13           weekend or whatever, but it was mainly to talk about  
14           marks --

15   Q. Yes.

16   A. -- and the weekend arrangements and some of those were  
17           shared. If everybody didn't want to go to football,  
18           somebody else came over and took them to swimming and  
19           there was that sense of -- somewhat different in the  
20           senior school.

21   Q. My last question is clearly what has happened since 1995  
22           is outside our remit, but you said that some of the  
23           things which were not yet properly developed are still  
24           outstanding. I wondered whether you could throw any  
25           light on why that would be the case.

1 A. Well, just to repeat, I'm well out of it now.

2 Q. Yes.

3 A. I mean, on the implementation of the Children Order we  
4 had the separation of care and justice. I suppose the  
5 most -- the most ridiculous thing was from a child's  
6 perspective that we were actually on the same site. So  
7 a child would leave, say, the care side this morning to  
8 go to court and return to the youth justice centre in  
9 the afternoon, which was the same site through the same  
10 gates, but different people.

11 I think there is an issue still with regards to the  
12 separation of care and justice here and in this  
13 jurisdiction and the two secure regimes we have, but  
14 very much aware that the psychiatric provision is still  
15 under -- under-catered for, and clearly with the closure  
16 of some significant children's homes over the years that  
17 I would assume is reducing again some of the sanctions  
18 and some of the interventions that's -- that's really  
19 needed.

20 Q. Towards the end of our remit there clearly were a lot of  
21 developments and quite a lot of money invested. So why  
22 should those things not have been followed up as well  
23 then?

24 A. I'm not sure. Some of the -- some of the excellent  
25 practice that is there is definitely a product of the

1 Children Order, but Woodlands has become -- and I have  
2 said this, whether it in the report or not -- again it  
3 was a by-product of the Children Order that we actually  
4 developed a youth justice system --

5 Q. Yes.

6 A. -- and I think that that again, given that most of the  
7 children in our youth justice system have care career,  
8 is maybe an indication of where we need to develop.

9 Q. Thank you very much.

10 CHAIRMAN: Well, we are very grateful to you for coming to  
11 speak to us today. You will be glad to hear, I am sure,  
12 that's the last question we have for you, but we are  
13 very grateful for the extremely detailed way you have  
14 set these matters out. It's very helpful to us. Thank  
15 you very much.

16 A. Thank you.

17 (Witness withdrew)

18 MS SMITH: Chairman, there is one other witness today. Now  
19 I appreciate that it is lunchtime, but --

20 CHAIRMAN: We will rise now and sit again not before 1.30.

21 MS SMITH: 1.30.

22 (12.55 pm)

23 (Lunch break)

24 (1.40 pm)

25

1 DR HILARY HARRISON (called)

2 Questions from COUNSEL TO THE INQUIRY

3 CHAIRMAN: We welcome Dr Harrison back for one of her  
4 regular appearances before the Inquiry.

5 MR AIKEN: Chairman, Dr Harrison has affirmed --

6 CHAIRMAN: Yes.

7 MR AIKEN: -- on her first occasion. She has been now  
8 a number of times to assist the work of the Inquiry on  
9 behalf of the Department of Health, Social Services &  
10 Public Safety. She comes back again today in that  
11 capacity.

12 Hilary, if I can just confirm before I bring up the  
13 statement you yourself worked in the Social Services  
14 Inspectorate from around about 1992, which was within  
15 the terms of reference of the Inquiry, through to about  
16 2010.

17 **A. 2011, yes.**

18 Q. 2011, but at no stage during your role in the SSI did  
19 you work inspecting or giving advice about training  
20 schools.

21 **A. I didn't, although I did work alongside inspectors who  
22 were involved with the training schools.**

23 Q. And that's Victor McElpatrick, Ronnie Orr, Wesley  
24 Donnell --

25 **A. And Peter Denley.**

1 Q. -- Peter, and then Kevin McCoy supervising --

2 **A. Yes.**

3 Q. -- as the Chief Inspector.

4 **A. And Mr McElfatrick.**

5 Q. Yes. That being said, you have provided a statement to  
6 the Inquiry in relation to St. Patrick's, and I am just  
7 going to deal with it, because this is you coming to  
8 give evidence. You didn't give evidence earlier. So  
9 I am just going to have you prove that document.

10 If we can bring up 4331, please, this is a statement  
11 of 30th July of 2015, and it was you commenting on  
12 behalf of the Department on various issue about  
13 St. Patrick's.

14 EPE OPERATOR: Is that STP?

15 MR AIKEN: RGL4331. While that's coming, Hilary, are you  
16 happy to confirm you have provided a statement of 30th  
17 July of 2015 setting out some issues that the Department  
18 was commenting on in respect of St. Patrick's Training  
19 School?

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

21 Q. And -- there we are. If we just scroll down, please.  
22 Just scroll on to the next page, please. It will  
23 eventually come to your signature, Hilary, which I think  
24 is on the second page of the statement, which will be  
25 4332. That's the first statement that you provided as

1 part of this module, Hilary.

2 **A. Yes.**

3 Q. The second statement, which does relate to Rathgael  
4 then, is of 21st August of 2015 and that's a joint  
5 statement with Karen Pearson of the Department of  
6 Justice, and the two Departments were trying to work  
7 together at the Inquiry's request to ensure that  
8 a streamlined communication of the issues was provided.  
9 Perhaps if we leave the July 15 statement for now and if  
10 we move to RGL1332, please, it is of 21st August. If we  
11 scroll on to page 1334, we will find Hilary's signature  
12 for her to confirm. Hilary, that's your signature?

