

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

Mrs Fiona 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: 1 December 2020

TRANSCRIPT OF PROCEEDINGS

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1 (Opening mihi and waiata)

2

3

4 **CHAIR:** Ata mārie koutou, tēnei te mihi ki ā koutou katoa (
5 Good morning everyone, welcome back). Mr Thomas?

6 **MR THOMAS:** Good morning, Madam Chair, Commissioners.
7 Counsel's name is Michael Thomas and I appear as Counsel
8 Assisting.

9 **CHAIR:** Kia ora. And we have Mr F?

10 **MR THOMAS:** We do. Should we take the affirmation?

11 **CHAIR:** We will do that first.

12

13

14 **MR F - AFFIRMED**

15 **EXAMINED BY MR THOMAS**

16

17

18 **CHAIR:** Good morning.

19 A. Good morning.

20 **CHAIR:** Welcome to the Royal Commission.

21 A. Thank you.

22 **CHAIR:** I see you are being supported there by Ms Tonks?

23 A. I am.

24 **MR THOMAS:** The witness will be anonymous and will be going
25 by the pseudonym Mr F for the purposes of this hearing. He
26 is happy for those attending the hearing room today to see
27 his face. However, his face will be blurred on the
28 livestream and audio only to be broadcast to the public in
29 the area outside the hearing room.

30 **CHAIR:** Thank you. You are comfortable with that, Mr F?

31 A. Yes, thank you.

32 **MR THOMAS:** As you've noted, Mr F is attending with his
33 support person Ms Tonks.

1 Q. Mr F, can you confirm that you have prepared a statement
2 for the Royal Commission dated 21 September 2020 and you
3 have a copy of that in front of you?

4 A. Yes, I have.

5 Q. Can you confirm that statement is true and correct to the
6 best of your knowledge and belief?

7 A. Yes, I do.

8 Q. I'm going to shortly invite you to read from the beginning
9 of your statement and I will ask you to pause at various
10 points during that reading so that I can ask you further
11 questions and the Commissioners may do the same and we have
12 discussed that you're quite comfortable and welcome any
13 questions from the Chair and the Commissioners during the
14 course of your evidence.

15 A. Yes, I am.

16 Q. Thank you. I will just get you to begin reading your
17 statement when you're ready from paragraph 1.1.

18 A. My name is Mr F. I was born on GRO-A 1939. I am 81
19 years old.

20 I was sexually abused by Frank Durning, Priest and
21 Rector at St Patrick's College Silverstream in Upper Hutt.

22 The abuse took place in June and July 1953 when I was 14
23 years of age and a year 9 student at the Boarding school.
24 Durning was 38 years old at the time.

25 My parents lived in GRO-B where I live today. I
26 was born at a hospital there and have an older sister and a
27 younger sister.

28 My parents were both devoted Catholics attending the
29 local parish Church every Sunday. At home, we recited the
30 rosary prayer as a family every night. My parents were
31 very traditional, they had a lot of respect for the clergy
32 and were very guarded about relationships.

33 I started school at age 5 and attended the local
34 Catholic primary school run by the Mission Sisters. At
35 primary school I was a prefect and captain of the rugby

1 team, I was also a prefect on the school bus which we all
2 travelled to school on. I have good memories of growing up
3 and attending primary school. There was strict discipline,
4 students were strapped on the hand for misbehaviour but I
5 never broke rules and was never punished in this way.

6 After leaving primary school, my father gave me a talk
7 about the value of reproduction. My parents decided after
8 primary school that I would leave GRO-B and go to
9 boarding school. The main reason was because there was no
10 local Catholic high school. My sister also went off to
11 boarding school.

12 From my primary school there were only two of us who
13 in GRO-B went off to boarding school. My closest
14 friend at primary school went to a college also run by the
15 Society of Mary in Feilding. I want to refer to my close
16 friend again. He was a patient in a mental hospital in the
17 Central North Island and I saw him two days before he
18 [died] and he said to me that day, "I will write to you.
19 Do you still belong to the Catholic Church?". He did write
20 to me. He had difficulty explaining to me when I saw him
21 face-to-face two days before he died that I must get out of
22 the Catholic Church because it's possessed by Satan.

23 By leaving GRO-B I basically severed my friendships
24 with my primary school friends. They were rather hostile
25 to me when I returned and played rugby against them.

26 In 1953 I began my schooling at Silverstream as a 13-
27 year-old. I turned 14 in March that year.

28 **CHAIR:** You just have to be mindful that your evidence is
29 being typed and also the signers have to keep up with you.
30 I don't want to interrupt but if you just be careful about
31 that. Thank you.

32 A. Thank you. Initially my time at Stream was enjoyable. I
33 was lead soprano in the college choir and when the
34 orchestra rehearsed I took the opportunity to learn the

1 songs. On some occasions Frank Durning, the Rector of the
2 school, would sit beside me and we would discuss the music.

3 He knew me quite well and called me by my Christian
4 name. The common practice at the school was to refer to
5 everyone by their surname.

6 At the concert of the choir and orchestra that year
7 Cardinal McKeefry attended.

8 When I arrived at Stream, we had an intelligence test
9 and I was placed in the top stream at the college. We had
10 the best teachers, the best classrooms, the best dormitory,
11 with our own library.

12 With respect to discipline, I only got caned once for
13 talking after lights out. The whole dormitory got caned
14 and we were all lined up outside Fr Fox's bedroom door to
15 get the cane. It was the only occasion I got caned because
16 I did not break the rules.

17 I was aware of other boys getting caned regularly. I
18 often saw the marks and bruises on their bodies in the
19 shower.

20 I returned home at Easter at the beginning a very happy,
21 responsible and independent young person.

22 At this stage I trusted and respected Durning.

23 **MR THOMAS:**

24 Q. I am just going to pause you there and we will bring up
25 Exhibit 3 which is a photo of Fr Frank Durning.

26 If I can just summarise at this point, is it fair to say
27 that you trusted Fr Durning, you were doing well at school,
28 everything was going pretty well for you up to this point?

29 A. Yes, very well, thank you.

30 Q. Do you want to move on to the next section, "The Abuse",
31 starting at 2.1?

32 A. Okay, thank you. After a few weeks of grooming, on or
33 around July and June of my first year, Durning was talking
34 to me outside his office door one morning. He asked me if
35 I had been circumcised to which I responded yes. He said

1 there's no need to talk about this to other boys because
2 they would not understand. He then asked me if I was
3 having trouble with it, to which I responded no. He told
4 me to come into his office so he could check it out.

5 Q. Just pausing there. You mentioned a few weeks of grooming,
6 looking back on it now can you give any examples of that?

