

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
FAITH-BASED REDRESS INQUIRY HEARING**

**Under** The Inquiries Act 2013

**In the matter** of the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

**Royal Commission:** Judge Coral Shaw (Chair)  
Dr Andrew Erueti  
Ms Sandra Alofivae  
Ms Julia Steenson

**Counsel:**  
Mr Simon Mount, Ms Hanne Janes, Ms Kerryn Beaton, Ms Katherine Anderson, Mr Joss Opie, Ms Echo Haronga, Ms Tania Sharkey, Mr Michael Thomas, Ms Jane Glover and Ms Lorraine Macdonald appear for the Royal Commission

Ms Sonja Cooper for Survivor Mary Marshall

Ms Sally McKechnie, Mr Alex Winsley, Mr Harrison Cunningham and Ms Fiona Thorp appear for the Catholic Church

Mrs Guy-Kidd, Mr James Anson-Holland and Ms India Shores appear for the Anglican Church

Ms Jenny Stevens and Ms Helen Thompson appear for the Salvation Army

**Venue:** Level 2  
Abuse in Care Royal Commission  
of Inquiry  
414 Khyber Pass Road  
AUCKLAND

**Date:** 4 December 2020

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**TRANSCRIPT OF PROCEEDINGS**

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**JOHN - AFFIRMED**

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**EXAMINED BY MR THOMAS**

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7

8 **CHAIR:** Tēnā kotou katoa nau mai hāere mai ano ki ā koutou  
9 katoa. Mr Thomas, you are not a witness but we do have our  
10 witness in the room next door and he will be giving his  
11 evidence from that room. So, I will just speak to you.  
12 You have just appeared on my screen, John. Just tell me  
13 how you would like to be referred to?

14 A. Yes, John.

15 **CHAIR:** Good morning and welcome. I hope everything is  
16 okay. You have somebody supporting you in the room,  
17 haven't you?

18 A. Yes.

19 **CHAIR:** That's good. John, if you could take the  
20 affirmation, please. (Witness affirmed). Thank you very  
21 much. I will leave you now for Mr Thomas to ask you some  
22 questions.

23 **MR THOMAS:**

24 Q. Thank you, Madam Chair. I would just like to mention that  
25 John has his wife in the room with him as a support person,  
26 so I'd like to acknowledge her presence.

27 **CHAIR:** Yes.

28 **MR THOMAS:**

29 Q. John, can you confirm you have prepared a statement for the  
30 Royal Commission dated 1 September 2020 and you have a copy  
31 of that with you?

32 A. Yes.

33 Q. Is that statement true and correct to the best of your  
34 knowledge and belief?

35 A. Yes, it is.

1 Q. Shortly, I will invite you to read from that statement but  
2 before I do, I just wanted to also mention that you have  
3 indicated to me that you are happy to receive questions  
4 from the Commissioners both during and at the end of your  
5 evidence; is that correct?

6 A. Yes, that's correct.

7 Q. Thank you. I will just now invite you to read from the  
8 start of your statement and I will pause you during the  
9 course of that to ask you further questions.

10 A. Thank you. My name is John. I was born in 1968 in  
11 Christchurch Hospital. I now live in the South Island with  
12 my wife and children.

13 I was sexually abused by Kevin Ronald Waters, Br Giles,  
14 Marist Brother who was the Principal over two years in  
15 approximately 1980-1982.

16 In my early life, I came from a stable home consisting  
17 of my mother, my father, my brother and my sister. My  
18 mother is a Kiwi and my father is of Dutch descent. He  
19 passed away in May 2019. My father was a commercial  
20 painter who ended up in the building industry. My parents  
21 did really well, buying old properties, renovating them and  
22 selling them on.

23 I have a sister. She is my half-sister from my father's  
24 first marriage but I have always regarded her as my full  
25 sister. She is about 65 and works as an [GRO-B]. She  
26 has done really well with her life. She has several rental  
27 properties and a brand new home. I have a younger brother,  
28 he is 10 years younger than me, he is married and he lives  
29 in Australia. He is an Executive General Manager at [GRO-B]  
30 He has a lot of commercial property, owns a [GRO-B] and a  
31 [GRO-B]. He has done really well with his life as  
32 well.

33 When I was young, we lived in Christchurch. I went to a  
34 kindergarten, Cashmere Kindergarten, and then I went to St  
35 Peter's primary school. Primary school was attached to St

1 Peter's Church. All my primary school years it was  
2 primarily run by the religious sisters with some lay  
3 teachers. At school we spent a lot of time at St Peter's  
4 Church and the Priest lived on-site. I enjoyed my primary  
5 school years and I had a lot of friends who lived near the  
6 school and I used to go to sleepovers and parties. I was  
7 good with my schooling as well.

8 I remember my teachers making a special effort with me  
9 and the only negative I can remember at St Peter's is that  
10 every Friday about 10 of us would be bussed to the school  
11 of dentistry in town in Christchurch and the dental nurses  
12 would use us for training. This went on for months before  
13 my parents realised I was going there every Friday and they  
14 stopped it.

15 My family were heavily involved in St Peter's Church  
16 which was our parish Church. I had my First Holy Communion  
17 at St Peter's when I was about 8 or 9 years old. I served  
18 as an altar boy there as well. The only reason my parents  
19 left that Church is there was a fire in the presbytery  
20 area. We moved then to the Cathedral of the Blessed  
21 Sacrament in Christchurch. My parents were heavily  
22 involved in that Church as well. I was also an altar boy  
23 at the Cathedral too.

24 My parents sent me to Xavier because it was connected to  
25 the Cathedral. After that, my family moved. We began to  
26 attend our new parish, Our Lady of Assumption Church. My  
27 younger brother went there to the primary school which was  
28 attached to that Church. We lived directly across the road  
29 from that street. I think it was at Our Lady of Assumption  
30 that I was confirmed.

31 My parents later moved to Burnside, Christchurch, and my  
32 parents attended Christ the King Church. My father was  
33 heavily involved in that Church. In his retirement, he  
34 actually paid for the conservatory at the front of the  
35 Church and donated a lot of money over the years. My

1 father's retirement years were fully devoted to religion  
2 and the Church. He would go to Church two or three times a  
3 week and at the end was well-known in the religious  
4 community in Christchurch.

5 He would work on repairs and maintenance in the Church  
6 and was there at the beck and call of the Parish Priests  
7 and would carry out whatever the Parish Priests wanted.

8 I had a very happy home life growing up. I was very  
9 close to my parents. Mum and Dad would pick me up from  
10 school on Friday night, a caravan would be all ready to go  
11 and we would head off to Lake Coleridge or the Rakaia Huts.

12 Through the summer months we were always away. I would  
13 walk up and down the rivers with my father and the only  
14 negative memory I have of my family growing up was when I  
15 confessed to my father what was happening with Br Giles.

16 We were a very religious Catholic family and I have  
17 positive memories of the faith as a child. We would go to  
18 Church every Sunday and I would always be dressed up on  
19 Sunday in nice clothes. As an altar boy my first job when  
20 I got to Church would be to go and check if the Priest  
21 needed me and 90% of the time he would. So, my role was up  
22 the front of the Church. I was the go-to altar boy because  
23 I was always happy to serve.

24 Mum and Dad would talk to people after Church and go to  
25 friends' houses for coffee. My parents went through a  
26 stage of going to prayer meetings during the week, with  
27 holding hands and speaking in tongues.

28 Q. Thanks, John. I'll just pause you there at the end of that  
29 section on your early life. Is it fair to summarise that  
30 you had a happy childhood, home life and schooling up to  
31 this point?

32 A. Yes, I did. I loved my family and my parents and we were  
33 all very close.

34 Q. Thank you. And now we're moving on to the next section  
35 about the abuse you suffered.

1 A. The abuse. In about 1980, when I was 12 years old, I  
2 started at the intermediate school of Xavier Intermediate  
3 in Christchurch run by the Marist Brothers. I was at  
4 Xavier Intermediate for two years.

5 Q. We're just going to pause there again and bring up a photo  
6 of yourself I understand aged 12 and that's Exhibit 2 and  
7 that will come up on the screen shortly.

8 **CHAIR:** Yes, we have that, thank you.

9 **MR THOMAS:**

10 Q. If you're happy to continue from 2.2 of your statement,  
11 John.

12 A. Thanks. Xavier Intermediate had a single school building,  
13 which was set quite high off the ground so you couldn't see  
14 in the windows from the outside, and a square courtyard  
15 area where we spent our morning teas and lunchtimes. We  
16 weren't allowed to go anywhere else.

17 The school was surrounded on all sides and there were  
18 monitors at the entrance, so we basically were locked in  
19 once you were there.

20 On one side was Sacred Heart College, the girls' school,  
21 which was separated by a big fence. At the back of Xavier  
22 Intermediate was the bus depot where all the Christchurch  
23 buses were parked. On the right side was Xavier College  
24 the boys' school, which was also run by the Marist  
25 Brothers. You had to go through Xavier College to get to  
26 the intermediate school. On the final side in front of  
27 Xavier Intermediate was the Cathedral which was separated  
28 from the school by a chain-link fence. To get to the  
29 Cathedral you had to go through a gateway in the fence and  
30 down a concrete path that went through the houses where the  
31 nuns and priests and brothers lived. That was all on the  
32 same site. That has all changed now. Xavier Intermediate  
33 school house was demolished before the Christchurch  
34 Earthquake.

1        There were only three teachers at the school who had a  
2 class each, Br Giles was the Principal and he was a very  
3 loud and big man. He used fear and intimidation to get  
4 what he wanted. There were two other lay teachers, one was  
5 Mr C, a genuinely nice guy in his 30s but also used yelling  
6 to control his class. There was another teacher, Mrs T,  
7 who was my teacher.

8        Br Giles used his position as Principal to take me out  
9 of class to abuse me. I think he knew that I was a  
10 "pleaser", so he would attend the masses in which I was an  
11 altar boy. At lunchtime we would sit along the front of  
12 the building and we weren't allowed to leave until Br Giles  
13 or another teacher had checked our lunchboxes to make sure  
14 we'd eaten our lunch. In the first couple of weeks of  
15 starting the school, he signalled me out saying he wanted  
16 to talk to me and sent me to wait outside his office, and  
17 that's how the abuse started.

18        When he arrived, he took me into his office. It started  
19 out with Br Giles sitting on the other side of a great big  
20 desk from me, sometimes he would have his cane sitting on  
21 the desk to intimidate me. He explained that my parents  
22 had sent me to the school to help me become a man and it  
23 was Br Giles' job to make sure that happened. He would sit  
24 there, talk to me about the male parts of my body. Br  
25 Giles said he would teach me everything that I needed to  
26 know to do with my body, including masturbation, puberty  
27 and ejaculation.

