

1
2 **MR A - AFFIRMED**
3 **EXAMINED BY MS COOPER**
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6 **CHAIR:** Good morning, Ms Cooper, welcome back.

7 **MS COOPER:** Before we get underway, I'll just ask the Judge
8 to give you the affirmation.

9 **CHAIR:** Hello, we're going to call you Mr A, is that all
10 right?

11 A. Yep.

12 **CHAIR:** You can see me? Yes. I'm Coral Shaw, I'm the
13 Chair of the Commission and my job is to ask you if you
14 would take the affirmation before you give your evidence;
15 is that all right?

16 A. Yes. (Witness affirmed).

17 **CHAIR:** Thank you very much. I am now going to leave you
18 in the hands of Ms Cooper who will ask you the questions,
19 thank you.

20 **MS COOPER:**

21 Q. So, we're going to be talking today about your experiences
22 in the care of the Salvation Army at Bramwell Booth and
23 that was in Temuka. Obviously, we'll then talk to your
24 experience of the redress process and because you were also
25 in State care, as part of your evidence we're also going to
26 ask you to compare your experience, at least to date, of
27 the Salvation Army redress process and the State redress
28 process.

29 So, just if you can confirm first that you were placed
30 at Bramwell Booth at the age of 11 in 1982?

31 A. That's right, yep.

32 Q. And can you just tell the Commission how long you were
33 there approximately?

34 A. I was there for about a year.

1 Q. You've described what happened to you, and I know that this
2 can be quite difficult for you to talk to, so what I'm
3 going to ask you to do first is just, at this stage as much
4 as you feel comfortable, talk about your experiences there
5 and then we will call out a document that we can go through
6 that detail.

7 So, if you just start with how much you feel comfortable
8 talking about your experiences there?

9 A. Okay. Well, I was sent to Bramwell Booth Home when I was
10 11 because there was a crisis in my family. A man in the
11 neighbourhood had been sexually molesting me and I started
12 to act out. My [IRO] came from a Salvation Army family, so
13 one of [IRO] relatives recommended I be sent to Bramwell
14 Booth to give [IRO] a break. So, I went to Bramwell Booth
15 and over the year that I was there, the bad things that
16 happened to me were being assaulted by staff, being
17 sexually assaulted by older and bigger boys and eventually
18 also a staff member. I started sniffing glue when I was
19 there and I was kind of introduced for the first time to
20 other kids my age who broke the law often and, you know,
21 that was okay to break the law.

22 Q. All right. And just to get some detail around that because
23 I know that's difficult for you to talk to, we're just
24 going to call out witness 44002 and we're looking at the
25 analysis, the analysis document, page 4. If we can call
26 out that. Are you able to see that?

27 A. Yep.

28 Q. So, just what we're going to highlight there is the bullet
29 pointed points. So, first of all, you'll see you've
30 referred to being physically assaulted by staff, and there
31 the description is that a female staff member used to pull
32 your hair and slap you across the face and that you
33 estimated that this happened on approximately 30 different
34 occasions, and you were also assaulted by a male staff
35 member who frequently punched you all over your body, and

1 you say there that you saw this happening to other boys as
2 well.

3 So, that's you talking about the physical assaults and
4 that's the detail of what happened to you, isn't it?

5 A. Yep.

6 Q. And then the next description is the sexual assault that
7 you talked about by the male staff member, and there the
8 detail is that you were forced to perform oral sex on that
9 male staff member who also rubbed himself over you. Can
10 you confirm that?

11 A. Yep.

12 Q. And you've talked about the two older boys, so that's the
13 next bullet point, and there you were forced to perform
14 oral sex on those two older boys. And after reporting that
15 abuse to this male staff member, that's when he started to
16 sexually assault you, isn't it?

17 A. Yes.

18 Q. And then you talk about fights with other boys?

19 A. Yeah.

20 Q. You've already talked about starting to sniff petrol and
21 glue and then you talk about smoking marijuana for the
22 first time and smoking cigarettes, being taught about crime
23 and for the first time learning about the importance of not
24 narking.