7 A. Yes, I can. One Friday evening when I was going out for
8 the weekend, the teacher of the last class that was
9 teaching us, we all left the room before he had left the
10 room. He called us all back in again and told us to write
11 so many hundred lines before next Monday morning to present
12 to him. When I got back on the Sunday evening, I went into
13 my study, turned the lights on and started to write my
14 lines. Frank Durning came in and asked me what I was doing
15 and he said I'll explain to Fr Fox there's no need for you
16 to do this and told me to go to bed. I saw this as
17 particular favour and showing his regard for me.

18 Q. Thank you. When he told you to come to his office, did you
19 feel you had a choice?

20 A. I believe I had no choice. I trusted and respected him and
21 he, being the Rector, had total control over the whole
22 college. Can I carry on?

23 Q. Continue, please.

24 A. Inside his office was dark except for the desk lamp. He
25 had the curtain closed already. When I was inside he
26 grabbed me and tried to masturbate against my body. This
27 was despite my attempts to hold him off with my knees and
28 elbows. He became more and more excited and repeated the
29 words over and over "I don't know what to make of you".
30 The attack went on for a long time. Eventually he said,
31 "Whip it out and let me have a look at it". I was very
32 frightened and in deep shock. When I walked back from his
33 office to my study that morning, I felt my feet were not
34 touching the ground. The next time I saw Durning he walked

1 past me and other boys in the corridor and scuttled off
2 with a red face.

3 I was the boy who never cried but for several nights
4 after Durning's abuse of me I woke each morning surprised I
5 had stopped crying and fallen asleep. After being a happy
6 and secure student and achieving in the top 10% of the
7 stream my academic and social and work-wise suffered. This
8 was a sign of how traumatised I was. There is no litmus
9 test for trauma, so this is my reaction to the abuse.

10 The next time I met Durning, he approached me from
11 behind and stopped me to tell me that he had noticed my
12 stalling academic progress and threatened if I did not
13 improve he would cane me. I was nearly as tall as Durning
14 and I looked him in the face and I saw fear and power,
15 which was a very frightening experience for me.

16 Q. Just pausing there, sorry. Was caning a normal thing that
17 happened at the college?

18 A. Caning was a normal thing in the college and Durning had a
19 reputation for being the most violent caner in the school.

20 Q. Thank you, yes please continue at 2.7.

21 A. At the school we had a system where the teachers gave us a
22 mark out of 5 each week for discipline and application. I
23 needed to get 3 or above to ensure I didn't have to go to
24 Durning's office. This made me terrified that I would not
25 achieve the right score each week.

26 I believe the discipline master Pat Minto will have
27 known about Durning abusing me. This was confirmed
28 yesterday when Paddy Cleary, a fellow student of mine, his
29 daughter told us here that Minto had abused her father and
30 also Durning. I found her evidence yesterday afternoon
31 traumatising, that these two men had abused my close friend
32 Paddy Cleary.

33 Each morning, Minto stood outside and near Durning's
34 office reading what was referred to as his breviary. One
35 of the requirements of being a priest, is that you

1 read - they read so many chapters from the Bible every day.
 2 So, Pat Minto was always standing there reading his
 3 breviary.

4 At that time, I always sat in the front row in my study
 5 and one evening Pat Minto came into the study and stood at
 6 the back of the study and started speaking the word "scum"
 7 over and over. Got the attention of all the boys in the
 8 study and eventually started walking towards the front of
 9 the study while we were sitting and stopped behind me and
 10 said into a boy's face the word "scum" over and over. I
 11 was sure he was going to do it to me and he did. He turned
 12 in my face and said the word over and over "scum, scum",
 13 "Like the scum on the side of the swimming pool, it's life
 14 but very low life" I found that extremely intimidating.
 15 One of my friends said, "When he did that to you, did you
 16 feel evil?"

17 Q. Do you just want to pick up at 2.9?

18 A. Thanks, Michael. In recent years, I have spoken to a
 19 friend, an ex-pupil of Silverstream and he advised me he
 20 witnessed another student walking out of Durning's office
 21 and stating "you are not going to get your dirty hands on
 22 me, expletive, expletive". The same student, when he was a
 23 prefect in 1954, with a fellow prefect, went to the bosses
 24 at Silverstream and reported Durning's abuse and the bosses
 25 said, the bosses would have included Minto, the discipline
 26 master who was also abuser, and GRO-B
 27 GRO-B To my knowledge, they didn't do anything about
 28 Durning's behaviour. He stayed in the school for another
 29 year.

30 Paddy referred to in his letter yesterday that Durning
 31 was put on the side-line and became the water boy. Paddy,
 32 I believe, didn't realise that the water boy post was only
 33 a short pathway to becoming Deputy Rector at St Patrick's
 34 Town and Spiritual Director there. When I spoke on Radio
 35 New Zealand to support the Catholic Church contributing

1 towards this Commission of Inquiry, I am not sure where I'm
2 going here.

3 **CHAIR:** You are talking about the water boy.

4 A. Oh yes, thank you. One student at St Patrick's Town where
5 Durning was - I am going to refer to him as abusing because
6 he was a confident and practised abuser, paedophile. When
7 he found out, talked to Phil Pennington to support me, he
8 said Durning ran a virtual harem at St Patrick's Town. He
9 had boys leaving and coming to his bedroom in a row. I
10 said to a person who found out to support me, "I believe at
11 63 years a priest he would have abused 100 students" and he
12 said "More like 200".

13 A fellow student of mine I talked to recently said that
14 he knew of Durning's abusing, he gave me two names of boys
15 being abused, one boy who was a bright student returned to
16 the school after failing School Certificate and Durning
17 caned him for failing. So, he was abusing and caning
18 students.

19 I walked out of St Patrick's Silverstream at age 15,
20 went home to my father's farm and hid for 2 years, even
21 though he didn't really have a job for me. I did not
22 return to Stream - sorry, I did return to Stream a short
23 time afterwards to return my study books that I had hired
24 from the office.

25 **MR THOMAS:**

26 Q. Can I pause you there? Sorry, going back to returning
27 home, was there any discussion that you had with your
28 parents around that time?

29 A. When I went home for the May holidays that year, I said to
30 them that I was home and I wasn't going back. I think
31 their shock was displayed by their silence. I felt guilty,
32 I felt a failure, my self-esteem was very low. From the
33 time of my abuse, I could smell Durning and the smell
34 didn't leave me until 2002, 49 years later when I reported
35 my abuse to the Society of Mary. If you asked me to

1 describe the smell, I couldn't describe it to you because
2 it's gone.

3 **CHAIR:** Did it go when you reported the abuse?