28        He would use words like masturbation and ejaculation all  
29 the time as part of his conversation.

30        He would catch me in the yard and say things like "have  
31 you been practising like I told you". I didn't take too  
32 much notice of this at the time because Br Giles was the  
33 Principal and I respected his authority but looking back, I  
34 can see that he was grooming me.

1 Q. John, can I ask at this point, how did you feel during  
2 those conversations with Br Giles?

3 A. I was really scared obviously of the unknown, I was  
4 uncomfortable and embarrassed about the conversations we  
5 were having and I felt that it was invading my private  
6 space, the conversations to me were inappropriate and I  
7 didn't really feel like I wanted to really talk about that  
8 sort of thing.

9 Q. Thank you. When you're ready, 2.8.

10 A. Then I went into his office one day and realised that the  
11 furniture had been changed. Br Giles moved from sitting  
12 behind the desk to sitting beside me. Then another day he  
13 pulled out a magazine with pornographic pictures of naked  
14 women. It was called Best Nudes and I can still picture  
15 this because I had to look at it so many times.

16 He asked me to look at the pictures and then he left the  
17 room. Br Giles would ask me into his classroom at  
18 lunchtime but then it would go into class time and he would  
19 have a monitor to watch his class while he was with me. He  
20 would leave me with the magazine and check on his class and  
21 when he returned he would ask me how I was feeling about  
22 looking at the pictures and how my body was reacting.

23 I would have to say what he wanted to hear. I was 12  
24 and I knew nothing about sex. I had no experience and I  
25 had no feeling down there.

26 Next thing I knew, he was trying to show me what to do.  
27 Then he started making me leave my pants at the door when I  
28 came into his office and it just escalated from there.  
29 Next, he was using his hands and his fingers to penetrate  
30 me. He would stand behind me and masturbate and make a  
31 mess on my back.

32 He wore a big black robe with a white collar and a rope  
33 around his waist and often he would use that rope to tie me  
34 up or tie my hands as I was so small compared to him. He  
35 would grab my penis or my scrotum with his hands and really

1 squeeze if I wasn't doing what he wanted or if I was crying  
2 and upset. He would also grab the skin on the back of my  
3 back to hold me. I would always worry about him ripping  
4 that skin because he was so forceful.

5 Br Giles would also use force to march me into his  
6 office if I wasn't doing what he wanted or I had ignored  
7 him. He would come up behind me and grab that bit of skin  
8 under my arm where it hurts. He had such a good grip.

9 I was riding my bike through town one weekend with a  
10 friend a few months after starting school at Xavier  
11 Intermediate. We rode through the school thinking there  
12 was nobody there but Br Giles was at the school and he  
13 spotted me. He told me that he wanted me to come inside  
14 and he told my friend that I would be busy for a while, and  
15 I was there all day. When I came out, my friend had gone.  
16 And that was the first time he actually penetrated me. I  
17 was 12 years old and I'll never forget that.

18 He had been using his fingers to try and penetrate me  
19 but because of my age it wasn't going to happen but he  
20 finally got what he wanted, he spat on my back and he used  
21 that for his lube.

22 Q. John, are you okay? It's no problem to take a short break  
23 if you like.

24 A. I'm fine.

25 Q. Thank you.

26 A. Once he was getting what he wanted from me, it started  
27 happening more and more. When he was grooming me, it was  
28 about two or three times a week. But once the sexual abuse  
29 started, it would be sometimes a couple of times a day,  
30 other times there would be two or three days break. I  
31 never knew whether it was going to be today, tomorrow or  
32 the next day. This kept going for two years and only  
33 stopped because I left the school at the end of Form 2.

34 I begged my parents for the whole time that I was there  
35 not to send me back to Xavier and eventually my parents

1 bought a shop on Raleigh Avenue, so they were quite happy  
2 to send me to Hillmorton High.

3 He mostly abused me in his office but the abuse happened  
4 in other places too. We would often have sports day at  
5 Waltham Park and he would send all the boys to walk over  
6 there but he would tell me to go with him in the car to  
7 help him.

8 He had a key to the pool as well and Br Giles knew that  
9 he had a bit of time before the boys got there, so he would  
10 have his way with me in the Waltham Pool changing rooms.

11 He abused me in the Cathedral too. The Cathedral of the  
12 Blessed Sacrament. There was a small room near the back  
13 entrance to the Cathedral that he abused me in. Sometimes  
14 he would trick me as I was an altar boy at that cathedral,  
15 so often I would serve for weddings and for funerals during  
16 school time, sometimes Br Giles would send one of the boys  
17 to tell me there was a mass at the Cathedral and he wanted  
18 me to go over and serve.

19 Q. Can you just explain that paragraph a bit further, John?

20 A. Yes, I would go over there and there would be no cars in  
21 the carpark. I would walk into an empty cathedral and  
22 knowing what was about to happen and knowing I was about to  
23 be abused. I would be in trouble if I didn't go. I would  
24 be in trouble if I did go and I was so scared and trembling  
25 with fear.

26 Q. Thank you. I think you're now going to talk about trying  
27 to stop the abuse from happening and you are at 2.16.

28 A. Trying to stop the abuse. I told my father early on I was  
29 being abused. This was only a few weeks into starting  
30 school, before Br Giles had raped me. I remember it was  
31 raining one day and my Dad came to pick me up in his work  
32 truck from the school. I was sitting outside and I was  
33 crying. He asked me what was wrong and I told him that I  
34 was having issues and that I was scared of Br Giles. I  
35 said things that he was teaching me related to my body that

1 I felt were inappropriate. I told him that I thought  
2 things that were going on in Br Giles' office and what he  
3 was getting me to do were wrong. My father was very  
4 religious and he didn't believe me. He said words to the  
5 effect "a man of the cloth would never do anything wrong  
6 and I never want to hear about this again" and made sure  
7 that was the end of the conversation.

8 After that, there was a total change in my relationship  
9 with my father. He was no longer the same with me.  
10 Everything about the way he talked to me and the way he  
11 reacted to me changed. Before the abuse, I was very close  
12 to my Dad, we had a great relationship and our bond was  
13 unbreakable. He was still my father and he still  
14 acknowledged me in relation to day-to-day stuff but when it  
15 came to being affectionate with me or taking me with him to  
16 jobs, he was completely different. He stopped hugging me  
17 and stopped telling me that he loved me. He was really  
18 into his music and when I was little I used to sit on his  
19 knee with him listening to records but that all stopped.  
20 He would give me a standard sort of a hug but he wouldn't  
21 really embrace me or have me too close to him like he used  
22 to.

23 Dad used to take me with him to jobs and I would sit in  
24 the car for hours waiting for him to return. He would take  
25 me fishing and take me on other activities but after I told  
26 him about Br Giles, my Dad pushed me away and he didn't  
27 want me around him. This caused me a lot of heartache. I  
28 couldn't talk to him. Our relationship became one of  
29 conflict later as I became very angry and rebelled against  
30 authority. I felt trapped because my father didn't want to  
31 know, my family was super religious and I didn't want to  
32 bring shame on them and shame to my family.

33 There was no-one else in my family that I felt I could  
34 talk to. My Mum was busy with day-to-day things and my  
35 brother was much younger than me, I couldn't talk to him

1 about that kind of thing. I was close to my sister but not  
2 close enough that I felt I could talk about things like  
3 that. I had to try and deal with everything myself.

4 I didn't try to tell anyone else as I was fearful of the  
5 repercussions from Br Giles. He was the Principal and we  
6 were all very scared of him. He was a very big man and he  
7 would use the cane in a threatening manner. Sometimes when  
8 I went into his office, the cane was sitting on his desk  
9 and it was like he was sending me a message. I feared him,  
10 I was confused, a 12-year-old, I was ashamed. I was  
11 ashamed about what was happening. I felt totally trapped.

12 Q. I am just going to pause you there, John. We are just  
13 going to bring up a photo of Br Giles, Exhibit 9. Are you  
14 okay to keep going?

15 A. Yeah, no, that's fine, thank you.

16 Q. Paragraph 2.20 when you're ready.

17 A. Have you got another question there?

18 Q. Is there something - sorry. Yes, I was going to ask, you  
19 mentioned when you came to his office sometimes the cane  
20 was on his desk; were you caned by Br Giles?

21 A. Yes, yes, I was. Corporal punishment was quite common in  
22 those days and they used the cane and the strap. Everybody  
23 in the school feared the knowledge that that could happen  
24 and it could happen quite easily. That was how they really  
25 controlled the boys really.

26 Q. Thank you.

27 A. I didn't talk to my teachers but I really wish they'd been  
28 concerned enough to raise questions about my behaviour,  
29 like being away with the fairies when I came back from Br  
30 Giles' office and wetting myself at school. Perhaps they  
31 did talk to someone and perhaps they talked to Br Giles as  
32 the Principal and of course it would have gone no further.  
33 I would have never known.

1 I did not complain to the Church about the abuse at the  
2 time that it occurred. I didn't know of others that were  
3 abused at the time.

4 I have now spoken to some guys that I knew from the  
5 school. One of them said that they thought that Br Giles  
6 was creepy and another said that Br Giles had asked him to  
7 come into his office and Br Giles said that because he  
8 didn't have a Dad, that Br Giles would be happy to help out  
9 with puberty if he wanted. This guy refused and he wasn't  
10 abused by Br Giles.

11 Q. Just take a pause there, John. The next section you're  
12 going to talk about the impact of the abuse on you.

13 A. Once the rapes started, I was scared to go to school on a  
14 Monday and I was relieved when the weekends came. Before I  
15 had to go back to school on a Monday, I would be wide awake  
16 all night trying to make the night last as long as I could.  
17 I was so scared of going back in the morning. When I got  
18 to school, I would go through Xavier College and then stop  
19 by the fence. I would try and look around to see if there  
20 were any other teachers. I would then hide in behind the  
21 building until the bell rang and then I'd rush to class to  
22 try and avoid Br Giles.

23 I didn't walk around the school or meet up with friends  
24 as I was just waiting for the bell to go, so I could race  
25 into the classroom.

26 At morning tea time, I would try and leave the class in  
27 the middle of a bunch of boys. I was always on the lookout  
28 for Br Giles and I would always try and mingle with a group  
29 of boys that were far away from the building as possible so  
30 he wouldn't see me. Br Giles would always get me at the  
31 lunchtime lunchbox check. Sometimes I would defy him or I  
32 would pretend I just didn't hear him but eventually he  
33 would send somebody to my class to get me.

34 Br Giles would also sometimes send for me from class.  
35 It was very hard for me to avoid him. I was in constant

1 fear and would pray on the weekends, I would pray I didn't  
2 have to go back to school. I even tried holding my breath  
3 so I would pass out and die.

4 I was always in fear, always in pain and always trying  
5 to hide from Br Giles. He would do what he wanted and then  
6 he would leave me there to sort myself out and go back to  
7 class. I would be constantly in tears and I would be  
8 shaking but Br Giles didn't care.