25 So, can you just explain that? That will be a term that
26 lots of people are familiar with, but others won't be
27 familiar with what not narking means?

28 A. It just means talking to whoever is in authority and
29 telling on other people, giving authority information about
30 things that have been done.

31 Q. And the importance of that here and not narking, what did
32 that mean for you in a practical sense, in a day-to-day
33 sense?

34 A. It just meant keeping your mouth shut and not going to the
35 staff and asking for help or giving the staff information

1 because if you did and the boys found out about it, you'd
2 get beaten up.

3 Q. And that's something you'll obviously talk to more because
4 that continued in your experiences in State care?

5 A. Yeah, through -

6 Q. Through to?

7 A. Now.

8 Q. And that's probably still the same now, is it?

9 A. Yeah.

10 Q. We're going to start talking about your steps towards
11 bringing a claim. So, in your statement you talk about
12 first visiting the Salvation Army in Dunedin in about 2003.
13 Can you just talk through what you were wanting to achieve
14 and what happened at that time?

15 A. Well, my life after the Temuka Boys' Home was pretty messed
16 up and I had always been seeking for answers about why
17 things turned out the way they had, so I went to the
18 Salvation Army in Dunedin and asked to talk to someone and
19 I did, I did talk to the officer who was there and he was
20 very cynical to what I said and he questioned my mental
21 health and inferred that I was a schizophrenic because of
22 where I was living at that time. He thought it was a home
23 for schizophrenic people, when actually it was a halfway
24 house for people who had just been released from prison.

25 **CHAIR:** Ms Cooper, I don't want to interrupt too much, it
26 would be nice to know what age you were, Mr A, when you
27 went there, went to the Salvation Army for the first time,
28 roughly?

29 A.

30

Individual Restriction Order

31

 so probably about 30, I was probably about 30 when
32 I went to see the Salvation Army.

33 **CHAIR:** Thank you.

34 **MS COOPER:**

1 Q. Do you recall if you were asked about what had happened to
2 you when you'd been at Temuka?

3 A. Yeah, yep, I gave him an outline of what had happened.
4 Like I said, I felt really uncomfortable, because I felt
5 like I was narking, and his cynicism was on his sleeve
6 pretty much, so we didn't talk for long.

7 Q. And did you get any help at that point?

8 A. None, none at all. I actually left feeling a whole lot
9 worse than when I went in.

10 Q. So, in your statement, you say that you obviously left
11 things for a while and that you weren't able to tell family
12 members because many were Army members?

13 A. Yep.

14 Q. So, how did you end up coming to approach lawyers to make a
15 complaint on your behalf?

16 A. Well, I'd been recalled back to prison and I was just so
17 frustrated about why my life was like it was and why I kept
18 on making stupid decisions and how the time of the abuse
19 that happened to me at Bramwell Booth might influence that,
20 and I was discussing this with another man in the yard who
21 had been in contact with you, Sonja, and he gave me the
22 details.

23 Q. And so, you say in your statement that's roughly 2006. It
24 took you another good 6 months or so to approach Cooper
25 Legal, can you explain what that delay was about?

26 A. After talking to the guy, the officer in Dunedin, and being
27 rejected, for me it was just, it was very hard to deal
28 with. It's like being, you know, almost accused of making
29 stories up and I just felt really bad about it and I didn't
30 want that to happen again, so I was initially reluctant to
31 talk to you but in the end, after talking to other people,
32 I did.

33 Q. And so, you came to Cooper Legal on the 21st of April 2007
34 and you were granted funding by Legal Aid on the 28th of
35 May 2007.

1 So, as you say in your statement, the first step that
2 Cooper Legal took was to ask McElroys, which were the
3 lawyers then acting for the Salvation Army, for your
4 records, and you understood that was going to be the first
5 step, didn't you?

6 A. Yeah.

7 Q. And then in May 2007, the records were provided and you say
8 in your statement that you read the document that the Major
9 had written about you after the meeting back in 2003 that
10 you were a schizophrenic.