4 A. Yes, it did.

5 **CHAIR:** Thank you.

6 A. My counsellor, Joan Daniels from Palmerston North said that
7 she had another client who experienced the same phenomenon,
8 a smell from the fear.

9 **CHAIR:** Thank you.

10 **MR THOMAS:**

11 Q. I believe I interrupted you at 2.14.

12 A. Okay. I did not have an appointment with Durning and I
13 wanted to avoid him when I went back to return my study
14 books I had hired from the office. I made an appointment
15 with a person called the bursar at the school, a man called
16 Noel Durham, I returned the books to the office. Durning
17 was waiting for me around the corner by the door, he came
18 towards me and asked me what I was doing leaving school.
19 He tried to put both his arms around me and I put my arms
20 and elbows and fists out towards him and he leapt back with
21 a red face and I felt that I had him. I referred to - when
22 I initially phoned the Marist Helpline, Society of Mary
23 Helpline, I said that to Kitty McKinley and she said,
24 "Don't feel guilty that you hadn't dealt with the situation
25 because they wouldn't have believed you and they would have
26 walked all over you".

27 When I was 21, my father provided a guarantee at the
28 bank for me. I borrowed 100% of the purchase price of a
29 farm and paid off all the debt. When I was 22, I met my
30 now wife. Initially she was not a Catholic and had been to
31 a Christian boarding school in Central North Island.
32 Through her own interest, she explored the Catholic faith
33 and visited a local priest many times and it was from this
34 interest that she became involved in helping with the music
35 and she became a practising Catholic.

1 We were married in 1963, two months short of my 24th
2 birthday.

3 She has always been involved in playing the organ at
4 Church and helping with fundraising and community events.
5 In 2013 Pope Francis awarded her with a medal for her
6 services to Church music.

7 In 1981, when my son was 14 years old and a boarder at
8 Chanel College in Masterton, he was home for the weekend
9 during a public holiday. I was sitting in the lounge and
10 he walked past me and whispered in my ear that Br **GRO-B**
11 **GRO-B** had come to his bed at night and he didn't like
12 what **GRO-B** did.

13 After some thought, I followed my son to his room and
14 told him that I would talk to **GRO-B** when I took
15 him back on the Sunday evening.

16 Q. Just pause there and take a breath. Just a reminder that
17 the brother you referred to, his name is subject to an
18 order.

19 A. Yes, he is still alive.

20 Q. I just politely ask you if you can just refer to him -

21 A. Oh, the brother, okay, thank you. Sorry.

22 Q. Sorry, I think you were at 2.20.

23 A. Yes. On the Sunday, I went to the parish priest in my town
24 and told him what had happened. He told me that I didn't
25 want the brother's guts, just to leave my son alone.

26 **CHAIR:** Did you tell him that you didn't want the brother's
27 guts?

28 A. No, he told me.

29 **CHAIR:** He told you?

30 A. Yes.

31 **CHAIR:** Okay.

32 A. Can I just refer to my reaction to my son being abused? As
33 I was, within two and a half days I was sitting in front of
34 the brother confronting him and accusing him of sexually
35 abusing my son.

1 **MR THOMAS:**

2 Q. Para 2.21.

3 A. Once in his office, I confronted him stating that he had
4 abused my son. He asked me if I believed him and I said,
5 yes, I do.

6 The brother then sent for my son to come to the office
7 and explain what had happened. Sorry, my son explained
8 what had happened in front of the brother. At this point,
9 two boys walked past the office, I heard them say out loud
10 "you are going to get what's coming to you now you
11 expletive, expletive", two swear words, directed their
12 comments at the brother who said nothing and hung his head.

13 When my son was in the office, the accused, the brother
14 of the abuse, the brother broke down and howled saying to
15 us "you will tear this place apart". I replied that he was
16 tearing the place apart and he should leave my son alone.
17 After the brother composed himself he dismissed my son and
18 told me he was not a homosexual because he had had recently
19 gone to a meeting and felt some attraction towards a woman.

20 Within a week, the brother approached my son at school
21 and told him that he would be leaving the school at a
22 certain date and to ask me, his father, to check with me if
23 that was all right. In fact, the brother was lucky he had
24 not been beaten up because my son had told other boys in
25 the dormitory what had happened and they were waiting for
26 him to return once he turned the lights on and one had a
27 baseball bat. They were fired up. Two boys' mothers from
28 the dormitory reported what they knew to the school
29 Principal and the local parish priest.

30 In the late 1990s, the Police approached my son in
31 Wellington to ask about the potential abuse after another
32 complaint had been made about the same brother. My son was
33 newly married at the time and had just started a
34 professional job in GRO-B At that time, I contacted
35 the spokesperson whose name was appearing in the media

1 about abuse of children by the Catholic clergy, her name is
2 Lyndsay Freer, and reported the abuse to her. She never
3 reported back to me.

4 Q. If I can just pause you there before we move on to the
5 impact of the abuse on you.

6 A. Yes.

7 Q. At this point, you were abused at one Catholic school, you
8 sent your son to another school and he was abused there;
9 what impact did that have on you?

10 A. I was deeply concerned by the abuse and I was very
11 concerned for the formal education of my son.

12 Q. The next section, "The impact of the abuse" on you, I
13 understand you're comfortable speaking to this section, so
14 if you're happy to, can you just perhaps summarise the main
15 impacts that the abuse had on you?

16 A. I have mentioned the smell that I had from the fear of the
17 experience and the smell lasted until I reported the event
18 to the Society of Mary 49 years later.

19 The attack on me had the effect of destroying my formal
20 education at the age of 15, my sense of self-worth was very
21 low despite having been a school leader in years 7 and 8.
22 I did not experience the normal formative teenage years. I
23 could not go into a public toilet because of fear. I would
24 come out if anyone came in, I would run out. When I did
25 join a sports club, I couldn't step off the field and strip
26 off and have a shower.

27 I returned to Stream 19 years later for the first time
28 after I walked out of there. The same floor covering was
29 there in the pathway between Durning's office and my study
30 that morning. I looked for the foot marks on the floor
31 even though in my mind that morning I felt they did not
32 touch it. 19 years later in my mind I could see my foot
33 marks and my distinct stiff reaction made me think it
34 smelled dirty. My distinctive reaction made me step over
35 the line which I could see on the floor covering.

1 My sense of anger at the invasion of my sexuality drives
2 me to report this abuse. Documents accompanying my
3 statement are an important part of my statement to the
4 Royal Commission. They provide details about the abuse I
5 suffered, the effect it has had on me, the trauma of
6 finding out about the abuse of my son, and the many
7 problems and further abuse I suffered when I reported - I
8 will go back and read it again. And the many problems the
9 further abuse I suffered when I reported the abuse to the
10 Marist priests and brothers has gone on for many years. I
11 have commented on the documents where the Marist record is
12 inaccurate.