9 When Br Giles raped me, I couldn't ride my bike, I  
10 couldn't ride it home. I was unable to concentrate in  
11 class. My school work suffered and I would be constantly  
12 told off by my teachers. Sometimes I'd be sitting in class  
13 in pain after being raped and away with the fairies. The  
14 teacher would ask me questions and I simply wasn't present  
15 and they stopped bothering with me.

16 At primary school I had a lot of mates but I was still a  
17 bit of a loner in the sense that I was content to be by  
18 myself. When I moved to Xavier Intermediate, I had a small  
19 group of mates in my class to start with as it was a new  
20 school but when Br Giles started to rape me, I would have  
21 to return to class with wet pants from his semen dripping  
22 out of me and in so much pain.

23 As my fear of Br Giles grew and the thought of the pain  
24 that was coming, I also started to wet myself at the  
25 thought of knowing what was going to happen. This made me  
26 a target for bullies and boys started to ridicule me and  
27 other boys didn't want to hang out with me because I was  
28 the boy, the kid that pissed himself. I had no friends.

29 Long-term impacts. I couldn't wait to leave that  
30 school. I left with no qualifications. I left broken and  
31 not the same boy that I was two years prior. I talked my  
32 parents into sending me to Hillmorton High School, there  
33 where I got with a bunch of kids who would skip school, who  
34 would sign in first thing and then go to the "dog house" in  
35 the Square. I remember returning in the afternoon to catch

1 the afternoon roll call. A lot of the times I'd get caught  
2 and I'd get the cane as punishment. I didn't want to be at  
3 school again and I was rebelling. I was rebelling against  
4 authority and my teachers. I went from being a very good  
5 student to a very bad one

6 As soon as I could I left school and got work with a  
7 company cleaning truck filters. I didn't tell my parents  
8 and I had been working for months before they realised I'd  
9 left school.

10 I have been largely involved in manual work because I  
11 had never completed my education.

12 While I was living at home, I still went to Church and I  
13 still did what I was supposed to but my faith completely  
14 changed. I have a daughter from a previous relationship.  
15 My Dad got angry with me because I wouldn't send her to a  
16 religious school. We argued about that, to the point where  
17 I had to physically remove my father from my home because  
18 he came in laying down the law about what was going to  
19 happen. I caved to keep the peace and put my daughter in a  
20 Catholic school.

21 I always wanted to be away from people growing up,  
22 always seeking solitude and largely withdrew from people.  
23 I became quite a loner and I've had trouble forming  
24 relationships. I could not commit to the first long-term  
25 relationship I had and my daughter hasn't spoken to me for  
26 nine years because of what happened between me and her  
27 mother and I blame myself for that.

28 I finally married my wife, my second long-term  
29 relationship, about 10 years ago. I do not have a lot of  
30 friends and I tend to choose work that's solitary. I can  
31 be friendly but I don't let people get too close to me.

32 I take antidepressants now to manage my depression. I  
33 have suffered from depression for a long time. I've been  
34 on medication for the last 10 years since my teens and I  
35 also have a very quick temper.

1 Q. Thanks, John. Just take a brief pause before you move on  
2 to the next section, which discusses your redress  
3 experience from 4.1 when you're ready.

4 **CHAIR:** John, would you like to take a break now before you  
5 get onto the redress? I'm going to leave it entirely up to  
6 you but you do look a bit overwhelmed and I don't blame you  
7 in the slightest, would you like to take 10 minutes now and  
8 then move on or would you just like to keep going now  
9 you've started?

10 A. I'm happy to keep going.

11 **CHAIR:** Are you? If you do want a break, do let me know,  
12 won't you?

13 A. Thank you.

14 **CHAIR:** Thank you.

15 A. Okay, redress. A couple of years ago I told my brother  
16 about being abused and the first thing he said was that it  
17 explained a lot about why I am the person that I am. I  
18 didn't go into details though. My wife was the first  
19 person that I ever told the full extent of the abuse.

20 When my Dad died in May 2019, I got very angry because  
21 he was gone and I had never repaired our relationship. I  
22 felt completely gutted that there was no hope for this  
23 anymore. I was very close to my Dad, my anger was  
24 affecting my relationship with my wife and my children. I  
25 do not hit my kids or my wife but I was finding that I was  
26 going off on everything. My whole demeanour was anger. In  
27 late June, I ended up telling my wife about my painful  
28 experience as a child and the effects that it was having on  
29 me. I was fearful that it could either end our marriage,  
30 knowing that it was me with another man. I felt disgusted.  
31 I felt very low. I knew that it would either make us or  
32 break us.

33 My wife wrote an email in rage to the National Office of  
34 Professional Standards [NOPS] and she has supported me  
35 through the whole complaints process. I complained because

1 I was looking for answers. I wanted to know were there  
2 others abused and how could this happen, why was it allowed  
3 to happen? I was hoping that they had a process for  
4 handling this sort of thing, that they could answer my  
5 questions.

6 My wife first wrote to NOPS, National Office of  
7 Professional Standards, on the 3rd of June 2019 using the  
8 email address she got from the website.

9 **MR THOMAS:**

10 Q. Just pause there, John. We'll bring that email up on the  
11 screen, Exhibit 3, and we will look at the second page of  
12 that document. Can you see that in front of you?

13 A. I can but I can't read it, it's too small.

14 Q. If we could just blow that up, please?

15 A. Yes, that's right.

16 Q. Thank you. If I can just summarise that email. That email  
17 is describing that you'd broken down, it had taken 10 years  
18 for you to tell your wife about the abuse and your wife  
19 felt something should happen for you?

20 A. Yes, that's correct.

21 Q. Can you just explain to everyone, yeah, how did you feel on  
22 the day that that email was sent?

23 A. Well, I felt like it had all come to a head, after losing  
24 my Dad and telling my wife, I felt the guilt was now able  
25 to be shared, and hopefully get some answers into what has  
26 happened.

27 Q. Is there anything else you wanted to add to that?

28 A. Yeah, I just think that, you know, losing my Dad was what  
29 sort of pushed me over the edge and now that it was out  
30 there basically, it was time to tell my story.

31 Q. Thank you.

32 **CHAIR:** Can I just clarify, by this time, by my  
33 calculation, John, you were 51; is that right?

34 A. 52.

1     **CHAIR:** My maths was never great. So, from the age of 12  
2     to 52, you had kept this terrible secret?

3     A. 40 years, yeah.

4     **CHAIR:** Thank you.

5     **MR THOMAS:**

6     Q. John, when you're ready, from para 4.6?

7     A. We got a reply the next day from Jacinta who had been nice  
8     and helpful. Jacinta was apologetic in a general sense for  
9     what I experienced. She sent us the *Te Houhanga Rongo - A*  
10    *Path to Healing* document and asked if we wanted to make a  
11    formal complaint. We said that we did. She sent through  
12    the form and we had to sign and say that we wanted to make  
13    a formal complaint. I can't recall being offered any  
14    support at that stage.

15    Q. And did you feel you needed support at that stage?

16    A. Yes, it was a big thing to reveal. It was good relief but  
17    it would be nice to have, I suppose, somebody that, I  
18    suppose, was a little bit sympathetic and, you know, would  
19    have been there to be able to liaise with. It was just me  
20    and my wife at that stage.

21    Q. Are you happy to continue from 4.7?

22    A. Yes, that's fine. We were sent an email from NOPS to say  
23    that two investigators would be in touch with me but  
24    actually only one made contact. His name was Pat, he was  
25    in touch very quickly. Pat was excellent, he was a nice  
26    and very supportive guy. He conducted an interview in our  
27    first meeting on 22 July 2019. He flew to GRO-B we  
28    picked him up from the airport and spent the day with him.  
29    He captured my story in one sitting, he offered counselling  
30    but didn't turn up with a support person.

31        He was mindful that this was traumatic for me and kept  
32        asking if I was okay and wanted to continue.

33        Pat recorded our conversation and sent me a copy to  
34        review. Pat then went away to begin his investigation. He  
35        was in regular contact about once a week or a fortnight,

1 even if he didn't have anything to update us on he would  
2 make contact with us. He interviewed my teachers as  
3 witnesses and school receptionists. Pat tried to talk to  
4 my teacher, Mrs Turner, but she was in a rest home and had  
5 dementia. He had also spoken to the other lay teacher,  
6 Mr C, who said that he could remember me but he had no idea  
7 that I was being abused by Br Giles. Pat also tried to  
8 talk to one of the other Brothers but that was refused due  
9 to his illness or his age, I am not exactly sure. The  
10 investigation took about 6 to 8 months.

11 Pat submitted his report to the Sexual Abuse Protocol  
12 Committee, and the Committee on the 11th of February 2020.  
13 I did not receive a copy of that report. We were getting  
14 anxious at this stage wondering what would happen next and  
15 that's when the communication slowed down.

16 Q. Did you want a copy of the investigation report by that  
17 stage?

18 A. Yes, I did. I wanted to know what he had uncovered and I  
19 thought that there might be some answers there for me but I  
20 also wanted to know that, you know, everybody had the same  
21 story in front of them.

22 Q. Do you recall whether you, at that time, requested a copy  
23 of the report?

24 A. I would have probably verbally said that I would like a  
25 copy but there was nothing, no.

26 Q. Thank you. If you could continue from 4.10, please.

27 A. My wife contacted NOPS to see whether counselling was  
28 available for her. The Marist Brothers agreed to pay for 6  
29 separate or 12 joint sessions. We didn't take this up.

30 We seemed to wait quite a while for the Complaints  
31 Committee. We didn't actually get a response from that  
32 Committee because next thing what happened is that the  
33 Marist Brothers contacted us directly through Peter Horide,  
34 the delegate. And that's really when the process, I hate  
35 to say it, turned to shit. It felt like NOPS had closed

1 the door on us and were leaving it up to the Marist  
2 Brothers to deal with.

3 Q. How did that make you feel?

4 A. It made me feel like I was being passed back to the very  
5 organisation that I was running from, the Marist Brothers  
6 were the reason for my heartache and I now had to deal with  
7 them directly and I didn't feel that it was the right thing  
8 for me to have them controlling my healing process. I had  
9 been provided with documents that described the *Pathway to*  
10 *Healing* and I've since found out that the document was only  
11 a summary document, they had not provided me with the full  
12 document.

13 Q. How did you find the communication from the handover from  
14 NOPS to the Marist Brothers?

15 A. Well, they were very obliging, as far as telling you what  
16 you wanted to hear but when it came to delivering and  
17 answers, I definitely struggled all the way with them from  
18 that point on.

19 Q. Thank you. At 4.12, you now talk about meeting with the  
20 Marist Brothers; are you happy to go on?

21 A. Yes, that's fine. Br Horide came to meet with us, we  
22 picked him up from the airport and he spent the day with  
23 us. He brought a sheet of paper with him, he sat down and  
24 he had some basic information and a blank piece of paper  
25 about the allegations of abuse against Br Giles.