11 Do you recall how you felt about that?

12 A. I was mortified, to be honest. It really upset me because
13 I felt as if him saying that I was a schizophrenic, that
14 maybe I was making stuff up because I was mentally ill, and
15 I shouldn't be believed.

16 Q. So, as you know, as part of the preliminary processes
17 before we progressed your claim, there were a number of
18 meetings with the Salvation Army and one of the outcomes of
19 those meetings is set out quite usefully in a document
20 which you've seen as part of the bundle, so it's Salvation
21 Army 29800014. If we can just call out that document, it's
22 a letter from Amanda Hill at Cooper Legal to Murray Houston
23 of the Salvation Army. If we can just call out the first
24 page which refers to a meeting which took place on the 4th
25 of October 2007. And then you will see it goes on to talk
26 about how the claims are going to be dealt with. With
27 people whose claims were filed in Court, those clients were
28 going to be interviewed and then the Salvation Army was
29 going to conduct its own investigation into those claims.

30 And then moving on to the second page, for those claims
31 that were not filed in Court, Cooper Legal would send an
32 initial outline of the claim against the Army and request
33 the records, if that hadn't already been done.

34 And you will see there a reference to the firm
35 requesting the records of the clients to verify their

1 claim, rather than as a "fishing expedition"; do you see
2 that reference there?

3 A. Yes, I do.

4 Q. And in your statement, you refer to the fact that at that
5 meeting it had been put to Cooper Legal that one of the
6 reasons for getting the records was just a "fishing
7 expedition", rather than proper work to verify claims?

8 A. Mm.

9 Q. And then there was a discussion about the need to obtain
10 psychiatric reports, so that's the next paragraph, where it
11 was noted that in past cases the Salvation Army had
12 requested psychiatric reports and other material and it was
13 explained in that letter that they were very expensive and
14 difficult to obtain. And so, as you see in the next
15 paragraph, the offer was made that as some clients had
16 psychiatric reports done by Corrections or ACC, they may be
17 able to be provided.

18 You've read that too, haven't you?

19 A. That's right, yep.

20 Q. And then just at the bottom of that page, that's something
21 that came to you as well, was the point of contact. And
22 there, if we call out that bottom paragraph, there it was a
23 statement, "It's necessary to communicate with clients
24 solely through Cooper Legal". And there the Salvation Army
25 people were asked not to provide contact details to clients
26 or speak to them without a lawyer from Cooper Legal because
27 to do so would endanger the relationship between Salvation
28 Army and Cooper Legal.

29 A. Mm.

30 Q. And following on from that, you also received a letter,
31 didn't you?

32 A. Yep.

33 Q. And that is witness 44003. If we can highlight first on
34 page 1 the bullet pointed material. That was explaining to
35 you what the process would be. So, if the Salvation Army

1 didn't have details of your claim, a letter would be sent
2 outlining your experiences.

3 And then you would be interviewed by Murray Houston and
4 a lawyer from Cooper Legal. And then your claim would be
5 investigated and there may be more information that needed
6 to be provided. And, depending on the outcome, the Army
7 would either offer to settle your claim or refuse to
8 settle.

9 Just thinking back now, did you have any views about how
10 that process was going to work?

11 A. Yeah, it just seemed like they were trying to find reasons
12 to say that I wasn't telling the truth. It was like - it
13 turned adversarial, them against me, that's how I felt.

14 Q. There's just one more point that I wanted to highlight from
15 that letter. So, if we can call it up again, and it's the
16 bottom paragraph. There you'll see we were saying to you
17 that we'd had had instances of organisations, such as the
18 Salvation Army, making small offers of compensation to our
19 clients directly and that they were less than the claimant
20 was entitled to. So, to protect you from this, it was
21 important that you did not communicate with any member of
22 the Salvation Army directly but only through Cooper Legal.
23 And we also talked to you about the fact that there would
24 be a Legal Aid debt associated with any settlement.