13 Q. At paragraph 3.5, you describe another impact that the
14 abuse had on you; can you explain the difficulties you had
15 with relationships with men?

16 A. Yes. Even now, I have problems of embracing a man, another
17 man with his arms around me. I am quite resilient and
18 achieved all right but the abuse led me to leave Stream
19 with an incomplete education. I also believe it moulded
20 how I parented my children. I put a huge importance on
21 education and understood clearly the importance of normal
22 formative teenage years.

23 I still have anger at the Church and whilst I have faith
24 and support for survivors, I feel the outcome of my
25 complaint has been unjust. Reporting to the Church has
26 been traumatic, not only for myself but for my family. The
27 Church's A Pathway to Healing, National Office for
28 Professional Standards, the Protocol Committee process has
29 not worked for me. It added to my trauma.

30 I will refer back to the abuse again. The abuse has
31 caused me internal shame for many years. I was unable to
32 tell my wife about it for 49 years when I reported it to
33 the Society of Mary. When I did tell her of my abuse, she
34 said she would never have guessed and stated how amazed she
35 was that I stayed in the Catholic Church. And she now

1 understood how much importance I placed on education for
2 our children.

3 I have separated the abuse from my faith belief and the
4 revelation of what occurred did not really affect my wife.

5 Q. Has this been difficult for you to reconcile the abuse you
6 suffered at a Catholic school with retaining your faith?

7 A. No, it hasn't because the Church I belong to is the people
8 and not a paedophile priest or brother, they are not
9 included.

10 Q. When you're ready, we will move to the next section on
11 redress at 4.1.

12 A. In 1999, some friends of ours gave us a subscription to
13 what is called the Marist Messenger magazine. One day I
14 was reading it in the lounge and I came across the obituary
15 for Durning. When I saw this, I burst out loudly shouting
16 "the buggers knew!". In the obituary, there's no mention
17 of his posting at Silverstream which to me clearly showed
18 they knew he was abuser but did nothing.

19 Q. We will just bring up the obituary, it's exhibit number 4,
20 on the screen.

21 A. Thank you.

22 Q. If we just take a look at that, can you see that?

23 A. Yes, I can. The reference in there to his profound
24 integrity shocked me.

25 Q. So, that's I believe the second to last paragraph, perhaps
26 highlight that.

27 A. There's no reference to him being Rector at Silverstream,
28 one of the prime jobs in his Ministry, there's no reference
29 to it. Thank you. There's a reference to him in 11 years
30 of his service having 8 appointments.

31 Q. If we just go back down to the main document, you mention
32 no reference to Silverstream. If we look at the
33 appointments there, are you referring to the period that's
34 marked "Wellington"?

35 A. Yes.

1 Q. Sorry, you were adding further comment?

2 A. I haven't got any further comment. I think the information
3 displays there very clearly.

4 Q. Thank you. Moving on to the making of your complaint at
5 4.2.

6 A. Thank you. On 17 July 2002, I phoned the Society of Mary
7 Helpline to report Durning's abuse. My complaint was taken
8 by Kitty McKinley, a social worker with the Society. I
9 also mentioned the abuse of my son by the brother on this
10 call.

11 Kitty told me that she would refer the matter regarding
12 the brother to the Marist Brothers as they are not part of
13 the Society of Mary and are responsible for Chanel College.

14 On 1 August 2002, I met in Palmerston North Tim
15 Duckworth, who is now the Provincial of the Society of
16 Mary, appointed last January, and Kitty McKinley.

17 I took with me two of my school reports signed by
18 Durning. I was doubtful that they would accept me as a
19 credible person. I was offered counselling, an apology and
20 an ex gratia payment. I was believed, for which I was very
21 grateful and relieved.

22 Tim Duckworth told me that Durning had abused other
23 boys. He told me that Durning was a scumbag and was
24 referred to by his fellow priests as "Fred the Fidler".
25 Tim Duckworth has denied saying that to me in a statement
26 that he made to Phil Pennington of Radio New Zealand.

27 In 2018, Tim Duckworth told me that I should realise
28 that when Fred Durning left Silverstream he had no further
29 contact with boys. That is clearly untrue.

30 At the first meeting they accepted the abuse had
31 occurred and stated no investigation was required. I was
32 told that I was going to get an apology from the Principal
33 of the Society of Mary, a man called Hoban. I was happy
34 with this response and would not - likely would have not
35 gone any further had this occurred.

1 The day after the meeting on the 2nd of August 2002, I
2 called Kitty and said that I was concerned that other boys
3 at boarding schools might be vulnerable to abuse and a
4 process was needed to be put in place to respond to these
5 issues. I also noted my belief that some of the masters at
6 St Patrick's were aware the abuse was going on. I said I
7 thought the importance of people who were abused receive a
8 formal apology from the Church.

9 On 5 August 2002, I phoned Kitty McKinley again. We
10 spoke about the possibility of counselling and going to the
11 Police regarding the abuse of my son. She said both
12 options were worth considering.

13 On 16 October 2002, I phoned Kitty McKinley again
14 expressing my disappointment I had not received an apology
15 from the Principal of the Society of Mary. I asked her if
16 there were any other complaints about Durning, she said she
17 knew of two. She told me I needn't worry about my concern
18 and shouldn't blame myself.

19 In December 2002, I received a letter from Tim Duckworth
20 dated 9 December in which he acknowledged the hurt that I
21 had suffered from Fred Durning and formally apologised on
22 behalf of the Society of Mary. I noticed the letter did
23 not acknowledge what had occurred, it was sexual abuse, and
24 was careful not to use the word "abuse".

25 Q. We will just bring that apology letter up as Exhibit 7.
26 Perhaps if we could highlight the third paragraph from the
27 top, thank you.

28 You highlight that this apology, in your view, didn't
29 adequately highlight the abuse you suffered?

30 A. Yes, I do, Mm.

31 Q. Is there any other comment you wish to make on that?

32 A. When I reported my abuse to the Society of Mary in 2002, I
33 was very diffident about making the approach. I was unable
34 to meet them on Church ground. A suggestion that we met in
35 a meeting room behind the cathedral in Palmerston North, I

1 rejected. We met in the home of the investigator of sexual
2 abuse instances in the cathedral parish in Palmerston
3 North. I spoke to him and subsequently, he said, "Would
4 you like to meet our Committee in Palmerston North?" to
5 which I said, "Yes, I would". So, I attended there with my
6 counsellor as a support person. The Chairman of the
7 Committee had not informed them that we were coming. We
8 introduced ourselves, at the meeting there were two
9 Bishops, two priests and two married couples. I refer to
10 that later on in my notes.