26 The blank piece of paper had no identifying details on  
27 it, that it had come from the Marist Brothers, it was just  
28 a very basic piece of information.

29 Q. Thank you. I think we've got that document, we'll bring it  
30 up on the screen, Exhibit 4. Can you read that or is that  
31 too small?

32 A. It's small. Yes, that's the document.

33 Q. Thank you.

34 A. There's also another page that has some things on it.

1     **CHAIR:** It would be helpful if we could enlarge that. I'm  
2     sure that's possible with the magic of technology. There  
3     we are.

4     **MR THOMAS:**

5     Q. So, John, if you want to talk to that document you can or I  
6     think you also describe it at 4.13 of your statement.

7     A. Yeah, I've since found out, since this particular document  
8     came out, that the person on there dating back to the '60s  
9     who made a complaint, he made a complaint also 20 years ago  
10    that was investigated by the Police, so I'll let you talk  
11    about that later on but that was something that I brought  
12    to your attention this morning.

13    Q. And if we just have a look at the document, it's setting  
14    out what I would describe as high-level information about  
15    other complaints received about Br Giles. I guess, yeah,  
16    how did you feel about viewing this document?

17    A. It gave me some peace of mind to know obviously that I  
18    wasn't on my own but the first thing that sprung to mind,  
19    looking back at the earlier years, this could have been  
20    prevented. Marist Brothers were supposed to be, you know,  
21    their healing process, right back from day one, it came  
22    back to the 1950s, which is not on there but the 1950s was  
23    the first complaint. I mean, if they had done something  
24    about it then, taken Br Giles out of the teaching role,  
25    they wouldn't have had those continuous complaints and  
26    allegations that came through before me and after me. This  
27    shouldn't have happened.

28    Q. I guess, did viewing the document provide you with the  
29    answers that you wanted or did you still have questions?

30    A. Well, I took the Marist Brothers at their word, that the  
31    information that they were giving me was true and correct.  
32    And I've since found out that I believe, you know, that  
33    this document really is based on Xavier College, Xavier  
34    Intermediate I should say, but I'm sure that there are  
35    other victims out there from other schools. I mean,

1 there's several other schools that he worked at over the  
2 years, this is just one of them. He had 50-odd years in  
3 the teaching, it could be more than that. But, you know,  
4 I'm imagining there's a lot of other people out there that  
5 have been abused and it's only just a matter of time before  
6 it comes out and I invite people if they have been abused  
7 by Br Giles at any time, to come out and say something.

8 **COMMISSIONER ALOFIVAE:** John, can I ask you a question,  
9 it's Sandra Alofivae. In relation to all of these  
10 different complaints that were put before you, did Br  
11 Horide explain what the outcome was for them individually?

12 A. No, it was basically this is all I got and I asked for  
13 information, they said it was, you know, private  
14 information relating to Marist and wouldn't be shared with  
15 me. It was just basic, that was all I had. I also asked  
16 Br Horide if he would pass my name and details on to each  
17 of these victims or anybody that was abused by Br Giles as  
18 I would like to make contact with those people but that  
19 never happened.

20 **COMMISSIONER ALOFIVAE:** Thank you for that.

21 **MR THOMAS:**

22 Q. John, just while we're on that document, if we could just  
23 zoom in on the second half of it which includes paragraph  
24 C. Before we move off it, you understand as you've already  
25 referred to, you brought to my attention this morning and  
26 you've just recently learnt that I think in relation to C  
27 you understand there was a complaint to the Police made in  
28 relation to those allegations and that also went through A  
29 *Path to Healing*; is that your understanding?

30 A. Yes, that's right.

31 Q. We won't go into - we can't go into that any further at  
32 this stage but -

33 A. I sympathise for that guy and I wish him all the best that  
34 he will get a good result.

1 Q. Are you happy to pick up from 4.13, I think you give a bit  
2 more detail about other complaints. If you think we've  
3 covered that already, we can move on.

4 A. Just about that piece of paper, I mean, there were other  
5 complaints given to me. The piece of paper about the other  
6 complaints that were given to me, when I met with Br Horide  
7 it gave me some comfort to see other complaints but it was  
8 also sad that the others had been abused by Br Giles. I  
9 had a lot of questions relating to this and I asked for my  
10 details to be passed on to other victims of Giles but this  
11 never happened. In fact, I did ask a few times. I guess  
12 what I wanted was to feel less alone.

13 Now at 4.13. These complaints were laid against Br  
14 Giles before my time at Xavier Intermediate School [and]  
15 after. According to the Marist Brothers other boys were  
16 abused by Br Giles in 1980 but no lawyer was involved in  
17 the complaint process. I was also told there was a second  
18 complaint against Br Giles and that he abused - another  
19 complaint against Br Giles and this was in 1984. A lawyer  
20 was involved in that complaint and Br Giles was pulled out  
21 of the school and he was sent abroad.

22 When he came back to New Zealand, he was then  
23 transferred to an administration - I learnt this from Br  
24 Peter Horide. I do not know if that is true or if Br Giles  
25 moved somewhere else and continued to teach. Certainly,  
26 much later in his career when he retired, he was involved  
27 again in children, teaching sport at Sacred Heart in  
28 Auckland. I have been told that there is a man who is  
29 older than me that is going through the Church redress  
30 process now in relation to a complaint against Br Giles.

31 I had wanted to know if there were other victims who had  
32 gone through the same thing as I did and this confirmed  
33 that there were and it made me feel less alone. I felt  
34 that it was a step in the right direction.

1           However, Br Horide went away and then the communication  
2 started to crawl. We were chasing him all the time to find  
3 out what was happening.

4           During Covid-19 lockdown, I went six weeks without  
5 communication, even though Br Horide had access to a  
6 computer and a cellphone he never bothered to see if we  
7 were all right.

8           He never once sent me a message and this was very  
9 distressing. I thought it was really odd because in  
10 lockdown no-one could do anything. He had plenty of time  
11 on his hands and we were wondering what was going on. We  
12 were trying to get him to respond. My wife had to email  
13 Jacinta from NOPS again to find out what was going on  
14 because Br Horide wouldn't answer us.

15           After Jacinta contacted Br Horide then he finally  
16 responded. We shouldn't have to take that kind of effort  
17 to try and get a response. Br Horide finally contacted us  
18 again and his emails were confusing to read. His language  
19 was weird and arguments difficult to follow. He used a lot  
20 of big words and as I am not a well-educated person, I  
21 found it difficult to understand. We had to ask him  
22 constantly to explain some of his emails just in ordinary  
23 language.

24 Q. We'll bring up an email from Br Horide to yourself, Exhibit  
25 5. Perhaps if we just have a look at the first half of the  
26 page.

27 A. I don't suppose you can blow that up? As you can see in  
28 that email, I mean, I know it all sounds nice to start with  
29 but, you know, I've got so many emails, I have a book of  
30 emails and they're apologetic about the long waits for  
31 replies and no communication. There's lots of apologies  
32 for that.

33 Q. And it refers to the fact, in the first paragraph, that  
34 you've been tormented by Br Giles in your time at Xavier?

1 A. They admitted it straight away, they accepted  
2 responsibility for that.

3 Q. And it goes on to apologise for the lack of communication,  
4 as you say?

5 A. Yes.

6 Q. If we go down to the second half of the page, it refers to  
7 - there may be an offer of an ex gratia from the Marist  
8 Brothers. Was there anything else you wanted to say about  
9 that document?

10 A. I thought the email was unacceptable. That he had left it  
11 so long with no correspondence, he had all the time at  
12 home. Surely a phone and a computer available, he could  
13 have asked if I was okay. It just seemed to be another  
14 apology and it seemed to be a regular occurrence. The time  
15 in isolation with Covid after meeting Horide I thought we  
16 had quite a good bond and that he was going to communicate  
17 well with me. It all went silent and was hard to deal  
18 with. The Marist Brothers were the perpetrators of my  
19 grief that I had gone through all these years, I let them  
20 come into my home and be in my space, yet I felt like  
21 they'd let me down again.

22 Q. Thanks, John. And then at 4.17 you describe what happened  
23 next.

24 A. Eventually, Br Horide emailed and presented me with an  
25 apology from the head much the Marist Order John Hazelman  
26 and offered to discuss a holiday for me and my family and  
27 offered an ex gratia payment of \$15,000 that came with a  
28 Deed of Release that I would need to sign.

29 Q. We've got those documents as well. Perhaps if we bring up  
30 the Deed first, that's Exhibit 6 on the screen. If we  
31 could go to the next page, please. If we highlight the  
32 second half of the page, please, zoom in rather.

33 I just note at paragraph G there, the Order has accepted  
34 the truth of the allegations made by you, as you've already  
35 mentioned.

1           And then looking further down the page, second from  
2 bottom, paragraph 3, the provisions note that the Order  
3 does not accept there is a legal liability.

4           And then at the very bottom there's an offer of an ex  
5 gratia payment of \$15,000.

6           **COMMISSIONER ERUETI:** Can I ask when this apology, when  
7 this was sent to John? You have the email in June after  
8 long delay since March, right? And now this.

9           **MR THOMAS:**

10 Q. John, do you recall the exact date that you received that?

11 A. No, I'm not too sure, to be honest. I'd have to go through  
12 my files.

13 Q. Was it around the middle of 2020, does that sound about  
14 right?

15 A. Yes, that sounds about right.

16 Q. Is there anything else you wanted to say about the Deed  
17 before we move on to the next document, the letter of  
18 apology?

19 A. Yeah, I thought that the offer was an insult. I went  
20 through two years of severe abuse by Br Giles. He had a  
21 good life, he had destroyed mine. He had a good life, as  
22 far as he had a stable job, a roof over his head, new  
23 vehicles, he travelled abroad a lot and he retired in  
24 comfort. He lived in a million-dollar home in Auckland and  
25 then went into a rest home. He had a nice funeral and  
26 pretty well everything he needed. In the later years he  
27 was also in a wheelchair, so they converted the house to  
28 suit his needs and put in ramps and all kinds of other  
29 things to make his life as easy as they could. So, I was  
30 definitely quite insulted with the outcome of that.

31           **CHAIR:** This is Coral Shaw again, John. Do you say that to  
32 highlight the difference in quality of life?

33 A. Exactly.

34           **CHAIR:** Between you and Br Giles?

1 A. I've struggled all the way through, as I say, dealing with  
2 people, my own demons inside. When I look at the Principal  
3 of the school, he had everything at his beck and call,  
4 people running around after him, he enjoyed a position of  
5 power and then in his retirement he was still in an  
6 administration role. He had money and everything that he  
7 needed at his disposal and I feel like if a person can sit  
8 there and do that to somebody, why should he enjoy that  
9 kind of life? And why should he be put up on a pedestal  
10 when he died? The explanation, I've got a document here I  
11 can show you but they put up a big write-up about his life  
12 and what a good person he was and I thought to myself, you  
13 know, the person that wrote that document is only one  
14 person, there's probably 50 to 100 people within  
15 New Zealand that probably have something completely  
16 different to say about that man.