13 **A. That's my signature, yes.**

14 Q. And you want to adopt the content of this statement as  
15 part of your evidence to the Inquiry --

16 **A. I do.**

17 Q. -- along with the Department of Justice representative.  
18 The statement run from 1332 to 1363 and then it has  
19 exhibits from 1365 to 1607. I will just show the  
20 exhibit list so the Panel can see the context of that at  
21 1365, please. These are some of the materials that were  
22 provided by the Department alongside the content of the  
23 statement.

24 Then, Hilary, at paragraph 15 of the statement, the  
25 very last paragraph, if we look at 1364, please --

1 perhaps if we just scroll up on to 1363 -- at  
2 paragraph 15 you indicated there was going to be  
3 a further statement dealing with some specific incidents  
4 that the Departments together had identified from  
5 material in relation to the different training schools.

6 I am not going to bring it up, but that statement  
7 was then provided, signed off by Gary Wardrup of the  
8 Department of Justice, but Karen Pearson, when she gave  
9 her evidence during the St. Patrick's element, explained  
10 that it was really from her and by --

11 **A. Yes.**

12 Q. -- association from you. That was dated 28th August of  
13 2015. Members of the Panel, that can be found at 1801  
14 to 1806.

15 **A. Yes. If I may say, Gary Wardrup's statement I didn't**  
16 **have any input into. It was done exclusively by DoJ.**

17 Q. By DoJ.

18 **A. Yes.**

19 Q. But dealing with what was heralded in paragraph 15.

20 **A. Some of the issues, yes. Some of the issues that were**  
21 **heralded there.**

22 Q. So it runs from 1801 to 1806 with exhibits from 1807 to  
23 1870.

24 Then what I will call the second joint statement  
25 from the Departments, Hilary, was provided on 21st

1 September of 2015, and that statement begins at 1608, if  
2 we can bring that up, please, 1608. The signature page,  
3 Hilary, is the next page in the statement at 1609. Can  
4 you confirm that you have signed the statement and you  
5 want to adopt the content as the joint departmental  
6 response --

7 **A. Yes.**

8 Q. -- in relation to issues that are contained within it?

9 **A. That's correct.**

10 Q. And the statement runs itself from 1608 to 1623 and then  
11 with exhibits that run from 1624 to 1710.

12 I am not going to open them at this stage, but the  
13 Departments draw the Inquiry's attention to some  
14 particular incidents at annexe G of the statement and  
15 that runs from 1704 to 1710. That relates to  
16 a particular allegation made to or that come to the  
17 attention of the Social Services Inspectorate and how  
18 that's ultimately dealt with by an investigation and the  
19 person was put on temporary suspension and the matter  
20 was investigated, it was found to be unfounded --

21 **A. Exactly.**

22 Q. -- and they were then returned. I know that through  
23 police material the Inquiry has there is a number of  
24 similar incidents that have come to light, not  
25 necessarily through the oral evidence, and I know

1 Ms Smith will deal with some of those issues tomorrow  
2 with <sup>Campbell Whyte</sup> who was the headmaster at the time in  
3 Rathgael.

4 Then in addition, Hilary -- and I am not going to  
5 bring these up, but I'm just signposting them for the  
6 Panel in the context of your evidence -- the Inquiry  
7 have access to witness statements from Kevin McCoy, who  
8 was the Chief Inspector at the material time in Social  
9 Services Inspectorate. It can be found -- and these are  
10 STP references, Members of the Panel -- SPT1999 to 2004.

11 Then his Deputy or Assistant Chief Inspector, Victor  
12 McElfatrick, who headed up the work in the training  
13 schools, his statement can be found at SPT2005 to 2009.

14 Then latterly a statement was obtained from Wesley  
15 Donnell, because of his direct involvement in  
16 St. Patrick's, although it is clear from the Rathgael  
17 inspection report that he was also involved in it. That  
18 runs from SPT3004 to 3012.

19 Now, Hilary, as I was discussing with you earlier,  
20 because of your -- you weren't directly involved in  
21 issues that were going on in respect of the training  
22 school, there is just some particular matters I am going  
23 to ask you to clarify on behalf of the Department of  
24 Health as far as the training schools are concerned.

25 The first is the proper characterisation of the

1 relationship between the Department of Health and its  
2 Social Services Inspectorate that sat within it, though  
3 independent of it, and the Northern Ireland Office, who  
4 were ultimately regulating the training schools. I am  
5 going to summarise this and you tell me where I've got  
6 it wrong.

7 There was no formal written agreement as such  
8 between the Northern Ireland Office and the Department  
9 of Health for the use of the Social Services  
10 Inspectorate in relation to training schools.

11 **A. Well, to the best of our knowledge there wasn't a formal**  
12 **written agreement. There may well have been, but we**  
13 **haven't been able to find any evidence of that.**

14 **Q.** But what is known to have been the case was in effect in  
15 layman's terms the Northern Ireland Office borrowed the  
16 Social Services Inspectorate for the inspection function  
17 that they had in respect of training schools.