11 Q. Paragraph 4.15, moving on to 2003.

12 A. On 25 February 2003, I again phoned Kitty McKinley and
13 stated that I needed compensation. I also discussed - we
14 also discussed counselling options. I mentioned that my
15 son had made a complaint to the Police five years ago but
16 nothing happened.

17 I began attending counselling sessions and attended
18 several sessions of counselling with Joan Daniels who
19 assisted me in overcoming the smell I had of Durning and
20 helped with my trauma.

21 In May I discussed compensation with Kitty McKinley, she
22 suggested that I needed to write a formal request in
23 writing.

24 On July 2003, I received a letter from Kitty McKinley
25 suggesting that we meet in person to discuss the issue of
26 compensation. She also suggested that I would - it would
27 be useful for me to obtain independent legal advice prior
28 to the meeting. She said to me that the Society of Mary
29 would have their lawyer sitting beside them.

30 I found that comment very intimidating.

31 On 18 November 2003, I met the Palmerston North Protocol
32 Committee, including Bishop Peter Cullinane, accompanied by
33 my counsellor, Joan Daniels. I asked Bishop Cullinane to
34 relay my request for compensation to Tim Duckworth, I also

1 stated my concern that the Church was not dealing effective
2 with issues of sexual abuse by the clergy.

3 Q. At that meeting, what if anything did the Bishop say to
4 you?

5 A. Bishop Cullinane took notes of the meeting and he said to
6 me very clearly, "You must realise, Mr F, that I have very
7 limited authority over the Society of Mary". I believe
8 that's not accurate. I know the Bishops employ the Society
9 of Mary members in their Ministry and I know that they
10 could remove that Ministry from them.

11 Q. After that meeting, at 4.21?

12 A. The following day I received a call from Kitty McKinley.
13 We discussed the meeting. She stated that I would probably
14 need to obtain legal advice before taking any further
15 steps. She agreed this might be a good idea.

16 In 2004, I contacted a lawyer who was appearing in the
17 media as representing victims of sexual abuse by the Church
18 and he agreed to represent me and on the 8th of June 2004 I
19 signed a statement of request authorising him to get from
20 the Society of Mary and the Ministry of Education, provide
21 our solicitors any personal information about me.

22 In July 2005, Fr Phil Cody wrote to my solicitors
23 regarding the issue of compensation. He stated the Society
24 of Mary "does not and never has made compensation payments
25 in respect of sexual abuse" but did state that they would
26 make "ex gratia payment gifts" to acknowledge a person's
27 suffering to assist them in rehabilitation. Grant Cameron
28 told me that I was unfortunate on two levels. One, I was
29 abused, sexually abused by a member of the Catholic clergy;
30 and number two, I was abused by a member of the Society of
31 Mary. He said they are the most difficult to deal with, he
32 said I have to threaten them with exposure in the media to
33 get them to attend a meeting.

34 Q. And what was the offer made to you?

35 A. \$5,000.

1 Q. How did you feel about that?

2 A. I felt that it was insulting, especially when it was
3 considered that Fr Phil Cody said to me, "Of course you
4 realise if you take the \$5,000 you will be required to sign
5 a Deed which will be delivered to you personally
6 recognising that the money is not compensation".

7 Q. If we turn over the page, para 4.24, this section concerns
8 the National Office for Professional Standards.

9 A. On 13 March 2009, I wrote to John Jamieson, the
10 ex-Commissioner of Police for New Zealand, the National
11 Director of the National Office of Professional Standards
12 for the Catholic Church requesting he review my complaint I
13 submitted to the Society of Mary.

14 Towards the end of March 2009, I received a letter from
15 John Jamieson dated 23 March 2009 in which he stated he had
16 received the documents about my complaint and the next step
17 was to meet with him. I met with John Jamieson to discuss
18 my concerns and then in August 2009 I received a final
19 report from John Jamieson reviewing my complaint.

20 In John Jamieson's notes he mentioned he was grateful
21 for my courteous and considered way that I presented my
22 case.

23 In September 2009, I received a letter from Fr Phil Cody
24 of the Society of Mary stating that the Protocol Committee
25 had reviewed - had received a final review from John
26 Jamieson in August and considered his report. He
27 reaffirmed the apology offered to me.

28 On 1 December 2009, I met Fr Phil Cody and Judith
29 McCormack, both were representatives of the Society of Mary
30 Protocol Committee.

31 I remember clearly Judith McCormack's statement to me
32 that all the money in the world would not compensate for
33 the sexual abuse that I had suffered. She also said that
34 she was angry that her Church had done that to me. I said

1 to her that they knew sexual abuse was occurring and her
2 reply was, "What could they have done?".

3 Q. And how did that comment make you feel?

4 A. It made me feel that they were displaying an air of
5 entitlement and were saying to me that they made the rules
6 and they used this air of entitlement as a shield.

7 Q. You had a second meeting with Judith McCormack and Neil
8 Vaney at 4.29?

9 A. Yes. It was on the 20th of May 2015. Can I explain the
10 day and the period of time that had lapsed? I was clearly
11 finding the treatment that I was receiving traumatising.
12 At the second meeting with Judith McCormack and a man
13 called Neil Vaney, at the beginning of the meeting after
14 introductions, first of all I must refer to the situation
15 Judith McCormack arrived at the meeting very late. It was
16 on the 9th floor building in Wellington. She was about to
17 walk past me waiting outside her door, turned and came back
18 and greeted me. After introductions, me to Neil Vaney, I
19 asked Neil Vaney if he had read my case notes to which he
20 said yes. Judith McCormack made no reference to her being
21 late. I complained to her about the lack of accuracy in
22 the notes of our first meeting in 2009. I asked her, for
23 instance, who received the report of our meetings. We only
24 had two meetings with her. She said a report goes to Bill
25 Kilgallon, the National Office for Professional Standards
26 for the Catholic Church and she said only my name would go
27 forward.

28 During that meeting, when I was able to ask for higher
29 level of compensation, she stated very strongly that no-one
30 receives from the Catholic Church large amounts of money in
31 compensation, to which I said, "What about the St John of
32 God in Christchurch?" she lost her temper at me and
33 shouted, "They pay huge amounts of compensation".