17 **CHAIR:** Thank you.

18 **MR THOMAS:**

19 Q. Thanks, John. We will have a look at the next document,  
20 Exhibit 7, which is the letter of apology which you  
21 mentioned that you received from Br Hazelman. That's up on  
22 the screen, can you see that, dated 5 May 2020?

23 A. Yes, that's the one.

24 Q. Perhaps if you just want to talk about what you thought  
25 about that apology letter?

26 A. Again, I was completely shocked by that letter and the  
27 first thing I did was rung Br Peter Horide and told him  
28 basically that I felt that that was an absolute insult to  
29 send me a letter like that. First of all, there was no  
30 effort made. I felt that was a computer-generated letter,  
31 there was no heart in it. I mean, the person that signed  
32 that letter is a person that I understood to be somebody  
33 living in the islands, Br John Hazelman, and I'd never met  
34 John Hazelman, I never knew anything about him and he was  
35 some random person that had written this letter out and I

1 went back to Br Horide and said it was impersonal. And  
2 even if Br Horide had written the letter himself and signed  
3 it, it would have more meaning because I'd met Br Horide.

4 **CHAIR:** Sorry to interrupt you. When you are ad-libbing,  
5 you tend to speed up a wee bit. You can't see them, but we  
6 have signers in the room who are having to keep up, if you  
7 would just take a breath occasionally when you are  
8 ad-libbing, I don't want to close you down, just take it a  
9 bit slower; is that all right?

10 A. Yes.

11 **CHAIR:** Thank you.

12 A. Yes, so, I mean, I said to Br Horide that he should have  
13 made the effort to go to the highest power in the land, the  
14 umbrella of the Catholic community which, in my eyes, is  
15 the Pope, and I should have had a letter from the Pope  
16 giving me a formal apology which would have meant so much  
17 more to me, just the fact that I've always had a little bit  
18 of respect for religion, even though I realise that  
19 religion is probably one of the biggest perpetrators of my  
20 past.

21 **MR THOMAS:**

22 Q. Thanks, John. You give a few more details from para 4.18,  
23 if you're happy to keep going?

24 A. I rejected the offer as it was an insult for what I had  
25 been put through as a child. I told Peter Horide that it  
26 wasn't enough. ... that he would take my request back to the  
27 Marist Brothers Trust Board. I asked who was on that Trust  
28 Board but I didn't get a response. I asked who had come up  
29 with the decision to offer me \$15,000 but he said that  
30 couldn't be discussed with us. I asked if the people on  
31 the Trust even read my file, and the response was very  
32 confusing and I'm still not sure how much information they  
33 have seen. I wanted them to read my whole account, my  
34 whole file, so they can fully appreciate what I have been  
35 through.

1 Q. So, I think you've expressed that it was a real concern to  
2 you that the people who had made the offer of \$15,000 to  
3 you, you didn't have any certainty that they'd  
4 actually - that they knew exactly what had happened to you,  
5 what you'd been through; is that fair?

6 A. Yeah, it was all on their terms. I mean, they controlled  
7 the whole process. They controlled who'd seen my file,  
8 what information they provided to that person sitting  
9 around the table with them and that was part of my  
10 argument, you know. I said, well, why don't we go to a  
11 retreat somewhere, it didn't have to cost a lot of money  
12 but somewhere where we could all sit around the table with  
13 the same information. That way, I knew all the people  
14 making the decision had all the information that I provided  
15 and not just information that Br Horide wanted to give  
16 them.

17 Q. Thank you. Para 4.19.

18 A. In the meantime, I asked if they would cover my legal fees  
19 to examine the Deed of Release. The Deed of Release was a  
20 big concern to me. First, the Marist Brothers believe they  
21 have no vicarious liability for the actions of Br Giles. I  
22 do not accept this, nor do I accept that they took proper  
23 responsibility at the time.

24 At the time, the Marist Brothers when they became aware  
25 of his offending, I can't prove this because they won't  
26 provide me with the information. Second, I think that the  
27 Deed is saying that the Marist Brothers believe that the  
28 legal limitations will prevent me from taking a criminal  
29 case against them or a civil claim against them.

30 Third, that the Marist Brothers believe that the ACC  
31 legislation protects them from civil claim.

32 Br Horide returned with an offer of \$20,000. It was  
33 still an insult and even more given the tiny increment. My  
34 whole life had been affected by Br Giles. And Br Giles has  
35 had a good retirement. He had everything he wanted. He

1 lived in a nice home and I'm still struggling to get my own  
2 home.

3 How much would his car, his funeral and his living costs  
4 would have cost? He went overseas every year to different  
5 places and in our face-to-face meeting with Br Horide, he  
6 provided some background about the Marist Brothers and sort  
7 of boasted about the sort of properties that they own and  
8 that they live in. He is now sending us emails talking  
9 about the Marist Brothers being a charitable trust and  
10 saying that they take a vow of poverty and that they do not  
11 have much money. I have found out that this is incorrect.

12 We again told Br Horide that the ex gratia payment offer  
13 was too low for what I went through and still go through  
14 daily. That's when he started to push to get a lawyer. Br  
15 Horide ended up offering \$1,000 towards my legal fees and  
16 saying we'd be best to discuss this lawyer to lawyer. And  
17 in order for me to take this further, I realised I would  
18 have to engage a lawyer and that simply isn't right as the  
19 *Path to Healing*, which they promoted, could rapidly be a  
20 pathway to stress and debt.

21 Q. We'll just have a look at an email from Br Horide, Exhibit  
22 8, which sets out some of what you've just described.  
23 Perhaps if we again start in the first half of the document  
24 on page 1. I guess at the beginning it acknowledges that  
25 harm was done to you by Br Giles and then in the middle of  
26 the page it talks about independent legal advice, "We urge  
27 you to take legal advice"; is that what you described  
28 earlier in terms of feeling that you needed to engage a  
29 lawyer?

30 A. Exactly. I mean, you know, they've got an unlimited amount  
31 of money for them but for me, you know, it was going to be  
32 a struggle. I didn't have the ability to access, you know,  
33 the lawyers and people that they had on their books  
34 basically.

1 Q. And then just below that, it talks about the offer you  
2 mentioned of \$20,000. And then if we go over to the next  
3 page of the document, we see at the top of the page, second  
4 paragraph down, I think you've mentioned this already but  
5 it notes the offer of an ex gratia sits in the context of  
6 an absence of legal liability. And then the situation with  
7 the Order, to summarise, describes the Trust situation you  
8 mentioned and that essentially there's limited funds  
9 available for this purpose. Do you see that?

10 A. Yeah, I do but on saying that, I mean that is limited  
11 funds, obviously if you have an empty bank account there's  
12 nothing in there but if you have assets worth millions of  
13 dollars and you have other bank accounts with millions of  
14 dollars in it, then you're not a poor person, are you?

15 Q. Can I just ask you a question, I guess, about the legal  
16 advice aspect? Yeah, how did you feel about that? Did you  
17 feel that you had to engage a lawyer?

18 A. Yeah, I mean, Br Horide in one email stated the process  
19 would be tidier if this transaction was lawyer to lawyer.  
20 In another email from Br Horide, he states that a lawyer to  
21 lawyer process is now established and your lawyer needs to  
22 take instructions from you. In another email he also  
23 states lawyer to lawyer process must take precedence. It  
24 was constantly being told it's lawyer to lawyer and there  
25 was no correspondence there, but of course lawyer to lawyer  
26 also comes with major debt.

27 Q. And so, did you feel that you were still able to engage  
28 with him?

29 A. Well, I tried but there was no engagement because he  
30 basically shut me down. That was the sad bit about it.  
31 You know, I think the *Path for Healing*, the communication  
32 should have been open, regardless, if they wanted to engage  
33 a lawyer to tidy up any financial side of things, well  
34 that's fair enough, you know, but as far as the healing  
35 side of things, there should have been that personal bond

1 between me and Horide and he should have been there, you  
2 know, to support me and try and get me through this, you  
3 know, and I think that he basically got to a stage where  
4 it's too hard and too difficult. And I see that in the  
5 emails where he didn't respond, and when he did respond  
6 those emails are crazy and to try and understand them, they  
7 had a lot of big words and talk I didn't understand, so I  
8 had to ask him to send that email again in such a way that  
9 we could actually read it because we couldn't understand  
10 it.

11 Q. Thank you. And then I understand you did engage a lawyer  
12 and you talk about this at 4.22?

13 A. I just go into a bit of detail in there about pushing to  
14 engage a lawyer and, yes, Br Giles in one email stated the  
15 process would be tidier in lawyer to lawyer and another  
16 email from Horide was the lawyer process was now  
17 established for a lawyer to take instructions from you.  
18 Another email, this lawyer to lawyer process must take  
19 precedence. On 4 September this year is the last time  
20 we've heard from Br Horide and we've been living with this  
21 for a long time. This has had an affect on my ability to  
22 make a living and me having to be expected to engage a  
23 lawyer which I cannot afford. My lawyer, however, did get  
24 a response from their lawyers in early September this year  
25 and the lawyer stated a continued dialogue on his part and  
26 the Marist Brothers Trust Board would be inappropriate as I  
27 had contacted the Royal Commission and pending that outcome  
28 is now another reason why it would be inappropriate for the  
29 dialogue to continue. So, I felt like I was being punished  
30 for contacting the Royal Commission. They also stated they  
31 had had contact from their insurer and to date I've heard  
32 nothing as their insurer needed more information. I felt  
33 this was just their way of stalling to wait until the Royal  
34 Commission is finished to find out what the outcome was.  
35 In the meantime, my lawyer's fees are still increasing and

1 my *Pathway to Healing* is now turning into a pathway to  
2 debt.

3 4.22.

4 **CHAIR:** Can I ask a question there, John? So, the Church  
5 is now telling you, in spite of being told they don't have  
6 any money or anything, that they're now dealing with an  
7 insurance company?

8 A. That's right, yes, they have engaged an insurance company  
9 and I have had no correspondence since then.

10 **CHAIR:** Have you ever heard from the insurance company?

11 A. Not personally. My lawyer has.

12 **CHAIR:** Is that ongoing?

13 A. That's ongoing but it's got to a point now where they've  
14 said that basically because I've involved the Commission,  
15 that they're waiting for the Commission process to take  
16 precedence.

17 **CHAIR:** All right, we'll talk about that later, thank you.

18 **MR THOMAS:**

19 Q. Thanks, John. So, to summarise, it's still, at this stage,  
20 unresolved, your complaint? You're still going, the  
21 process is still going?

22 A. Yes, it hasn't been resolved and communication has stopped  
23 between me and Br Horide and there's still vague  
24 communication between my lawyer and their lawyer.