18 **A. Yes, that's right. It appears to have been a kind of**  
19 **quasi-contractual relationship or a secondment**  
20 **relationship. Certainly we know from Dr McCoy's**  
21 **statement that at an early stage there were financial**  
22 **arrangements in place to underpin the arrangement and**  
23 **then at a later stage additional financial resources**  
24 **were made available by the Northern Ireland Office to**  
25 **support the inspection and Probation Services.**

1 Q. And the point you are referring to, in fact, if we can  
2 look at -- well, I will just give the Panel the  
3 reference -- paragraph 15 of Dr McCoy's statement at  
4 SPT2002, he makes the point that from an early stage in  
5 the '70s the Social Work Advisory Group working on  
6 behalf of the NIO and the training schools, the NIO  
7 would have been funding or using money from its budget  
8 to pay it over to the Department of Health effectively  
9 to account for the fact that those personnel were being  
10 used for an NIO purpose.

11 **A. Yes, that would appear to be the case.**

12 Q. And then you referred in later times in 1991 when there  
13 was an extension, as it were, of what the Social  
14 Services Inspectorate was going to do for the NIO, and  
15 more staff potentially being needed to assist with that  
16 work, then there's correspondence and discussion about  
17 the fact funding would be passed from the NIO to pay for  
18 that extra work that was being done on their behalf by  
19 the Social Services Inspectorate.

20 **A. That's our understanding.**

21 Q. The function that was provided, if you like, it was  
22 essentially the same service as the Social Services  
23 Inspectorate provided to the Department of Health  
24 inspecting children's homes in that it was both  
25 an inspectorial function and a professional advisory

1 function for the assistance of the NIO in terms of their  
2 regulation of training schools.

3 **A. That's my understanding.**

4 Q. The Social Services Inspectorate role began in the early  
5 1980s.

6 **A. Yes. The Social Services Inspectorate under that kind  
7 of terminology, that nomenclature I think is the name,  
8 was established in and around '86, but, in fact, its  
9 inspection programme took on a different style of  
10 reporting in the early 1980s, following the Kincora  
11 Inquiry.**

12 Q. Yes. The SSI began itself in 1979, if my recollection  
13 is correct. So you have --

14 **A. No. The Social Work Advisory Group was established in  
15 '72. It remained the Social Work Advisory Group until  
16 1986, when it became the Social Services Inspectorate,  
17 but it actually had adopted a different style of  
18 inspection from the early 1980s, from 1981 effectively  
19 onward, but it was SWAG until --**

20 Q. '86.

21 **A. -- '86, yes.**

22 Q. In terms of the role that was played, if we can set the  
23 context of this, from the early '70s, when SWAG is set  
24 up, they perform an advisory, working alongside type  
25 approach to whatever function they were performing,

1           whether in the children's homes or the training schools,  
2           on behalf of the NIO, and the change takes place post  
3           the Kincora scandal and the Sheridan Report with  
4           a policy shift then to formal inspections taking place  
5           initially then, as you say, as the Social Work Advisory  
6           Group doing them and then by 1986 the Social Services  
7           Inspectorate.

8       **A. Yes.**

9       Q. The sequence of events seem to be in the early '80s  
10       through to '85/'86 the regime of inspecting all of the  
11       children's homes and then all of the training schools in  
12       '87/'88, and we'll touch on the actual reports, but  
13       that's the sequence of that --

14       **A. Yes, that would be the sequence.**

15       Q. -- that introduction of the inspection mechanism. You  
16       have explained to the Panel previously that the  
17       government policy across England and Wales and Northern  
18       Ireland in the early '70s in respect -- as recorded or  
19       hinted at in the Seebohm report was one of not being --  
20       the local authorities didn't want to be inspected and  
21       criticised. They wanted to be assisted and the function  
22       was one of advice and working alongside and cajoling  
23       along as opposed to a formal inspectorial process.

24       **A. Yes. If I just may adopt the language or the text that**  
25       **we used -- the Department used in its statement --**

1 April 2015 statement in relation to Module 4, where we  
2 quote directly from Seebohm, which said that:

3 "The Department must have an accessible and  
4 well-respected Inspectorate to advise local authorities  
5 -- to advise local authorities, to promote the  
6 achievement of aims and maintenance of standards, and to  
7 act as two-way channels for information, consultation --  
8 and consultation between central and local government;  
9 that that role should not be so much regulatory as  
10 promotional, educative and consultive -- and  
11 consultative",

12 and, in fact, actually Sir William Utting in our  
13 correspondence to him -- and he was the -- and he was  
14 a former Director of a large London -- Director of  
15 Social Services of a large London borough and then  
16 ultimately became the Chief Inspector in the English  
17 Social Services Inspectorate -- wrote to us stating  
18 that:

19 "The advice about the role not being so much  
20 regulatory as promotional, educative and consultative  
21 appears to have been signif... -- particularly  
22 significant. My later understanding of DHSS" -- that is  
23 the Department in England -- "thinking in '71 was that  
24 the big new Social Services Department should not need  
25 close government oversight. This was reinforced by the

1        **prevailing professional dislike of the concept of**  
2        **inspection."**

3            **I believe Seebohm did make reference to the fact**  
4        **that authorities and institutions did not want to be**  
5        **told what to do. They wanted someone alongside them.**  
6        **So that's ...**

7    Q.    So the government policy that operated in the '70s was  
8        the reason why SWAG had its advisory, working alongside  
9        role and there was an equivalent, you were explaining to  
10      me, operation taking place in England under the Social  
11      Work Service, which was effectively the English version  
12      of SWAG --