25 And do you recall that you were asked to think about
26 that and sign a document agreeing that you would not talk
27 directly to the Salvation Army and understanding about
28 that, in terms of your Legal Aid debt? I need you to speak
29 in answer?

30 A. Oh, yes, that's right, yes.

31 Q. We then talk about in your statement another meeting in May
32 2008, so we've moved on quite a way, because there had been
33 some breakdown again in the relationship and there was a
34 discussion about the approach that the Salvation Army
35 should take, and that the that stage the Salvation Army was

1 questioning why it shouldn't take a legal approach and how
2 the Salvation Army was concerned that claimants, how
3 claimants see the Salvation Army. And so, some concerns
4 were raised with the Salvation Army about the approach it
5 was taking then.

6 So, there were some ongoing discussions about how the
7 Salvation Army would deal with these claims?

8 A. Yep.

9 Q. And you'll also see, as you say in your statement, there
10 was also an issue about officers attending the meetings in
11 uniform?

12 A. Mm-Mmm.

13 Q. And how that was daunting for some clients. And that would
14 have been an issue that was discussed with you prior to
15 your meeting, wouldn't it?

16 A. Yep and because I come from a Salvation Army family, it was
17 a really big deal, you know, men in Salvation Army uniforms
18 were scary to me when I was a kid.

19 Q. So, as you say in your statement, another meeting in May
20 2009, so lots of time has moved on in that period and at
21 that stage the issue of officers wearing uniforms to
22 meetings was resolved and we also agreed a way of stopping
23 the clock, the limitation clock, so that we could settle on
24 with the claims, which meant that you could finally meet
25 with the Salvation Army and a lawyer from Cooper Legal and
26 an officer from the Salvation Army on the 31st of July
27 2009, so that's quite a long time after you've initially
28 instructed us, isn't it?

29 A. Yep.

30 Q. Now, you've talked about the meeting lasting just over an
31 hour, can you just talk to us about your memories of that
32 meeting and how you felt at the time and what you were
33 hoping for, for that meeting?

34 A. I was really anxious going to that meeting because, as I
35 said, it had become a me against the Salvation Army thing.

1 That's how I felt. I was so anxious that I just had to
2 read out a statement that I had written, rather than be
3 interviewed.

4 Q. And how did you feel was the reception to that written
5 statement?

6 A. Like I say, it was like me against them. Like, I felt like
7 I was trying to prove to them that I was telling the truth.
8 I felt as if the whole time the Salvation Army were cynical
9 about my claims and, like I say, were trying to find, like,
10 cracks in my story. I don't know, trying to find reasons
11 to deny the affect that their treatment had had on me and
12 what had happened to me when I was in their care.

13 Q. Do you remember now whether you had an apology given to you
14 at that meeting?

15 A. No, I can't remember that.

16 Q. And then, the next thing that happened was that an offer
17 was received for you, and that's witness 44004, if we can
18 call out page 1 of that document which is a letter dated
19 14 September 2009.

20 If we just call out the first paragraph first, and that,
21 as you will see, referred to various meetings with clients
22 over recent weeks. It started with the proposition, "We do
23 not believe that we have any legal liability at all to any
24 of the claimants because of at least limitation issues, and
25 in some cases accident compensation issues as well".

26 And then if we move to the next paragraph and the
27 offers, nevertheless it went on to say that they had taken
28 into account the seriousness of the allegations and the
29 interests of certainty and finality and for economic
30 reasons were prepared to make without prejudice settlement
31 offers.

32 And you will see there, a range of offers there from
33 \$10,000 through to \$25,000, and you're the further person
34 down, you've got the top offer of \$25,000; do you see that?

35 A. Yes.

1 Q. And then if we call out the next paragraph, which is
2 already usefully highlighted for us. It went on to say,
3 "The amounts were all-inclusive of any costs." And it also
4 said this was not the start of a negotiation process and
5 that claimants were urged to view the offers on the same
6 non-liability basis and that each claimant would be asked
7 to sign a discharge. In other words, it's a take it or
8 leave it offer. You have seen that letter, haven't you?

