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KINCORA: STATEMENT IN THE HOUSE OF COMMONS BY SECRETARY OF STATE FOR NORTHERN IRELAND, RT HON JAMES PRIOR, MP ON KINCORA CHILDREN'S HOME AND RELATED MATTERS

As a result of intensive police enquiries 5 persons in positions of responsibility in Homes and Hostels for Children and Young Persons in Northern Ireland have been sentenced to imprisonment for sexual offences against those in their care.

At the conclusion of the trials I set up a Committee to investigate past management of the Homes and to make recommendations for the future. I also said that there were still some outstanding matters being pursued by the police. Three of the members of the Committee have since said that they felt unable to take part until all police enquiries were completed, but added that they would be glad to serve on a Committee after that.

The cases have aroused widespread disquiet in Northern Ireland and have been accompanied by allegations or suggestion that there has been a cover up to protect other guilty people from being prosecuted. It is being urged that a public judicial inquiry should investigate these and similar rumours. If such an inquiry did disclose new criminal offences it would in the process have made it impossible for any offenders to be prosecuted either because immunities had had to be given or because the publicity which the disclosure would have received when the evidence was given in a public inquiry would make it impossible to find a jury which would not be seen as prejudiced. It is essential to hold to the principle that allegations of criminal activities are investigated by the police and that offenders are dealt with by the courts.

The Chief Constable has stated that further investigations are being pursued vigorously, that it is the duty of any person who has evidence or information about any relevant matter indicating a crime to come forward immediately and assist the police in the

certainty that it will be fully investigated. He has also announced that he has requested HM Chief Inspector of Constabulary to appoint the Chief Constable of another force to investigate allegations about the way in which the Police have conducted their enquiries and in addition to have general oversight of the continuing investigations. In due course he will forward a report to the Chief Constable of the Royal Ulster Constabulary and the conclusions will be made public. I am placing a copy of the Chief Constable's statement in the Library.

I do not propose to re-constitute the existing inquiry into Homes and Hostels for children and young persons, but the need remains to investigate the failure to identify earlier malpractices in some of them, and to examine and assess present policies, procedures and practices for their administration. In the circumstances, after the current police investigations and any consequent criminal proceedings are complete, I intend to appoint a Committee with a High Court Judge as Chairman, sitting in public. The terms of reference of such an inquiry and the powers it might need cannot be determined until the results of the present investigations are known. But I am anxious that there should be no lasting cause for public disquiet that the truth has not been wholly discovered. The powers of the High Court to compel the attendance of witnesses and the production of documents can only be conferred on a tribunal appointed under the Tribunals of Inquiry (Evidence) Act 1921. Because of its wide ranging inquisitorial powers this House has traditionally been wary of approving the appointment of a tribunal under the Act. In considering whether there is need for such a tribunal I will take into account both the widespread concern about this affair and also the views of this House and the recommendations of the Royal Commission on Tribunals of Inquiry of 1966.

Meanwhile, as soon as evidence of malpractices came to light in 1980, steps were taken to improve the supervision and management of Homes and Hostels for children and young persons. This process is continuing vigorously, and my Rt Hon Friend the Secretary of State for Social Services is making further expert advice available to me.