13    **A.    Exactly.**

14    Q.    -- that was doing the advice and assistance. You were  
15      explaining to me that then with the Kincora scandal in  
16      the early 1980s the result of that was SWAG -- that  
17      policy changed to see formal inspections and regulation  
18      taking place and, in fact, Northern Ireland was ahead of  
19      the curve in terms of it was at a later date before  
20      England and Wales moved to the same model away from the  
21      advisory --

22    **A.    Yes.**

23    Q.    -- working alongside approach.

24    **A.    Yes. Uh-huh. Probably not very much later, but**  
25      **certainly they were not very well developed ahead of our**

1           **own models of inspection.**

2       Q.   That -- the reason for trying to set that scene is  
3           I know the Department were aware of and we discussed  
4           a phrase that was used by a particular witness. We are  
5           not going to name him. He himself was not in management  
6           at the time that SWAG would have been working in  
7           Rathgael, but -- and then the same issue was raised with  
8           Dr Lockhart and he was asked did he agree with it, and  
9           the phrase that had been used by the witness, the  
10          earlier witness, whose name I am not going to use, was  
11          it was something of an "old boys' network".

12       **A. Uh-huh.**

13       Q.   Now, as we were discussing, that phrase generally  
14          connotes something inappropriate, that someone is being  
15          given a position that their ability or entitlement does  
16          not justify --

17       **A. Yes. Uh-huh.**

18       Q.   -- and they are having this benefit, which they  
19          shouldn't have. Now when Dr Lockhart was explaining  
20          what he meant by accepting an old boys' network, he  
21          wasn't giving it that normal definition.

22       **A. Uh-huh.**

23       Q.   But can you just explain to the Panel the nature of that  
24          advisory role and how it contrasted with the inspection  
25          role, and I know you want to respond to the suggestion

1 that there was an old boy' network at work.

2 A. Yes. Well, I think the phrase "old boys' network"  
3 certainly conjures up ideas of collusion and people  
4 working together to perhaps conceal issues or not deal  
5 with matters that ought to be dealt with and that there  
6 were no kind of professional ethics or boundaries  
7 determining the relationship, and I -- the Department  
8 would very much refute that suggestion. I know from  
9 what I have been told and what I have read that the  
10 person perhaps using the phrase was not part of  
11 management and therefore may have seen interaction  
12 between officials from the Northern Ireland Office and  
13 indeed inspect... -- social work advisers and that  
14 interaction was positive, but that does not mean that  
15 there weren't issues being addressed or that there  
16 wasn't a level of scrutiny in the advisers' relationship  
17 with the training school management staff. I understand  
18 that -- well, I know that Dr Lockhart wasn't also  
19 a member of management. He was a psychologist working  
20 in the training schools and therefore may not have had  
21 the kind of first-hand experience of the interaction  
22 which social work advisers had with the training school  
23 management.

24 I -- having reviewed the evidence and having spoken  
25 to our witnesses, certainly I get an impression that

1 from 1972 onwards -- sorry -- from 1974 onwards, which  
2 is when Mr O'Donnell became -- Mr Donnell became  
3 responsible for the liaison with the training schools,  
4 that he was very much involved with them, but that would  
5 have been on matters to do with, for example, the fact  
6 that there were very few qualified staff in the training  
7 schools. He was attempting to encourage them to  
8 establish professional staff with social care training.  
9 I think there were teaching -- people with teaching  
10 qualifications. He was working with them to try to  
11 improve standards, indeed to fulfil the very objectives  
12 that I have read out that Seebohm directed should be  
13 fulfilled. There was actually a lot of interaction,  
14 a lot going on, not just in relation to what was  
15 happening within the training schools, but indeed trying  
16 to develop the whole of the juvenile justice service,  
17 where he would have been encouraging schools to, and the  
18 Northern Ireland Office, because he had a professional  
19 function, advisory function in relation to the Northern  
20 Ireland Office as well as the institutions, but he would  
21 have been encouraging them to think of other  
22 preventative measures to obviate the need for children  
23 to be admitted to training schools in the first place,  
24 you know, the development of all sorts of different  
25 measures.

1           Now his -- his role would appear to have been one of  
2           advice, consultation and -- and I think unapologetically  
3           support, because I know that the training schools were  
4           dealing with very, very challenging young people, and  
5           I think Mr O'Donnell would have been involved in  
6           advising on ways forward, on training, for example, not  
7           just professional training, but training in other  
8           aspects of the work, and the fact that he was accessible  
9           and approachable was -- was a good -- that was  
10          a positive point in our view in that the training  
11          schools felt that they could use him in that way, but he  
12          certainly wasn't part of their system, and indeed when  
13          you see the reaction to the more formal -- the  
14          introduction of the more formal system and the  
15          recommendations coming out of that, which Mr Donnell  
16          would have been very much part of and -- you know, as  
17          well, it's obvious that there was no hint of an old  
18          boys' network. In fact, the opposite is true, that  
19          there was very much an independent advisory role here.

20        Q. If I can break that down, Hilary, to this. What you are  
21        saying is that the proper function of what was envisaged  
22        for SWAG as outlined in the Seebohm report shouldn't be  
23        characterised as an old boys' network.