9 A. Yeah, I have, yeah.

10 Q. Just moving over to the second page of that letter because
11 there is some specific reference to you, those are the
12 three paragraphs. Now, you had requested help from the
13 Salvation Army when you were released from prison, to
14 assist you with a release plan?

15 A. Yep.

16 Q. Because you noted that you might not need to have - that
17 might not need to be paid employment. And you will see
18 that the response there was, "Salvation Army Officers had
19 attempted to assist you in a similar way in the past
20 however, even using best endeavours, you had been recalled
21 to prison for not fulfilling your parole conditions. So,
22 if the Salvation Army was to agree to assist you again, it
23 would need to be assured you were prepared to engage fully
24 in any supervised reintegration programme to minimise
25 further relapse".

26 It is something we have discussed?

27 A. Yeah.

28 Q. Had Salvation Army Officers attempted to assist you in a
29 similar way in the past?

30 A. No, not at all, other than family members who were
31 Salvation Army, family members, you know, but there was no
32 specific, there was no actual like "GRO-A", the Salvation
33 Army is here to help you stay out of prison", that didn't
34 happen at all.

1 Q. We were asked to ask you if you required any more
2 assistance and that Mr Houston would do his best to provide
3 referrals. Did you get any assistance at the end of the
4 day?

5 A. No.

6 Q. You then received a letter explaining the offer to you, and
7 if we can call out, I will make sure I speak into the
8 microphone, call out a document which is witness 44005.
9 That's another letter actually, I'm skipping forward. You
10 had your letter explaining the offer and we said we should
11 go back and ask for some costs for you, given how much the
12 Legal Aid debt was at that stage. So, this letter that
13 we've now called out is the response to that request for a
14 contribution to your debt. And you will see there that the
15 response was all of the recent offers had been on a costs
16 inclusive basis, and clearly so, but we were now seeking to
17 introduce a contribution to costs. And there the Salvation
18 Army was saying they were not prepared to meet legal costs
19 over and above the amount offered.

20 And the next paragraph, "We simply wish to make this
21 position clear so that you are fully aware of it both in
22 relation to one client and all other claimants"?

23 A. Yep.

24 Q. And, as you explain in your statement, what that meant for
25 you is that you had a Legal Aid debt of \$5,800 which had to
26 come out of that \$25,000. And, as you say in your
27 statement, Cooper Legal wrote to Legal Aid to ask that part
28 of the debt at least be written-off?

29 A. Yep.

30 Q. And do you remember how much you had to contribute at the
31 end of the day from your \$25,000? It's in your statement
32 if you can't remember that. I can help you, it's \$3,750
33 that you needed to contribute.

34 A. Yep.

35 Q. So, that came out and you got the balance, didn't you?

1 A. That's right. I was puzzled about that, I don't know if
2 you remember, Sonja, a year or so later I wrote to you and
3 asked for the rest of my money that I thought I had. I
4 didn't understand that I paid for Legal Aid.

5 Q. Yes. So, then you signed a discharge on the 12th of
6 October, and we'll call that out, that's 44006. We just
7 want to call out paragraph 1 there. So, that's you
8 agreeing to accept the \$25,000 from the Salvation Army in
9 full and final settlement of your claims against the
10 Salvation Army and you signed that on the 12th of October,
11 as we see below, didn't you?

12 A. Yep.

13 Q. Now, as part of that process you did receive an apology
14 letter?

15 A. Yep, I have it here.

16 Q. That's Salvation Army 978. If we just call out the text on
17 that. So, that apology letter thanked you for taking the
18 time to talk to the Salvation Army people and it
19 appreciated your willingness to meet with them and to
20 express your feelings and your memories of a difficult,
21 very difficult time for you. It then went on to say, "We
22 are aware that you have felt much hurt, and I deeply regret
23 that the conduct of any officers or staff of The Salvation
24 Army responsible for your care has caused or contributed to
25 your pain and suffering".

26 And highlight the next one, "Please accept the sincere
27 apology that has been made by our leaders in regard to any
28 former child in the care of the Salvation Army.