34 During the meeting, Neil Vaney, after telling me that he
35 had read the notes of my case, said that what Durning did

1 to me was not against the law. My case had been reviewed
2 by John Jamieson, ex-Commissioner of Police, and he
3 accepted what - John accepted what I said and so, here I
4 have a man called Neil Vaney saying to me twice at the
5 meeting that what happened to me was not against the law,
6 this is in 2015, he said it twice. When I referred to Alan
7 Woodcock, the abuser who got extradited back to New Zealand
8 and sent to jail for abusing students at Silverstream, Neil
9 Vaney said he had read the transcripts of the case and he
10 believed that Fred Bliss, the Rector, would not have been
11 charged with being an accessory to the crime, as I know the
12 Policeman said if he'd been in New Zealand he would have
13 been charged as an accessory to the crime but Neil Vaney
14 said he had read the case notes and said this was not the
15 case.

16 **CHAIR:** Sorry to interrupt, do you mind telling me what
17 role did Mr Vaney have or Fr Vaney have in this meeting?
18 What was he representing?

19 A. He was representing the Society of Mary Protocol Committee.

20 **CHAIR:** So, he was part of the Protocol -

21 A. Yes, there were two people present.

22 **CHAIR:** He was part of their redress system?

23 A. Yes.

24 **COMMISSIONER ALOFIVAE:** Mr F, can I just ask also, so John
25 Jamieson was the national Director of NOPS?

26 A. Yes.

27 **COMMISSIONER ALOFIVAE:** So, you've got these two committees
28 that are looking at your request and one is believing you
29 and the other is not?

30 A. Well, Neil Vaney claims it wasn't against the law.

31 **COMMISSIONER ALOFIVAE:** Yes, that's correct.

32 A. So, he's contradicting John Jamieson's decision.

33 **COMMISSIONER ALOFIVAE:** And, in your mind, of the two which
34 was the higher authority?

1 A. I believe the attitude, this air of entitlement which the
2 Society of Mary displayed, overrides everything.

3 **COMMISSIONER ALOFIVAE:** The attitude?

4 A. Yes.

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

6 A. At that meeting, when Judith McCormack quoted that they
7 were doing the directions of Pope Francis with care and
8 compassion for survivors, and then to say to me that what
9 had happened was not against the law; it makes their
10 apology worthless.

11 **COMMISSIONER ALOFIVAE:** Thank you.

12 **MR THOMAS:**

13 Q. Shall we move - is there anything else you'd like to add
14 from that meeting?

15 A. Yes. I got a report of the meeting and immediately phoned
16 Judy McCormack and asked her did she write the report, to
17 which she said no, Neil Vaney had written it. So, she gave
18 me his telephone number and I phoned Neil Vaney and told
19 him of the ten mistakes, which included omissions and
20 errors a very short time after the meeting. The report
21 contained no evidence that Neil Vaney was present, except
22 in the introductions. There was no reference to anything
23 he said at the meeting. He produced at least half the
24 input in the discussions. And so, when I told him the
25 errors and omissions, he said he was hazy about the
26 meeting. It was within a week of the meeting.

27 Can I go now to 2017, two years after the meeting. My
28 feeling about the meeting was I was very unhappy with the
29 meeting. I felt this air of entitlement was being used as
30 a shield, they could say and do what they felt they should
31 do to - I am not going to use the word "cover up". Where
32 am I going?

33 **CHAIR:** You are going to 2017.

34 A. Oh yes, okay. I got a phone call from Judith McCormack, so
35 I asked her the purpose of the phone call and she said she

1 had received from a man called Phil (Irish Christian name)
2 O'Leary through Tim Duckworth, and I can refer to that
3 because Duckworth had prompted - O'Leary was the Society of
4 Mary representative on the Protocol Committee of the
5 Society of Mary. So, Judith McCormack phoned me and told
6 me that she was told I needed a phone call but that's not
7 accurate. It was two years later, I said what's the
8 purpose of the meeting, and she said you've complained
9 about 21 errors and mistakes in the report. I think she
10 tried to confuse me and annoy me. She tried to engage me
11 in an argument. After a while I said, "I think we should
12 end this conversation", she said "Why?" I said, "We're
13 sword fighting, we're getting nowhere". And she said, "I
14 can assure you my sword is not up", those were her words.
15 She reported that discussion that we had on the phone as
16 one hour 20 minutes which I was trying to get out of. A
17 phone call two years after the meeting, so I'm presuming
18 that her Protocol Committee had voiced some discontent
19 about my process and how it was being handled.

20 **CHAIR:** Had you received nothing before that, over those
21 two years?

22 A. No.

23 **CHAIR:** Not a word?

24 A. No. I felt traumatised, I felt dissatisfied. At the end
25 of 2017, I sent two emails to a priest called David
26 Kennerley who appointed the Protocol Committee, clearly
27 stating my discontent with the process and asked him who
28 are they responsible to. He sent both my emails to Judith
29 McCormack. I asked for a meeting with Bill Kilgallon, I
30 said I invited him to a meeting, and Vaney and McCormack.
31 I got a letter back from McCormack saying the Society of
32 Mary has total faith in my operation.

33 **CHAIR:** The names you have mentioned McCormack and?

34 A. Vaney.

35 **CHAIR:** Vaney we have heard before. Who was McCormack?

1 A. She was the personality I met previously in Palmerston
2 North in 2005.

3 **CHAIR:** Oh, Judith McCormack, thank you.

4 **MR THOMAS:**

5 Q. Thank you, Mr F, if I could bring you back to paragraph
6 4.32, taking you back to 2010, following I think that
7 second meeting you described, you received a letter from
8 the Protocol Committee, can you tell us about that?

9 A. 4.32?

10 Q. Yes, thank you.

11 A. Okay. In December 2010 - that's going back to 2010, isn't
12 it?

13 Q. Yes.

14 A. I received a letter from Phil Cody stating the Protocol
15 Committee had met to consider my request and decided to
16 continue the offer of an ex gratia payment of \$5,000. He
17 stated it was not intended as compensation but as a
18 "symbolic gift intended to recognise and express our sorrow
19 of the harm caused to you".

20 Q. How did you feel about receiving the same offer at the same
21 level?

22 A. I received the offer in total six times over the years.
23 And in the conversation with McCormack when she phoned me
24 after a two-year delay, she said why aren't you like
25 everyone else? Why are you so different? This was during
26 her attempt to draw me into an argument. Why don't you
27 take - I presume that meant, why don't you take the money
28 and go away?

29 Q. And then 4.33, a few years later, September 2013, you
30 received another letter?

31 A. Yes. When Bill Kilgallon was appointed head of the
32 National Office of Professional Standards I phoned him and
33 asked him what his role was and he told me that the Society
34 of Mary had signed a contract with him to co-operate. He

1 said next time you're in Auckland, drop in for a cup of
2 tea, which I did.