24        A. Exactly.

25        Q. What's being described as being witnessed is the very

1 thing that was supposed to be happening, which was the  
2 alongside encouraging --

3 **A. Yes.**

4 Q. -- and not the regulatory inspecting type process that  
5 we are going to come to.

6 **A. Yes.**

7 Q. It is also the case -- and the Panel obviously have the  
8 evidence from Mr Donnell, who is not in the best of  
9 health --

10 **A. Uh-huh.**

11 Q. -- and his focus was directed to St. Patrick's, because  
12 the comment was made about the fact he was almost  
13 a piece of furniture in St. Patrick's in terms of his  
14 interaction, and the Panel have the evidence from BR26  
15 about his level of involvement, but other than that the  
16 position unfortunately is that whatever files there no  
17 doubt would have been that in whatever form recorded the  
18 involvement of the Social Work Advisory Group in the  
19 life of the training schools --

20 **A. Yes.**

21 Q. -- just as in the case of the children's homes, those  
22 SWAG files are simply not available.

23 **A. Yes. Our searches unfortunately haven't revealed any**  
24 **files containing information, for example, relating to**  
25 **visits or other engagements with the training schools.**

1 Q. And the discussion we were having earlier, Hilary, that  
2 would allow you to express the view to the Panel that  
3 there would have been such files is that at the very  
4 minimum there would have been a record of what it was  
5 someone like Mr Donnell was doing --

6 **A. Exactly, yes.**

7 Q. -- and a record of what correspondence was engaged in  
8 over issues that were brought to his attention or he was  
9 asked his view about from the Northern Ireland Office.

10 **A. Exactly.**

11 Q. And there simply is an information gap as opposed to  
12 nothing having been done, if I can put it that way,  
13 because the Panel has heard oral evidence that he was  
14 someone who was working in the training schools.

15 **A. Yes, that's right, and also within the Social Work**  
16 **Advisory Group itself there was definitely fairly**  
17 **stringent systems of accountability. So advisers would**  
18 **have been responsible to an Assistant Chief Inspector in**  
19 **relation to how they spent their time, the issues coming**  
20 **up, the visits that they had made, and indeed they would**  
21 **have been part of that -- those would have been part of**  
22 **that two-way process between central government and**  
23 **institutions, or indeed the boards in the case of social**  
24 **care institutions, about issues that needed to be**  
25 **tackled. So there should have been some kind of trail,**

1        **paperwork trail, but just unfortunately we have not been**  
2        **able to source that material.**

3        Q. You were explaining to me that in your discussions with  
4        your colleagues and him in particular the thing that  
5        struck him as he began his work in the training schools  
6        was the emphasis he put on trying to get qualified staff  
7        into the schools.

8        **A. Yes.**

9        Q. That -- perhaps no different at the time from children's  
10       homes --

11       **A. That's right.**

12       Q. -- there was a greater preponderance of unqualified  
13       staff, and one of the aims that he set himself was to  
14       secure much more --

15       **A. Professionalisation.**

16       Q. -- numbers of qualified.

17       **A. Yes. He was anxious to ensure that the service would**  
18       **have a complement of professional staff. I think that**  
19       **mirrors what was happening within the children's homes**  
20       **at the time, that again there was concern there about**  
21       **lack of qualified staff, which the Kincora scandal threw**  
22       **into greater relief, but there definitely -- I know from**  
23       **having spoken to Mr Donnell that the kind of drive to**  
24       **get more staff -- more qualified staff in the training**  
25       **schools actually began in the middle -- in the mid-'70s,**

1 **even before the Kincora scandal became public.**

2 Q. Then after the advisory role that SWAG performs we get  
3 to the point of the early '80s with the change in policy  
4 -- and I am not sure whether we have seen any documents  
5 that record that -- but the change across to no, this is  
6 now going to be a regulatory inspection function that  
7 applies to children's homes, and then we can see the  
8 same happens for the training schools.

9 **A. Yes.**

10 Q. Available to the Panel is the 1988 Social Services  
11 Inspectorate report of Rathgael, which was conducted  
12 over a two-week period from 14th September '87 to  
13 2nd October '87. Now the report amounts to 110 pages.  
14 It runs from RGL23628 to 23738. I am just going to for  
15 the Panel -- if we look at 23627, which is the contents  
16 page, because it is a very detailed report, it covers  
17 the subjects that are set out across a total of nineteen  
18 chapters -- if we just scroll down a little bit -- with  
19 recommendations then at chapter 20.

20 The -- for instance, it deals with at chapter 15 the  
21 psychological/psychiatric services that were now  
22 available in the training schools. You were indicating  
23 to me earlier that the development and the advice from  
24 the Social Services or what would have been SWAG leading  
25 into the Social Services Inspectorate about there being

1 that facility for very disturbed children --

2 A. Yes.

3 Q. -- that there would be a permanent facility of  
4 psychologists and psychiatric care available.

5 A. Yes. I know that that was a concern of SWAG in the  
6 early '70s, because you will know that children were  
7 being placed in training schools on Place of Safety  
8 Orders and that was often described as a period of  
9 assessment, and I know that SWAG were concerned about  
10 the fact that there didn't appear to be genuine  
11 multi-disciplinary assessment in the early years, and  
12 they identified the need for psychiatric and  
13 psychologist support to facilitate that assessment,  
14 because children were being assessed perhaps over  
15 a 15-week period and then on the basis of that  
16 assessment their future would be determined, whether  
17 a return to a children's home -- usually that was the  
18 case -- or advising the court that a Training School  
19 Order should be given. I believe that SWAG was  
20 instrumental in ensuring that there at least was access  
21 to psychologist support during that -- during the period  
22 that children were there (inaudible).