29 May I wish you all the best for the future and sincerely
30 hope you find healing and closure. Once again, we express
31 our sincere apologies" and it was signed off, "May God
32 bless you".

33 I know you've only recently re-seen this document but
34 what was your response to that apology?

- 1 A. It felt pretty - it felt like it was a letter that they had
2 probably saved and sent to anyone, just changed the name at
3 the top. It wasn't - I didn't feel like it was
4 specifically for me, to me, because it says "any former
5 child" and I just felt it's shit and, "May I wish you all
6 the best for the future and sincerely hope you find healing
7 and closure" was what I was hoping the Salvation Army was
8 going to help me with but they didn't. So, I think I
9 screwed this letter up within an hour of getting it.
- 10 Q. Before we kind of move to the end part because that really
11 was the end of the redress process for you, wasn't it?
- 12 A. Yep.
- 13 Q. You have written some really good comments in your
14 statement about how you feel about the outcome of your
15 claim. If I can just get you to talk to some of that
16 without reading that, I know that end statement that you've
17 done, but just how you felt in terms of getting money and
18 an apology?
- 19 A. I did feel like - I didn't feel good about it. I didn't
20 feel like I had won. It was, how did I feel? I felt as if
21 I was paid off by the Salvation Army and the way that they
22 addressed my complaints about them was so unsatisfactory
23 that it is because after 13 years I still feel like I'm
24 trying to get proper help from the government for their
25 part in all of this. Does that make sense?
- 26 Q. You say in your statement that when you received the offer
27 you asked yourself is that what you think I'm worth? Is
28 that the monetary value you put on those years of my life
29 and the consequences of those years? Do you want to talk a
30 bit more to that?
- 31 A. Well, I feel as if my experiences in Temuka Children's Home
32 led to my life of more boys' homes and eventually prisons,
33 and I just, I was looking for answers and instead I got a
34 \$25,000 cheque and told that's it, you know, that's what

1 it's worth, that's what all the grief that we've
2 contributed to your life is \$25,000.

3 Q. And one of the other statements that you make in your
4 written statement, and I'm looking at paragraph 50 now, is
5 you talked about the offer being a bit abstract and you
6 say, what was the offer of \$25,000 for? Was it to make you
7 feel better? To buy yourself a nice car? You ask
8 yourself, what that compensation payment was actually for?
9 Do you want to talk a bit more about that?

10 A. It just didn't seem right that money should make everything
11 all right. That by giving me money the problem was solved.
12 Yeah.

13 Q. So then - are you all right?

14 A. Yep.

15 Q. We'll just talk then, compare that with the State redress
16 process which it's important to say you're still engaged
17 with?

18 A. Yep.

19 Q. And I know you've written some thoughts down about that,
20 starting with I suppose that path from Bramwell Booth
21 through to State care?

22 A. Mm.

23 Q. So, one of the things you say in your statement is that
24 there was that path, if you hadn't gone to Bramwell Booth,
25 you wouldn't have gone to Lookout Point and you wouldn't
26 have gone to Hokio and Kohitere and on to prison?

27 A. Yes.

28 Q. So, do you just want to talk, I suppose, about, I don't
29 know whether you want to read what you've written down at
30 this point or whether you want to talk about that
31 trajectory and the importance of redress and the context of
32 that?

33 A. Okay. So, since I went to Bramwell Booth, the longest time
34 I spent out of an institution from when I was 11, I'm now

1 49, is 2 years. It was like Bramwell Booth set me off on
2 that path of a chaotic life.

3 I've just been desperate for answers over the years.
4 Like, why do I act like I do? What has influenced me to
5 have these - to make my life a disaster? And the
6 compensation, in hindsight I would have preferred some
7 direct help from them, the help that they said they gave
8 me, but they didn't. A life coach who would help me out,
9 who would advise me, who I could just have there.

10 Salvation Army set me up for a life of disaster, paid me
11 off \$25,000, I guess begrudgingly, and that was it. I
12 spent the rest of my life in institutions and prisons.