25 Q. If you can continue reading from 4.22, please.

26 A. On my own account and doing, I have engaged a lawyer  
27 through Shine Lawyers in Christchurch who has met with me  
28 and drafted a letter to the Marist Brothers. I am also  
29 unhappy about the letter of apology. When I read this  
30 letter from the head of the Marist Brothers John Hazelman,  
31 my first thought is who is this man, I don't know him and  
32 what are they playing at. I phoned Br Horide to complain  
33 as it had no meaning, was impersonal and like a computer-  
34 generated letter from a total stranger. I told Br Horide  
35 if it had come from him it would have more meaning because

1 at least I'd met him. I had never spoken or heard of the  
2 Marist brother, John Hazelman and in my eyes they should  
3 have made the effort to contact the Pope, the highest power  
4 in the Church, and asked him to write me an apology. That  
5 would have meant so much more as I respect religion, even  
6 though I'm not sure why, it's caused me a lifetime of  
7 trauma thanks to Br Giles.

8 The other thing that made me quite angry is about the  
9 Deed. If I was to die right now, my wife and children  
10 would get nothing. They were not thinking about my wife  
11 who has gone through this with me.

12 Br Peter Horide raised the idea of counselling again and  
13 again. He said I could get ACC counselling and that the  
14 Marist Brothers would pay for it. I found this very  
15 confusing because my understanding is that the ACC  
16 counselling is paid for by the ACC system. I was also wary  
17 of the fact that he kept pushing me towards this and I got  
18 annoyed and I contacted Br Horide and I told him that this  
19 was not something they could pass off to a government  
20 department. They needed to deal with it and if the Marist  
21 Brothers want me to have counselling, they should pay for  
22 it.

23 The Marist Brothers have not answered many of my  
24 questions. Peter Horide has sometimes not been very  
25 responsive to my emails. This has caused me distress. I  
26 feel like the whole process is not survivor focused and I  
27 felt let down.

28 The Marist Brothers refuse to provide me with my file  
29 created by the investigator. Br Peter Horide said it was  
30 the property of the Marist Brothers. I now have a copy of  
31 that investigator's report, as I got it through my own  
32 ways.

33 Q. So, just to clarify that, John, you did make a request for  
34 the investigator's report and I understand you recently  
35 received that?

1 A. That's right, that was done through the Privacy  
2 Commissioner, I had to apply that way.

3 **COMMISSIONER ERUETI:** This is Peter Horide's report and not  
4 the other report done initially by Pat?

5 A. Yes, Pat Coady was employed by the Marist Brothers, NOPS,  
6 to investigate me and it was their findings.

7 Q. So the report of Pat Coady is what you sought and recently  
8 received?

9 A. I sought my whole file which included all notes related to  
10 me in general. I noticed on Monday when I listened to  
11 Frances' hearing that she had through the Commission, that  
12 she had also applied for *her* file notes and everything that  
13 came through but she managed to get file notes that were  
14 from Brother to Brother, so it was from Peter Horide to  
15 John Hazelman within the Order but obviously there must  
16 have been file notes on me as well but I never received  
17 those, and my full file is not complete.

18 **COMMISSIONER ALOFIVAE:** John, can I just clarify? I just  
19 want to take you back, so your wife sends an email to NOPS?

20 A. Yes.

21 **COMMISSIONER ALOFIVAE:** They then investigate. Did they  
22 appoint the investigator or did they pass it immediately on  
23 to the Marist Brothers?

24 A. They appointed - NOPS, I understood, was in communication  
25 with the Marist Brothers and their investigator was  
26 employed by the Marist Brothers.

27 **COMMISSIONER ALOFIVAE:** All right, thank you. So, they do  
28 the investigation? So, the first part goes okay but it's  
29 when the Marist Brothers pick it up with Br Horide that it  
30 starts going downhill?

31 A. That's correct.

32 **COMMISSIONER ERUETI:** So, it seems like there are two  
33 investigators, there's Pat Coady who approaches you  
34 initially and writes the report that goes back to NOPS?  
35 And then later, the Marist Brothers suddenly appear with Br

1 Horide who's carrying out his own type of lower-level  
2 investigation by flying to see you at your home and  
3 spending the day with you?

4 A. Yes, that's correct.

5 **COMMISSIONER ERUETI:** Okay, thank you.

6 **MR THOMAS:**

7 Q. John, amongst the material you received, did you receive  
8 Pat Coady's investigation report?

9 A. No, I received the report that he'd done on the interview  
10 with me personally, he came to my house, I had to sign that  
11 to say that the information that I provided was true and  
12 correct and then send that back to him, which I did. But I  
13 never received the full report which is the full report  
14 that was supplied to the Marist Brothers.

15 **CHAIR:** Not even after the Privacy Act request?

16 A. No, not even after the Privacy Act request.

17 **CHAIR:** Okay.

18 **MR THOMAS:**

19 Q. You didn't receive a redacted version of the report?

20 A. That's all I received but there was other information, as I  
21 found out with Frances' finding on Monday, that there was  
22 information that was not provided and I've asked for that  
23 as well.

24 Q. Thank you.

25 A. So, internal notes and things like that, I also did that  
26 with the Bishop when I went through the Bishop side. You  
27 know, the Bishop must have had diaries and notes of the  
28 early years and things like that. I mean, there must have  
29 been history there. It was never provided.

30 Q. Thank you. We're nearing time for the morning adjournment.  
31 Would you like to finish paragraph 4.27 and then that might  
32 be a good time?

33 A. Yep. I now have a copy of the investigator's report. It  
34 is not the full report. It's definitely redacted but it  
35 does show there were several other complaints made against

1 Br Giles, some dating back to the late '50s. The redacted  
2 parts detailing the abuse is understandable but why is the  
3 redacted total number of complaints? Why has that been  
4 redacted? Why didn't the National Office ever tell me  
5 after a request for my investigator's report? Should I  
6 stop there?

7 Q. Yeah, do you just want to read paragraph 4.27 to finish  
8 off?

9 A. The whole process seems to be about the Marist Brothers  
10 denying knowledge of what Br Giles was doing and protecting  
11 themselves. Br Peter Horide showed me a list of other  
12 people's complaints about Br Giles. My abuse seems to be  
13 the worst but there are other victims out there. He was a  
14 serial offender and he was moved around the country a lot.  
15 In my opinion, this was never stopped. I believe they  
16 allowed him to continue abusing by moving him rather than  
17 stopping him.

18 **MR THOMAS:** Madam Chair, is that a good time? We are  
19 nearing the end but we have a bit more evidence to come.

20 **CHAIR:** That's fine. John, we are going to take 15 minutes  
21 now, you can have a cup of tea or whatever, take a break,  
22 and then we will come back and finish your evidence after  
23 that; okay?

24 A. Thanks very much.

25

26 **Hearing adjourned from 11.30 a.m. until 11.51 a.m.**

27

28 **CHAIR:** Hello, John, welcome back. Not long to go now.

29 **MR THOMAS:** Thank you, Madam Chair.

30 Q. John, just before we talk about your meeting with the  
31 Christchurch Bishop at 4.28, I just wanted to go back very  
32 briefly just to clarify a part of the evidence that you  
33 gave earlier.

34 The part I want to clarify is, I think you mentioned,  
35 and correct me if I'm wrong, that there was a delay in the

1 handling of your complaint at some stage and you were  
2 advised that that delay was due to the Royal Commission  
3 going on; have I got that right?

4 A. Yes, that's correct.

5 Q. Do you know approximately when that was?

6 A. That was over the, probably a month or so ago, something  
7 like that, maybe a couple of months ago, yeah.

8 Q. And what's your understanding - and can you just clarify  
9 now what your understanding is as to the current status of  
10 the handling of your complaint?

11 A. I haven't heard anything for nearly a month now. I got the  
12 original, the last email from the lawyers here and it says,  
13 "The insurer is yet to accept the claim. It has required  
14 further information. It is in the course of being  
15 provided".

16 I feel like now the Royal Commission is engaged, and of  
17 course being Christmas and everything like that, it's  
18 probably going to be another three months, if we do hear  
19 anything it will be another two or three months away. I  
20 wonder where things are now because I haven't had any  
21 further correspondence since I engaged the Royal  
22 Commission.

23 Q. So, your understanding in summary, it's currently with the  
24 insurer for the Marist Brothers at present?

25 A. Yes.

26 Q. And what was the date of that communication you refer to?

27 A. The last communication was the 12th of November.

28 Q. Thank you. If you're happy to now move to 4.28, your  
29 meeting with Bishop Martin.

30 A. Yes, my meeting with Bishop Martin. We have now met with  
31 Bishop Paul Martin, the Bishop of Christchurch Cathedral in  
32 Barbadoes Street. We did this to find out about the  
33 Bishop's responsibility for both the Marist Brothers  
34 operating [in] the Diocese and the fact I was raped many  
35 times in the cathedral. I felt I was having no joy with

1 the Marist Brothers in getting results, so I went to the  
2 Bishop basically looking for a higher power to have my  
3 back.

4 So, the residence of the Bishop's quarters was directly  
5 opposite the main entrance to the cathedral, so they could  
6 see anybody coming in or going out. I wonder why did they  
7 not do anything about a Brother taking a young boy into the  
8 cathedral when no-one else was there?

9 My wife emailed the Bishop saying that we wanted to have  
10 a call with him giving him a brief outline of what had  
11 happened to me. We met with him straight away within a  
12 week. It was absolutely awful. He was very patronising  
13 and Bishop Martin said that the Bishops' only  
14 responsibility was for the diocesan priests and that the  
15 Bishops don't have any responsibility for the Marist  
16 Brothers. He said that he doesn't see that the Diocese  
17 have any responsibility for what happened in the cathedral.  
18 He provided me with an analogy, "If a person came into your  
19 house and molested another person, would you expect to be  
20 responsible or held responsible for that?" I do not accept  
21 this as the cathedral is not another person's house, it's  
22 on consecrated grounds.

23 Q. Do you want to just expand on that, your view of why that's  
24 not a good analogy?

25 A. By this stage, I was desperate because the communication  
26 with Br Horide was pretty atrocious and I was looking for  
27 the Bishop to have my back. Instead of using a really bad  
28 analogy to wash his hands of me, as I've since learned, the  
29 analogy is also remarkably similar to another one of George  
30 Pell which was made in the Australian Royal Commission.  
31 No-one in the Church wants to take responsibility even when  
32 canon law and basic morality demands it, from what I have  
33 learned now, that the Bishop is responsible for all that  
34 happens in the Diocese. And for the normal person going  
35 through one of these investigations, they don't know this

1 stuff. They don't know about canon law and they don't know  
2 who's responsible for who and things like that. Everybody  
3 is passing it off, that you know the Marist Brothers look  
4 after themselves and the Bishop doesn't hold any  
5 responsibility but that's untrue, I've found that out  
6 since.