23 Q. I think the Panel heard yesterday perhaps a difference  
24 of view, Dr Lockhart expressing the view originally he  
25 is assigned to work in Lisnevin --

1 **A. Yes.**

2 Q. -- and then he becomes part, along with others, of the  
3 NIO development of the APRU, which no doubt there would  
4 have been input from the Department's advisers in  
5 respect of --

6 **A. Yes.**

7 Q. -- but that service that then would spend a certain  
8 amount of time in each of the training schools, but that  
9 central service that would be available, and the -- in  
10 addition to the psychiatric services that are  
11 specifically referred to then in chapter 15, if we look  
12 at chapter 19 of the report, if we look at 23732,  
13 please, the attention is drawn in the "Conclusions"  
14 section to -- and this is not to take away from the  
15 detail of what is discussed throughout -- attention is  
16 drawn to the significant changes that were occurring  
17 within training schools, including in 19.2 referring to  
18 the assimilation that had to take place of girls into  
19 Rathgael and the difficult impact that that could have  
20 on how things had been run before that point and the  
21 effect of staff coming across from a different school.

22 If we just scroll slightly further down, please,  
23 then recording in 19.3 the change from effectively  
24 junior and senior schools to subject-based, if I can put  
25 it that way. You have got the justice side, as it were,

1 what you did to end up there, care and justice --

2 **A. Yes.**

3 Q. -- as opposed to all together separated by age, and the  
4 inspectors then refer in 19.4 to the massive structural  
5 changes that had not been without their own difficulties  
6 and then recording a reference to senior management and  
7 their attempts to change the thinking of the old  
8 training school system.

9 Then 19.5 indicates:

10 "The inspectors have made a number of  
11 recommendations that it's hoped will bring about  
12 a change in emphasis in the residential task and lead to  
13 an enhancement of the quality of care provided at the  
14 centre. Some of the recommendations can be implemented  
15 with little difficulty whilst some will require more  
16 time."

17 Then they say:

18 "The inspectors were impressed by many features in  
19 the centre",

20 and make reference to:

21 "... a substantial programme of diversion located in  
22 short-term care."

23 This perhaps picks up the point you were making and  
24 in the specific chapter that deals with this:

25 "... some 85% of admissions being placed in

1 alternative settings."

2 **A. Yes.**

3 Q. So they come in, but they are shown the door very  
4 quickly, if I can -- in the main.

5 **A. Yes. More appropriate placements are found for them.**

6 Q. Yes, and then reference is made --

7 **A. Uh-huh.**

8 Q. -- to the care unit themselves. Then youth treatment,  
9 which was the justice side. That was the language used  
10 for the justice side at the time, and then reference  
11 made to the external project, the East Side Project,  
12 under the supervision of the community care team.

13 **A. Yes.**

14 Q. The Inquiry heard from <sup>Lindsay Conway</sup> today, who was involved in  
15 the community care team. That attracted national  
16 recognition as an innovative and effective method of  
17 supporting young people --

18 **A. That's right.**

19 Q. -- upon their return to the community.

20 Then in 19.6 the conclusion that's reached, and when  
21 one looks at the initial passages of this report, it is  
22 actually being conducted by Dr McCoy as well as  
23 Mr McElfatrick --

24 **A. Uh-huh.**

25 Q. -- and Mr Donnell. I think there was a fourth:

1           "The Inspectors are satisfied with the standards of  
2           care being provided at the centre but would caution  
3           against the dangers that an element of complacency might  
4           creep in. Instead the period between now and the  
5           introduction of the new childcare legislation should  
6           become a time of change and improvement where management  
7           strive to raise the standards of good social work  
8           practice to meet the ever-changing needs of the young  
9           person in their care."

10           So while the conclusion was one of, if I can break  
11           it down, "This is a well-run place. It has challenges  
12           to meet. It has dealt with challenges already", it  
13           resulted in 74 recommendations being put forward --

14   **A. Yes.**

15   Q. -- some more straightforward than others to deal with  
16           about particular practices and styles of approach.

17   **A. Uh-huh.**

18   Q. If we move through to the next page at 23734, and I am  
19           not going to go through these now with you, Hilary, but  
20           the Panel will have the opportunity to read them,  
21           because there's reference on a couple of occasions to  
22           the locking up of children should end, but when you  
23           actually go back and look at the detail that's being  
24           referred to, it's a particular type of occasion whenever  
25           a lock-up is occurring that they are addressing. So the

1 actual recommendations are to very specific things  
2 within Rathgael that the Inspectors want to see  
3 a different approach in respect of.

4 I suppose the question, Hilary, that flows out of it  
5 is 74 recommendations is a lot of recommendations to  
6 make. So does that imply rigour to the inspection  
7 process that's now -- this is the first example of it  
8 within the training school or within Rathgael Training  
9 School?

10 **A. Well, in my view yes, it does, and I think that**  
11 **certainly all of the training schools were inspected at**  
12 **the same time and my understanding is that there were**  
13 **quite a number of recommendations coming out of each of**  
14 **those reports. I know, for example, that St. Patrick's**  
15 **had something like 52 recommendations.**

16 Q. 52. It did.

17 **A. Uh-huh.**

18 Q. So the cycle, as confirmed in correspondence in 1991,  
19 was to see this type of major piece of work being done  
20 every four years, and a regulatory inspection, which is  
21 a scaled-down, shorter version annually, and then  
22 unannounced visits twice a year.