13 Q. It probably is the point now I think for you to read what
14 you've written because I think this is a useful point for
15 you to talk about that. So, what you've written there is a
16 bit of an outline about then what happened to you in State
17 care and then how that's kind of led on to where you are
18 now and how you feel about that overall, in terms of the
19 redress process.

20 **CHAIR:** Which paragraph?

21 **MS COOPER:** He has written his own statement.

22 **CHAIR:** You have written another statement? That's great,
23 good, thank you.

24 A. Okay.

25 **MS COOPER:**

26 Q. Remember to be slow.

27 A. Yep. I feel as if my time at Temuka set me up to fail in
28 life. Like, ADHD was not recognised at that time and,
29 also, I was beginning to abuse drugs and I was never given
30 treatment for these things at that time. After I left, I
31 was sent to Lookout Point Boys' Home and then on to Hokio,
32 despite advice from a psychologist not to send me there.
33 While I was in the boys' home, I was in and out of the
34 secure unit. I think this affected me most of all, like
35 being in a cell, the fear and confusion. I was 13 years

1 old and in a cell. It was continually reinforced to me
2 that I was a bad kid, so bad that I had to be locked up.
3 The signs were clear that residential care was not working
4 for me and, instead of considering alternative care
5 arrangements, I was sent to Hokio, apparently for
6 expedience sake, like by putting me in Hokio, I would be
7 out of their hair.

8 The year I spent in Hokio was the worse time of my life.
9 I was constantly bullied and beaten up and had to fight
10 almost every day. Staff and other boys, I was beaten up
11 and bullied by staff and other boys. Violence was
12 reinforced as a positive in Hokio. The toughest kid was
13 admired and also used by staff to enforce rules and give
14 out beatings. I spent time in the Hokio secure, which is a
15 freezing cold windowless cell and every day we'd have to do
16 PT, which was push ups, burpies and I was often hit over
17 the head by a big bunch of keys for not doing the exercise
18 properly.

19 There were some boys in Hokio who had come from gang
20 families and some were there for very serious criminal
21 offending. These things we saw as being cool, again the
22 idea that I was bad was cool and that gangs and crime were
23 things to aspire to. After my time in Hokio, I was put
24 into foster care. That placement failed, so I was sent
25 back to my mother's, despite the fact that the Department
26 knew that, in their words, that placement was anticipated
27 to be a vulnerable one.

28 Soon I was back in the boys' home and by this time the
29 staff saw me as an old lag. I was only 15 years old. I
30 was again put in the secure unit time after time for
31 breaking the rules.

32 It should have been clear to the staff that I needed
33 psychological help, real help, therapy or counselling. I
34 was pretty much left to fail.

1 Kohitere was next and the violence, gangs and crime
2 there were all glorified and I became a bully to survive.

3 Psychological help was denied. Kohitere staff said
4 that, and this is their words, I was too sophisticated to
5 be successfully analysed by a psychologist. Again, the
6 opportunity to get real help for my ADHD was denied. There
7 seemed to be little communication between my social worker
8 and Kohitere and my social worker in Dunedin regarding what
9 to do with me.

10 Eventually, I left Kohitere to a very unsuitable
11 placement that fell to bits within weeks.

12 Social Welfare decided there was nothing else to do and
13 I was discharged from Social Welfare care. I was left to
14 my own devices, no job, no place to live, life was pretty
15 grim.

16 I moved to a flat with older boys who have been through
17 the system. Myself and two of those boys who was in that
18 flat are all currently Individual Restriction Order
19 By then violence and anti-authoritarianism was the norm and
20 I progressed very quickly into the adult criminal system
21 along with my friends and peers who had been through the
22 system with me. I had no direction at all in life. I
23 couldn't think ahead about where my life was heading. I
24 was addicted to drugs and alcohol and offending to support
25 that habit.