7 We're now at 4.30. I understand that in canon law the  
8 Bishop is responsible for everything that happens at the  
9 Diocese. I also understand that Marist Brothers should  
10 have reported this to the Bishop when they became aware of  
11 the abuse after mine. I believe that Br Giles was moved  
12 after this abuse was reported.

13 Despite providing Bishop Martin with permission to read  
14 my file before the meeting, and I asked him to read it, he  
15 didn't bother to. I find that insulting and question  
16 whether he actually wants to know.

17 The Bishop had also not consulted the archives when we  
18 met. He said he would get the archivist to look at the  
19 documents from that period but he didn't expect to find  
20 anything. I was confused by that because it's almost like  
21 he knows the documents at the time and has already looked.  
22 I also don't understand how the archivist could have viewed  
23 the secret files as I thought that the Bishop was the only  
24 person that could do this. I am also concerned that what I  
25 understand would be secret archives is available to the  
26 archivist to look at.

27 My understanding is now that I've spoken to the Bishop,  
28 he should have opened a file about my case. I am unsure if  
29 he will. I am also unsure whether the Marist Brothers  
30 notified the Bishop when they started looking at my case,  
31 as I believe they're supposed to.

32 Q. Just to summarise, how did you feel overall about the  
33 Bishop's response?

34 A. Well, the analogy that the Bishop Martin used was shocking  
35 and seemed very cold-hearted. I have had an email from

1 Bishop Paul Martin quoting, "I want to reassure you that we  
2 will do everything we can to help you and your family to  
3 deal with what has happened" and I have had no  
4 communication with him since August this year. How is that  
5 helping? He's basically washing his hands of me. In one  
6 email he wants to help, in another email he's putting it  
7 back onto the Marist Brothers and saying he's leaving it up  
8 to them to deal with.

9 I went to Bishop Martin because I needed his help and I  
10 needed somebody who would stand up to the Brothers and had  
11 a bit more knowledge than I did and I was hoping with his  
12 influence that he would be able to have my back.

13 Q. Thank you. We'll move on to the final section of your  
14 evidence, looking forward, 5.1.

15 A. My journey is still in motion and I'm angry and frustrated.  
16 I feel stuck and extremely disappointed. The communication  
17 from the Marist Brothers is extremely poor and I have to  
18 push, push, push to get answers and they still don't  
19 provide them. They made no attempt to keep the dialogue  
20 open.

21 Now we've got lawyers to lawyers talking. I can't  
22 afford that but I see that they can.

23 The involvement of lawyers is also intimidating. This  
24 is supposed to be a pastoral process but I'm not feeling  
25 that.

26 It's like they're leaving it up to me, the individual,  
27 to figure out my own healing process. The whole thing  
28 feels wrong and their main objective is to get me to sign a  
29 Deed of Release at the end of the day. They put their  
30 phone down and that's the end of the day for them but for  
31 me it's very different. I wonder if they experience true  
32 empathy or whether they want to protect themselves more  
33 than the survivor.

34 I can see that Br Horide has dealt with cases like this  
35 before but there needs to be a better structure, better

1 plan. They need to provide better support on each step and  
2 I am not talking about counselling. I'm talking about  
3 someone explaining the process step-by-step in an  
4 understandable way. For example, the six-week period of no  
5 communication during Covid hit me really hard. If I wasn't  
6 strong enough and I didn't have the support of my family,  
7 then I might have done something drastic. There simply  
8 isn't enough consideration for the re-traumatisation that  
9 takes place going through this process.

10 It's all right going through your life and having  
11 40 years, you know, of having this in the background and  
12 not saying anything and I deal with that myself. But, I  
13 mean, when it comes to bringing it out and telling people  
14 and having to relive my statement, you know, over and over  
15 again and the process started from the investigator all the  
16 way through to telling my wife and again having to tell the  
17 Commission and here today doing the same thing again,  
18 people don't realise how it affects you internally. You  
19 know, you go to bed at night and everybody goes to sleep  
20 but I mean you have days where you have really good days  
21 and then you have other days, you know, when you go to bed  
22 at night but you can't sleep. 4.00 in the morning you're  
23 lying awake and you're thinking about how your life has  
24 gone and how you've shaped your life and of course you go  
25 back into the dark demons. You have a process that you  
26 think you can deal with things like that that happened to  
27 you when you're 12 but I mean it never leaves you, it's  
28 always there, and it's something that you can't put to the  
29 back of your mind. When I look at other people, you know,  
30 I suppose I try to picture myself, you know, of somebody  
31 that's been raped, say a woman or somebody loses a child or  
32 something like that, it's a memory always there. Just like  
33 me losing my Dad as well, that's another tragic memory for  
34 me. It is something always there and you can't put it out  
35 of your mind. That's one thing I said to Brother Peter

1 Horide you put the phone down on a Friday night after  
2 speaking to me, you're not thinking about me ever again,  
3 enjoying your weekend, doing what you want, watching TV but  
4 I put the phone down and my Friday night is only beginning,  
5 I'm thinking about everything that's happening to me in my  
6 past and now re-traumatising it and bringing it all back up  
7 again. That's what I really struggle with.

8 **CHAIR:** We hear that, John. We hear that loud and clear.

9 **MR THOMAS:**

10 Q. Take a moment, John, and let us know if you need a little  
11 break.

12 **CHAIR:** And if you don't - I think we should perhaps just  
13 stop.

14 **MR THOMAS:** John, we will just take a break and give you a  
15 moment.

16 **CHAIR:** I just want to say that if he does not feel like  
17 reading the rest of it, we can read it to the end, we have  
18 heard him loud and clear, so we wouldn't worry if he  
19 doesn't come back.

20 **MR THOMAS:** Thank you, Madam Chair.

21 **CHAIR:** We will take a break.

22

23 **Hearing adjourned from 12.07 p.m. until 12.20 p.m.**

24

25 **CHAIR:** Thank you, John, much appreciated.

26 A. I am sorry for that.

27 **CHAIR:** Do not apologise, please. Nothing to apologise  
28 for. Yes, Mr Thomas.

29 **MR THOMAS:** Thank you, Madam Chair.

30 Q. Just one technical thing before we start, I'm just having  
31 difficulty with my screen. Do you mind if I -

32 **CHAIR:** Just a small technical detail here. Mr Thomas  
33 can't see you, we can but he can't, so we'll just - can you  
34 manage without it?

35 **MR THOMAS:** I've got it now, Madam Chair, thank you.

1 Q. John, you're nearly finished and I just want to double  
2 check with you, you're happy to keep going just to finish  
3 off?

4 A. Yeah, that's fine, yes. Sorry, just a moment it got me  
5 there.

6 Q. No need to apologise. I think you basically covered what  
7 you wanted to at 5.2 and you were going to just start up  
8 again at 5.3 when you're ready.

9 A. They would need to put all the documents on a table. We  
10 all need to have the same information in front of us. I  
11 don't feel like the fact that I don't know who else is  
12 looking at my case, I don't know them, I don't know if  
13 they've been shown everything as I would expect them to, so  
14 they can understand my pain. I don't think the Marist  
15 Brothers or NOPS should be controlling this process. I  
16 think it needs to be independent of the Church.

17 Q. Can I just ask there, do you feel, due to having different  
18 information or not having access to all of the information,  
19 that it's not a level playing field?

20 A. No, it's not because, I mean, at the end of the day I don't  
21 know what the Marists have put in front of the other people  
22 around the table when they're sitting there making their  
23 decisions and they're obviously talking about my case and  
24 things like that. I mean, they're only really putting in  
25 front of the other people what Br Horide chooses to allow  
26 them to see and I think, you know, to be fair on me, as  
27 this is about me, I should be sitting at the table with  
28 them, I should be seeing the process that they're putting  
29 across and seeing the information that they are providing  
30 the other people so they can make a fair and true  
31 assumption of what has happened with me and what has  
32 happened in my past. I've already, you know, found out  
33 through my own doing, you know, the information that is  
34 supplied by the Marist Brothers is not always a true taking  
35 of what's actually out there.

1 Q. Just while we're on that, sorry to go back again, one small  
2 clarifying point. I think earlier in your statement at  
3 paragraph 4.27 you talked about seeing - you know, you  
4 talked about your abuse being the worst but that there were  
5 other victims. Just to clarify, were you referring to that  
6 information from Br Horide that we'd already seen on the  
7 screen earlier?

8 A. Yeah. As I was saying, I was trusting him that the  
9 information that he was giving me was all the information  
10 and everything about Br Giles' history but I have since  
11 found out that he's only given me what he wants to give me  
12 and, you know, the other information I've found out is  
13 through my own sources basically, you know, and I feel like  
14 there should have been honesty right from day one which is  
15 why I suggested that everyone is all on the same page  
16 sitting round the table at some sort of venue, you know,  
17 where the food and everything is supplied and you just all  
18 sit there and they can see what I have and I can see what  
19 they've provided as well, so that would be the fair and,  
20 you know, honest way of doing it.

21 Q. Thanks, John. You might have already now, I think, covered  
22 5.4. Do you want to go on to 5.5 and then I'll just ask  
23 you some final questions?

24 A. Yeah. I hope that the Royal Commission will be able to  
25 make sure that the next person that comes forward to say  
26 that they have been abused has a better experience than I  
27 have had.

28 Q. Is it fair to say you're motivated to give evidence in  
29 order to help others to speak up about their abuse?

30 A. Absolutely. I mean, I've sat there, a 12-year-old boy I  
31 was raped, so I've dealt with it from 12 years old to 52  
32 years old I am now, and at the end of the day there's  
33 people in exactly the same boat as me. I had originally  
34 planned to take this to my grave and only through my wife  
35 pushing me and the death of my father, it came out. I

1 never intended talking about it but I feel that there are a  
2 lot of other people out there, not only that have been  
3 abused by Br Giles, there might be other abuse out there.  
4 I mean, I feel that I want to help people and push people  
5 to come forward and say their piece. And whether you were  
6 at Xavier College, Xavier Intermediate, or you had any  
7 dealings with Br Giles in the past, I urge you and  
8 encourage you to stand up and say your piece and be heard.  
9 Don't be scared because, I mean, the Marist Brothers'  
10 process is not that great but, at the end of the day,  
11 hopefully the Royal Commission can do something about that  
12 and it will be better for the next person coming through,  
13 they will have a better understanding of the whole process.  
14 And, I mean, I have made myself out there, you know, if I  
15 can help anybody, you know, I'd gladly do that.

16 Q. Thanks, John. I've just got a few, sort of, concluding  
17 questions about *A Path to Healing* and how you've found  
18 that.

19 I guess, the first thing I wanted to ask was, what  
20 aspects of that process have you found or what aspects of  
21 your redress experience have you found have been good for  
22 you?