3 One of the things I asked him, I said "Will you give me
4 a letter of support to join the Society of Mary Protocol
5 Committee?" And he said, "Yes", so he gave it to me in my
6 hand. I saw a need to try and influence their behaviour
7 with support for survivors. Are you right there, Michael?

8 Q. Thanks. I think we are either at 4.33 or 4.34.

9 A. 4.34. However, despite an early acceptance of the process,
10 it was strung out a very long time. It was not resolved
11 until 2019.

12 I found the process traumatising and unsatisfactory. I
13 have never been given a copy of the process of procedure
14 that would deal with my complaint, as a result I have never
15 been in a position to question the process.

16 Q. Just to clarify that, were you aware of the existence of *A*
17 *Path to Healing* when you made your complaint in 2002?

18 A. Yes.

19 Q. You were aware of it?

20 A. No, in 2009 it was offered to me.

21 Q. Did you receive a copy of the document *A Path to Healing*?

22 A. Yes, I did.

23 **COMMISSIONER ERUETI:** Sorry, when did you receive a copy of
24 *A Path to Healing*?

25 A. 2009.

26 **COMMISSIONER ERUETI:** 2009.

27 **MR THOMAS:**

28 Q. I guess, what did you understand of the process for
29 handling your complaint going back to - at the time you
30 made the complaint in 2002, did you feel you had a good
31 understanding of the process to be followed?

32 A. No, not at all.

33 Q. If we could then move on to 4.36, please.

34 A. After going through the extra trauma of reporting the abuse
35 that took place, I received a formal apology in a brief

1 pro forma letter and an offer of \$5,000 "koha" which I
2 found insulting. This offer was not commensurate
3 compensation for the hurt and damage that I had suffered.

4 I have received no compensation for the loss of my
5 education as a top student until I was abused; the loss of
6 other life opportunities, including employment
7 opportunities; the years I believed I was the only one
8 abused and I couldn't tell anyone, even my wife, until
9 1999, after 36 years of marriage.

10 Q. Moving on to 4.38.

11 A. With respect to my son's abuse, as Kitty McKinley initially
12 stated, she passed the complaint on to the Marist Brothers.
13 From that referral, I had a visit to my house of Br Brian
14 Wanden and Br Henry Spinks from Auckland. I said to them
15 during the meeting that I believed the hierarchy of the
16 Church has known about the abusing and Br Brian Wanden said
17 to me, "Of course they knew, GRO-A of course they knew.
18 When I was Principal of a Catholic school in Palmerston
19 North", there was only two, he was Principal of one,
20 "Cardinal McKeefry said to me, GRO-A if I have any
21 trouble with this issue I can put them offshore".

22 **CHAIR:** What did you understand by "offshore"?

23 A. Out of New Zealand.

24 **MR THOMAS:**

25 Q. At 4.39, talk to that.

26 A. I also queried why, after complaints were made to the
27 Police in late 1999, that brother who abused by son was
28 left in what he called his ministry. When I said to Henry
29 Spinks that day, "Why didn't you talk to my wife and I when
30 that happened, when the Police came to my son in Wellington
31 and said do you want to lay a charge against the brother" I
32 said to Henry Spinks, "Why didn't you talk to my wife and
33 I?". He said, well, what happened was the brother sent him
34 a lawyer's letter stating that if you don't charge me, put

1 me back into my Ministry. So, the brother became head of
2 GRO-B Auckland.

3 **CHAIR:** This is the brother who had abused your son?

4 A. Yes.

5 **MR THOMAS:**

6 Q. When you're ready, you have a bit of a summary at paragraph
7 4.40 of your experience of the redress process?

8 A. I finished the redress process without the relief of
9 knowing abuse in the Church will stop. I have no assurance
10 that other children will not be abused in Church
11 institutions. I have no reassurance the Church is looking
12 after victims. I have no belief the Church will make sure
13 what happened to me and my son will not keep happening to
14 others and is not still happening. Lastly, I found no
15 evidence the action or commitment of the Church will
16 prevent it happening to others, which I had hoped for when
17 I reported the abuse to the Church.

18 The process does not lead to compensation for harm and
19 loss. The complaints process does not stop the perpetrator
20 from abusing others. At the meeting with Vaney and
21 McCormack in Wellington, I said I am very critical of the
22 bosses at Silverstream who did not respond to the two
23 prefects' request to report Durning and I hold them
24 responsible for the continued abuse which has happened at
25 Silverstream since. The Network knows of abuse continuing
26 through the 1970s, 1980s and 1990s. In fact, if you went
27 to Silverstream in those years, you were lucky not to be
28 abused.

29 When I spoke on Radio New Zealand, I got a phone call
30 from a person who supported me and he said he witnessed
31 abuse going on in the dormitory where he slept and he said,
32 "I put up on the notice board in the college the words 'the
33 phantom raider strikes again'". Most of the school would
34 have known about the notice, they crowded around and looked
35 at it. Two boys, including this boy, reported the abuse to

1 the Rector Fred Bliss and Bliss told them that they were
2 lying.

3 **CHAIR:** Was that during the time you were at school?

4 A. No, 1970s and 1980s.

5 **CHAIR:** It was later?

6 A. Yes. His impression was the reputation of the school was
7 paramount.

8 **MR THOMAS:**

9 Q. At 4.41, I think you're up to the start of the second part
10 of that paragraph.

11 A. Both Durning and the brother were moved to other places
12 where they had access to other children.

13 My wife and I, when we learnt about the Royal
14 Commission, we both proactively approached both Bishop Lowe
15 in Hamilton and Bishop Drennan in Palmerston North to
16 encourage them to contribute to the Commission of Inquiry.

17 Our purpose was to support the Royal Commission for
18 fellow survivors.

19 At our meeting with Bishop Lowe, we talked about the
20 need for survivors to be listened to and believed. There
21 was another survivor present and Virginia Noonan from NOPS
22 office. I felt Virginia was rather naive about what was
23 going on and was not up with what the Bishops actually
24 knew.

25 Can I refer to our Network became aware of a priest from
26 **GRO-B** who was moved to the cathedral parish and we knew
27 that he had been reported to the NOPS office of Virginia
28 Noonan for sexually devious behaviour.

29 **CHAIR:** Can you tell us when that was roughly, even the
30 decade would do if you knew?

31 A. About four years ago. I said to her, I mentioned the
32 person's name, I said, "You have received a complaint about
33 him". I said, "I am concerned that he's still in active
34 service. What should I do?" and she said, "I'll go and
35 talk to my Committee". She phoned me back the next day and

1 said, "We believe you should discuss this with your
2 Bishop". So, I contacted the Bishop and his main concern
3 was how did I find out. Has the NOPS office been leaking?
4 I know the parish that he came into, this person who had
5 been reported to the NOPS office, and he said he was
6 prepared to get the media to the Church next time he came
7 to the parish and we said we should be able to deal with
8 this easier than that.