26 When I was 18, I was Individual Restriction Order and since that
27 time, I have spent nearly all my adult life in prison. I
28 don't want the State to deal with my case the same as the
29 Salvation Army did, as something that can be dealt with at
30 the right cost. A wraparound approach would be far more
31 helpful for me. For myself, financial compensation so I
32 can have my own home. Treatment for my ADHD. A life coach
33 who could assist me with staying out, getting out and
34 staying out and getting an education so I can have a fair
35 go at getting a job.

1 An apology is important, but not just a "sorry", also an
2 acknowledgment that the failures made by the Church and the
3 State when they were looking after me led to drastic
4 consequences that affected me and others my whole life.

5 The system that was supposed to protect me and nurture
6 me into a constructive citizen of society, failed me in so
7 many areas. It needs to take responsibility for its part
8 in making my life so disastrous. We're people, not
9 problems to be dealt with as if we're on a conveyor belt.
10 Pay us off, problem solved, pay us off, problem solved.
11 Effective redress should mean so much more than a cash
12 payment. I need help now to break the cycle of being
13 recalled and spending so much time in prison. I often
14 wonder how much is this pro process costing? The
15 government has made offers to me and I feel that they've
16 probably spent more money talking about and arguing what
17 I'm entitled to than what they're actually offering me.

18 That's it.

19 Q. Thank you. Just now having read that, are there any
20 concluding comments that you want to make at this stage?
21 You have the floor. So, as I say, if there are any
22 concluding comments you want to make at this stage, please
23 feel free to do so?

24 A. What I said, I've spent most of my adult life in prison and
25 Individual Restriction Order I've just been diagnosed with having
26 ADHD which I know now I would have had all my life and I
27 just wish and wonder how things would have turned out if
28 someone had diagnosed me with ADHD when I was a little boy,
29 rather than now when I'm 49. So, the diagnosis kind of
30 gives me some hope as well as some despair by, like I say,
31 what might have happened, and I just want to address that
32 directly because I feel that that's the root of my problems
33 and if I can get help from the government, maybe things
34 would be okay. From what I've read, treatment for ADHD is
35 really successful and can transform lives and I want my

1 life to be transformed. I'm desperate. I'm at the end of
2 my tether.

3 Q. Thank you. I'm not sure if there are any questions for
4 you, but unless you have anything else to say, that
5 concludes my questions.

6 A. No, I haven't got anything else to say.

7 **CHAIR:** Mr A, we haven't got any questions for you because
8 everything you have written is in your statement which we
9 have already read carefully and will continue to read and
10 take into account. Thank you for that. I will give you to
11 Commissioner Alofivae to thank you for coming today.

12 **COMMISSIONER ALOFIVAE:** Mr A, look, can I just thank you
13 sincerely on behalf of the Commission for your courage and
14 your bravery this morning in sharing your experiences so
15 honestly with us when you were giving your evidence.

16 Your insights are very powerful, and it gives us much
17 food for thought about what effective redress actually
18 looks like. You've actually been able to identify really
19 clearly what actually would have worked for you, had it
20 been put in place some time ago, but you've also given us
21 much hope about the future, about what we can suggest and
22 recommendations going forward, in particular for the
23 Salvation Army, but also for the State.

24 So, I hope that this has been an opportunity for you to
25 feel like you've really significantly contributed to our
26 work this morning, because we certainly feel and believe
27 that you have and I'm hoping that you will now be able to
28 take the time-out to find that inner peace that you're
29 looking for because I think when you talk about
30 transformative change, being able to speak it into
31 existence actually starts putting that first building block
32 on the road for you. So, all the best for the rest of the
33 day and I hope you will continue to follow us and see what
34 actually comes out eventually in the end in terms of our
35 recommendations.

1 A. Thank you, Miss.

2 **COMMISSIONER ALOFIVAE:** Take.

3 **CHAIR:** Chair thank you and thank you to you Ms Cooper for
4 caring for Mr A through this long time and probably for a
5 long time, as well, leading his evidence. Thank you. We
6 will take the adjournment.

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9 **Hearing adjourned from 10.55 a.m. until 11.17 a.m.**

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