23 A. Well, no, I don't feel like I've had anything positive with  
24 the redress side of things. I've had my own healing over  
25 all these years of just dealing with it myself and, you  
26 know, putting my hand out to ask for help. I feel like the  
27 Bishop has washed his hands of me, which really  
28 disappointed me. I went to the Marist Brothers thinking  
29 they would have some sort of a process that would help me  
30 and I don't feel like I got any help at all from there. I  
31 got a couple of questions answered and the main one is  
32 there were other people that were abused but as far as  
33 help, no, I don't feel like I got any.

1 Q. Has there been any aspects, I guess, that have been helpful  
2 to you going through the processes? Has there been  
3 anything you've found useful?

4 A. Yes, definitely. I mean, I've had a person that stood up,  
5 I didn't know this guy from Adam, he's also another  
6 survivor and I made or he made contact with me and I was  
7 absolutely blown away. This guy's name is Steve, I have  
8 forgotten his last name to be honest, Goodlass, and right  
9 from day one I mean that's exactly what the Marist Brothers  
10 should have done is what Steve has done. When it comes to  
11 the weekends, this guy isn't paid for what he does, he has  
12 come up today to stand beside me and support me, he doesn't  
13 know me from Adam, he paid for his own travels to come here  
14 to support me. He has been a major support for me as far  
15 as 10:00 at night on a Saturday night, I ask him a question  
16 and he will help me with an answer. Anything from  
17 weekends, weekdays, night-time, he has his own family, his  
18 own children, he's running a business but he will drop all  
19 of that to sit there and answer my questions for me and  
20 help me with things that I wasn't too sure about. I can't  
21 sing the praises enough of that guy, you know the help that  
22 I've got over this time and I hope I can do the same thing  
23 for another survivor doing what he has done. I know it  
24 will come out of the woodwork in the future, the past  
25 history of Br Giles is definitely going to come out and  
26 there will be a lot more people that stand up. As I say, I  
27 urge anybody that's been abused please stand up and say  
28 what you need to say. There will always be people there  
29 that will support you and help you.

30 Q. Do you want to say anything about your dealings with Pat  
31 Coady, the independent investigator?

32 A. Absolutely. I mean, it's quite a traumatic experience, not  
33 only going through your past and having to relive it all  
34 again but, again, I couldn't sing praises high enough for  
35 Pat. He was the investigator, he was the person who came

1 in and listened to my story, but he was so obliging every  
2 step of the way. I mean, you know, again, the Marist  
3 Brothers could learn from that guy because he would ring us  
4 up weekly, fortnightly. He was always available if I  
5 needed to talk to him or I needed to inform him of anything  
6 else that I may have overlooked but, you know, right the  
7 way through from the interview right through to the end of  
8 the process, he was always supportive and, as I say, he  
9 kept in regular contact and that's the biggest thing for  
10 the Marist Brothers let themselves down with, they weren't  
11 there when they were needed. I had it lucky enough to have  
12 these other supports there but the Marist Brothers could  
13 learn from that. Also NOPS, NOPS was good but in saying  
14 that they were good, if I couldn't get hold of Br Horide or  
15 trying to get messages across to Br Horide, NOPS would  
16 stand in and get him to respond to me, but they were very  
17 quick to hand me over to Br Horide and the communications  
18 sort of dropped off.

19 Q. Thanks for that. I guess, overall, looking back at it or I  
20 guess it's still going for you but I guess what would you  
21 say about the *Path to Healing*? Would you recommend other  
22 survivors to go through it?

23 A. I think the *Path of Healing* was more a path to stress and  
24 debt, as I said. There isn't really a proper process out  
25 there, so we're stuck with that process but that's why I'm  
26 here today because I think the Royal Commission could make  
27 a change there. Again, I would sing my praises to the  
28 Royal Commission. Ever since the time that I started with  
29 the Royal Commission, I had advocates, I have one beside me  
30 right now, you know people standing up there and supporting  
31 me all the way. I had a lady ring me up this morning.  
32 Simple thing like staying in the GRO-C hotel where they  
33 put us up to taxi service, everything here to the Royal  
34 Commission, I had no idea where the address was that we  
35 were going, I did have it on my phone but couldn't find it

1 when I needed it, and again my support person Steve was all  
2 there ready to go with all this information, so that was  
3 something that happened recently and I mean he supported me  
4 all the way. He's a brilliant guy. But everybody, right  
5 down to the Commission, I sing your praises all the way, so  
6 thank you.

7 Q. Thanks John. Just one final question from me, and I'll  
8 just, following that, just see if there's anything you want  
9 to add in conclusion or anything the Commissioners want to  
10 ask you. I just wanted to actually bring up the - I know  
11 you didn't receive a full copy of it, I understand from  
12 your evidence earlier, but I wanted to bring up *A Path to*  
13 *Healing* and I'm not going to look through the whole  
14 document. I just want to look at a couple of pages from  
15 it.

16 So, there's the 2007 version which I understand would  
17 have applied at the time you made your complaint in 2019.  
18 It's got a number or a document number CTH0002017, I think.  
19 I think the first page, "Introduction", is up on the  
20 screen; do you see that in front of you?

21 A. I sure do, yes.

22 Q. Before we look at that, I just want to go over two more  
23 pages to page 4 of the document, part one, "Principles for  
24 dealing with complaints of sexual abuse", and look at  
25 paragraphs 2 to 4 on that page. Can you see that? I guess  
26 I just wanted to summarise that, you know, the document is  
27 talking about, well in my summary, you know, taking a  
28 compassionate response to complaints.

29 A. My first meeting with Peter Horide, Br Peter Horide when he  
30 came to my home, he was very respectful, very obliging and  
31 came across as a really nice guy and I really felt that  
32 there was going to be, I suppose, a good communication  
33 between me and Peter. When I read that, I can see that  
34 compassionate side of things, yes, that was definitely  
35 there to start with but when you go down to the bottom and

1 there is compassion and respect, within a few weeks that  
2 died off, so you know that was why I was disappointed in  
3 the whole process.

4 Q. Thank you. At paragraph 3 there, the document speaks to  
5 the principles of ensuring offenders are held accountable  
6 for what they've done?

7 A. I look at Br Giles and his offending started in the 1950s,  
8 so my first obvious question is, why was he still in the  
9 school? Why was he still a Principal? Why was he allowed  
10 around so many hundreds of thousands of children that he  
11 dealt with over the years and the different schools he was  
12 at and how many complaints will come through in the near  
13 future of sexual abuse by this man? I guarantee there will  
14 be a few.

15 Q. Thanks. If we could just go back finally to the first  
16 page, the introduction section. I just want to look at the  
17 second to last paragraph of the document. I will read  
18 that, "We see it as a public document that establishes  
19 public criteria according to which the community may judge  
20 the resolve of Church leaders to address the issues fairly  
21 and compassionately. If we do not act according to the  
22 principles of this document and follow procedures founded  
23 on these principles, we shall have failed according to our  
24 own criteria".

25 So, I just wanted to ask you finally, based on your  
26 experience, how do you think the Church has fared based on  
27 their own criteria?

28 A. Their own words right there, they have failed. They  
29 didn't, I don't feel there was support. They were quick  
30 enough to jump on the bandwagon straight away when I  
31 contacted them. Bishop Paul Martin in Christchurch is a  
32 good example. I had a reply from him within a couple of  
33 days. He was really quick to respond as soon as he knew  
34 there was an allegation there but when he realised it was  
35 in the too-hard basket and we asked him questions that he

1 wouldn't answer, he was very quick to put it back to the  
2 Marist Brothers and say we have a process which is the NOPS  
3 and referring me back to the Marist Brothers and referring  
4 me back there but the problem was I wasn't getting results  
5 from the National Office and I wasn't getting results from  
6 the Marist Brothers, which is the whole reason why I went  
7 to the next person in charge, which in that case was the  
8 Bishop. I wanted answers, you know, and I just didn't get  
9 them. So, the Church let me down, the Bishop let me down  
10 and the Marist Brothers have let me down. I am hoping the  
11 Royal Commission can change that.

12 Q. Thanks, John. Nothing further from me, thank you for  
13 giving your evidence. Is there anything you want to add  
14 before I hand you over to the Commissioners?

15 A. I just want to say to the Commissioners that I'm 100% in  
16 gratitude of what you're doing and I hope that the  
17 survivors that come after me, you know, are confident and I  
18 encourage them to come and talk to you and come and say  
19 what they need to say. I think that the whole process that  
20 I've gone through today and how you've looked after me over  
21 the last few months dealing with the Commission has been  
22 absolutely perfect.

23 **CHAIR:** Thank you very much for that, John.

24 A. A personal thank you to you Sandra. I met you when you  
25 came down to see me in GRO-B and, again, really nice  
26 lady, very approachable and again I can only sing your  
27 praises, so thank you.

28 **CHAIR:** That is very nice of you to say and it is for that  
29 very reason we don't have any further questions. You've  
30 told us everything we wanted to hear. It is for that very  
31 reason you just mentioned, that Sandra Alofivae is going to  
32 thank you on behalf of the Commission and I will hand her  
33 over to you.

34 **COMMISSIONER ALOFIVAE:** John, so lovely to see you again  
35 this morning.

1 A. You too.

2 **COMMISSIONER ALOFIVAE:** And I really just want to thank you  
3 on behalf of the entire Commission for your incredible  
4 courage and your bravery for actually coming forward and  
5 speaking so eloquently and so honestly about your  
6 experiences. It richly informs us in terms of how we move  
7 forward and our work.

8 I also want to thank your wife who I had the opportunity  
9 to meet as well and I know she's in the room there with  
10 you, just for being that amazing powerhouse of strength  
11 because notwithstanding that you are a very articulate and  
12 capable man, it comes through again and again that actually  
13 the enormous support that your support team provide you is  
14 actually, it's the tool that you lean on to actually  
15 navigate these really difficult waters and we fully  
16 appreciate that. I want to say something to Steve Goodlass  
17 who I believe may be in the room.

18 A. He is a rock all the way through and also to James.

19 **COMMISSIONER ALOFIVAE:** To Steve and to James and all the  
20 others who have been so selfless in being there for you,  
21 it's easy for me to say it's part of our role but in actual  
22 fact, it's actually how they operationalise that. So,  
23 thank you to the entire team that have wrapped around John  
24 for that incredible selfless support, the intuitive way  
25 they have dealt with you, because it's your courage John,  
26 yours and other survivors like you, that actually help us  
27 greatly in our work. And for that, we just want to  
28 continue to wish you strength as you continue to navigate  
29 this process, seeing your complaint through to the end.  
30 Take care.

31 **CHAIR:** Thank you so much.

32 A. Thank you, Michael.

33 **MR THOMAS:** Thanks John.

34 **CHAIR:** That brings us to the conclusion of this week's  
35 hearings and I invite kaumātua to close the proceedings.

1 If you would like to stay and listen to that, you are  
2 welcome, John, if you wish.

3 (Closing mihi and waiata)

4

5

**Hearing adjourned at 12.42 p.m.**