23 **A. As they suggest --**

24 Q. Yes.

25 **A. -- and we have evidence that those did take place in**

1           **some of the training schools.**

2       Q.   The difficulty that presents itself over the keeping of  
3           records is that unfortunately there are only two further  
4           inspection documents that are available as matters  
5           stand. The first is not from the SSI and I am not going  
6           to open it. I am just going to make the Panel aware of  
7           it. It is a 1991 Department of Education inspection of  
8           Rathgael. It obviously therefore carries the  
9           implication that the Education Department was looking at  
10          the educational provision, and that runs from RGL23778  
11          to 23795. It is not possible at this stage to say how  
12          often that was occurring.

13       A.   **Uh-huh.**

14       Q.   But this is one example of the education provision being  
15          looked at --

16       A.   **Yes.**

17       Q.   -- and again recommendations being put forward.

18       A.   **Yes. If I may just offer some information on that --**

19       Q.   Yes.

20       A.   **-- I know that discussion did take place between the  
21          Department of Health and Social Services and the  
22          Department of Education in an effort to try and  
23          synchronise the inspections, that the Education  
24          Inspectorate would inspect alongside SSI, but due to the  
25          problems with different programme and timetables, that**

1        **wasn't achievable, but certainly there was an aspiration**  
2        **at one stage that they should inspect together, and**  
3        **indeed I know from personal experience that SSI had**  
4        **a history of joining with the Department of Education in**  
5        **various other inspections that we did.**

6    Q.    So while that was not possible, it is the case that  
7        effectively there are two different set of inspectors --

8    **A.    Yes.**

9    Q.    -- at different times for different purposes who would  
10       have been interacting with each of the training schools  
11       and Rathgael in particular.

12   **A.    That's right.**

13   Q.    And then we have a different breed of Social Services  
14       Inspectorate report. This is at 1992. If we could  
15       bring up -- it runs from 23799 to 23833. It seems to be  
16       part of what's described as a thematic programme of  
17       inspections that may have been a particular response,  
18       for instance --

19   **A.    Yes.**

20   Q.    -- to issues as they arose. This one seems to be  
21       connected to the Pindown Inquiry.

22   **A.    Yes, that's right, the Staffordshire Inquiry.**

23   Q.    If we can bring up 23799, please, and if we just can  
24       scroll down a little through the first couple of pages  
25       of that. Just stop there for a moment. So it is an

1 "Inspection of Shamrock House Close Supervision Unit"  
2 and the context of this was the Staffordshire issue over  
3 secure units and a close supervision unit.

4 **A. Well, yes, isolation of children within, yes,**  
5 **residential childcare units and alongside deprivation of**  
6 **kind of what one would expect to be routine, everyday**  
7 **entitlements.**

8 Q. Yes. The result of that appears to have been, if we  
9 scroll down on to the next page, please, where we can  
10 see, first of all, the contents, but if we move into the  
11 next page, we can see that:

12 "The inspection was carried out as part of the  
13 Social Services Inspectorate's thematic programme, which  
14 on this occasion focused on secure accommodation/close  
15 supervision units within training schools. The decision  
16 to examine this area of residential social work stemmed  
17 from recent national concerns, such as the report of the  
18 enquiry into the operation of children's homes in  
19 Staffordshire, known as the 'Pindown report', and some  
20 of the issues that emerged from Sir William Utting's  
21 inquiry into residential childcare. The Northern  
22 Ireland Office requested SSI to undertake the inspection  
23 to ensure that ..."

24 If we just scroll down so the aims can appear on the  
25 screen. So we can see the particular -- the Panel can

1 see, Hilary, the particular focus that was brought to  
2 bear at the request of the NIO, and the implication of  
3 this is that you had the inspection regime, albeit, as  
4 I am going to come to with you, we are missing most of  
5 the documents that may have arisen from that inspection  
6 regime, but you also had this secondary thematic  
7 programme, which we know at least on this one occasion  
8 certainly involved a training school, and there may well  
9 be some others, where particular issues as they came  
10 across the national agenda --

11 **A. Yes.**

12 Q. -- were picked up and looked at, and this inspection of  
13 how Shamrock House, the close supervision unit of  
14 Rathgael, operated was the focus of one of these  
15 thematic programme inspections.

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

17 Q. And the position, Hilary, as far as the Department is  
18 concerned, doing the best that you can, is that it is  
19 the case there is likely to have been other inspections  
20 either of a regulatory form, and potentially prior to  
21 1995, if the first one was in 1988, a major inspection  
22 of Rathgael --

23 **A. Yes.**

24 Q. -- regulatory inspections each year and unannounced  
25 inspections or unannounced visits occurring within the

1 year, and unfortunately, as matters stand, those papers  
2 are not available beyond those that we have looked at  
3 today.

4 **A. Yes. The Department has done comprehensive search and**  
5 **indeed is continuing to search to try and ascertain when**  
6 **inspections were done, and we have -- as well as asking**  
7 **staff within the Department to look at old cupboards and**  
8 **so on to see if anything has been secreted away we have**  
9 **asked staff to go through their personal papers to try**  
10 **and identify when particularly inspections were**  
11 **completed, but unfortunately the position is that we**  
12 **haven't been able to identify any further reports, but**  
13 **my understanding is that a rigorous inspection programme**  
14 **did take place, was adhered to up until the inspection**  
15 **function was passed over to the Criminal Justice**  
16 **Inspectorate.**

17 Q. One of the points you made to me earlier was that one of  
18 the traits of Dr McCoy was --

19 **A. Oh, yes.**

20 Q. -- sticking to timetabling --

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

22 Q. -- and things had to happen --

23 **A. Yes.**

24 Q. -- and therefore should happen.

25 **A. Yes. We had a work programme every year and we had to**

1           **answer for what had been achieved and what hadn't been**  
2           **achieved and why it hadn't been achieved. So ...**

3    Q.    In terms of the process, just so the Panel are clear, we  
4           have an unfortunate set of circumstances on one view,  
5           because not only would the Social Services Inspectorate  
6           have had a copy of the report they issued and whatever  
7           drafts might have preceded it, but from your  
8           understanding each report would have gone to two  
9           different entities.

10   **A. Yes.**

11   Q.    It would have gone to the training school itself, in  
12           this case Rathgael, and also another copy would have  
13           gone to the Northern Ireland Office.

14   **A. Yes.**

15   Q.    So the unfortunate position -- and I know I was joking  
16           with you about Oscar Wilde earlier -- it's not we are  
17           missing just one copy. There are likely to have been at  
18           least three of each of these documents that  
19           unfortunately through the passage of time simply are not  
20           available.

21   **A. Yes, unfortunately.**

22   Q.    Hilary, you will be pleased to know that as for today --  
23           I know you are going to be coming back again as we move  
24           into Barnardo's, and you've explained to me your  
25           personal involvement in working in Barnardo's at

1 a particular point in time -- but I don't intend to ask  
2 you any more questions today. The Panel Members may  
3 want to ask you something. So if you bear with us for  
4 a short time. Thank you.

5 **A. Thank you.**

6 **Questions from THE PANEL**

7 MR LANE: Could I just ask is there -- was there actually  
8 a policy of destruction of files after so many years?

9 **A. There was a file review policy and -- I am just trying**  
10 **to think of the exact -- there is a terminology used by**  
11 **the Civil Service, and every -- all files are reviewed**  
12 **at a certain point in time and they -- in the case of**  
13 **children's homes inspections and inspections of training**  
14 **schools those would have been reviewed by professional**  
15 **officers within the Department as well as the policy**  
16 **branch. So, in fact, SWAG and SSI would have been**  
17 **involved in reviewing those files. They gave advice to**  
18 **the Policy Branch as to whether the file needed to be**  
19 **retained and, for example, I have seen in some files in**  
20 **some surprising cases people saying, "This should be**  
21 **retained, because it may be something that will be of**  
22 **social historical significance", and so SSI would have**  
23 **given advice. The Policy Branch then based on that**  
24 **advice made a decision.**

25 **If the advice was to destroy the file, that -- that**

1 was -- the file was not destroyed by the Policy Branch.  
2 It then went to PRONI, the Public Records Office, who  
3 also made a decision as to whether or not the file  
4 should be retained, and PRONI really had the last say in  
5 determining whether the material would be preserved or  
6 destroyed.

7 Q. And is there a record of what happened to --

8 A. File disposal schedule. This is what the -- that's what  
9 the correct policy was, the file disposal schedule.

10 Sorry. Yes.

11 Q. Is there a record of what was destroyed?

12 A. Yes. There is a record of the -- of decisions to  
13 destroy some files, but whether or not that's a complete  
14 record I am not really sure. I believe the Department  
15 is putting in an additional statement in relation to the  
16 file disposal schedule.

17 Q. Right, and that would have been applied to the NIO and  
18 the DoJ as well?

19 A. I would assume so, but I can't be absolutely certain.  
20 One of the things that -- I suppose we should make the  
21 point that, like everything else, filing systems are  
22 developing. We now have a fully electronic system.  
23 Back in the '70s everything was, you know, paper copies.  
24 In some cases I would venture to suggest that people had  
25 their own personal files, which may not have got into

1           **the file registry system, and what happened to those**  
2           **I just would not be able to say.**

3    Q.   Thank you.

4    CHAIRMAN:   Can I just perhaps follow up that point,  
5           Dr Harrison?  Is it still the position that inspection  
6           reports are not necessarily automatically preserved  
7           forever?

8    **A.   Well, the Department doesn't have an inspection function**  
9           **any longer.**

10   Q.   No, but the RQIA.

11   **A.   But RQIA -- you know, I really would be speculating.**  
12           **I just am not aware of what their file disposal schedule**  
13           **is.  I imagine they have a disposal schedule, but, you**  
14           **know, I'm not sure what -- whether -- there are**  
15           **obviously policies about what should be retained.**  
16           **Looking back, of course, we would accept that inspection**  
17           **reports probably would have been some of those documents**  
18           **that should have been retained, but whether people**  
19           **several years ago would have realised the significance**  
20           **of those would be another matter.**

21   Q.   Yes.  Well, thank you very much again for coming to  
22           speak to us, and I imagine we will have the pleasure of  
23           hearing from you again at some stage, but thank you very  
24           much.

25   **A.   Thank you.**