9 **MR THOMAS:**

10 Q. I think you were up to around 4.45, thereabouts.

11 A. My wife and I and two members of the support network,
12 including my support person here, got an appointment with
13 Charles Drennan, the Bishop of Palmerston North, to
14 encourage him, as well as Bishop Lowe in Hamilton, to join
15 the Committee Inquiry. I showed him Durning's obituary and
16 he said, "8 jobs in 11 years, they must have known what he
17 was doing" and he said, as far as he knew, there was no
18 abuse taking place in Palmerston North Diocese.

19 **CHAIR:** And again, was that about 4 years ago?

20 A. Yes.

21 **CHAIR:** Thank you.

22 A. The second to last time my son was back in New Zealand, we
23 got an appointment, supported by my local parish priest, I
24 told him of the situation and he gave a letter of reference
25 that we get a meeting with Cardinal John Dew. Initially he
26 said at the meeting, "You all believe I'm responsible for
27 the Society of Mary", he said, "I'm not". I don't believe
28 this is accurate because he employs the personnel in
29 New Zealand, he's got the authority to dismiss them. It's
30 very confusing for the general laity if they believe that
31 no-one is in control of the Society of Mary.

32 **MR THOMAS:**

33 Q. Picking up on your meeting with Cardinal Dew at 4.47.

34 A. Okay. Cardinal Dew said things are in place and the boys
35 are better vetted coming into seminaries. He made the

1 point he was not in charge of the Society of Mary but he
2 did admit there was no downside to becoming part of the
3 Commission of Inquiry. At that stage, he would not make
4 any statements or have any meetings about joining the
5 Inquiry.

6 We came away with a statement he was not in charge of
7 the Society of Mary. My wife and I agreed that we would
8 not have known about the prevalence of abuse in the
9 Catholic Church if I had not been abused.

10 Fellow parishioners are not aware of what's going on
11 with regard to abuse. They were very concerned when
12 Barbara Dreaver from Television New Zealand wrote a
13 statement about the abuse of clergy removed from
14 New Zealand into the Pacific Islands and abusing children.
15 The laity of New Zealand, I believe, are very concerned
16 about that but they don't know what's happened in
17 New Zealand and what's happening. Survivors are very
18 reluctant to talk, they feel very guilty, they feel very
19 embarrassed, they feel traumatised and are reluctant to
20 come forward. When people come to our Network, we support
21 them strongly. We don't want them reporting and walking
22 into a vacuum.

23 Most people try and get on with their lives. One of the
24 report things that Neil Vaney wrote about me, he said I
25 believe the abuse has blighted my life. I don't agree with
26 that. He's trying to make me look like a suffering
27 confused person.

28 Can I just mention one thing? I believe when I walked
29 out of Silverstream I achieved some resistance but the
30 suffering and trauma since has been very strong. I didn't
31 know what a normal teenage life was like until my children
32 were teenagers. And when I complimented my oldest daughter
33 on her choice of a fiance, she said, "What do you expect,
34 Dad, with a father role model like you?", so my life was
35 not blighted by this event.

1 Where are we up to, Michael?

2 Q. You are at 4.51, I think. You are referring to a 2019
3 interaction with Mr Duckworth.

4 A. Okay. In 2019, I wrote to Tim Duckworth to get a copy of
5 my file to present my submission to this Inquiry and I was
6 told by Duckworth that day that of course after
7 Silverstream Durning had no more contact with children.
8 2019, He is now the Provincial of the Society of Mary in
9 New Zealand, Tim Duckworth. It shows Duckworth minimises
10 the effect and covers up the truth.

11 **CHAIR:** Mr Thomas, it's 11.30. I have the feeling, the
12 suspicion, that there may be some more questions for Mr F
13 from the Commissioners and I am wondering if we should take
14 the morning break, give you a chance, Mr F, to take a break
15 and have a cup of tea and gather your strength, and then
16 maybe we could come back and finish your evidence and ask
17 some questions. Is that suitable to you, Mr F, you are the
18 one in charge here?

19 A. Thank you, yes.

20 **CHAIR:** You would like that?

21 A. Yes.

22 **CHAIR:** Good. We will take the morning adjournment at this
23 stage and come back after some refreshments.

24

25 **Hearing adjourned from 11.30 a.m. until 11.52 a.m.**

26

27 **MR THOMAS:**

28 Q. We're hopefully not far from completing Mr F's evidence. I
29 will just ask if he wants to finish off his evidence
30 starting at 5.1.

31 A. Thank you. In summary, I am a committed Catholic who still
32 has a strong faith belief despite my experience as a
33 survivor. I am aware of other survivors and also parents
34 of survivors who are alive. I also know of survivors who
35 have [died]. The process is difficult to come forward and

1 there are many barriers for people to disclose their abuse.
2 This needs to change in New Zealand. We need a system to
3 support survivors to disclose, to be believed and feel safe
4 when they speak out.

5 I believe the Church has a responsibility to be open
6 about the abuse which their endeavours have been doing.

7 With respect to transformative change, I still feel that
8 boys at boarding schools are at risk. I believe there
9 needs to be a Helpline or similar outside the school, a
10 dedicated avenue that provides an independent way to ask
11 for help.

12 I am encouraged that the Royal Commission has the power
13 of the government behind it because the Church has a sense
14 of entitlement. The Royal Commission needs to open up all
15 the files. And needs an open environment for survivors to
16 speak out and the Church listens rather than closing down
17 and defending themselves.

18 Q. Thank you. Before you take questions from the
19 Commissioners, is there anything - I guess, put it this
20 way, is there anything that you'd most like to see the
21 Catholic Church do in New Zealand in response to abuse?

22 A. Yes. I believe the Church has a responsibility to protect
23 our children. With modern social media, the Church has a
24 responsibility to act to cope with that. Sadly, children
25 are more vulnerable to grooming with modern social media
26 and I think the Church should respond to that.

27 Q. Is there anything else you would like to add before you
28 take questions?

29 A. No, thank you.

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MR F

QUESTIONED BY THE COMMISSIONERS

CHAIR: The Commissioners do have some questions. I will just ask them one by one. Commissioner Steenson, do you have any questions?

COMMISSIONER STEENSON: I do. Tēna koe, thank you for telling your experience. I just have one question and it's around you mentioned that there was a meeting in the redress process, I think it was a Palmerston North meeting, and it was held at a place that you knew to be somewhere that abuse had occurred. I just want to clarify whether that's what I heard correctly?

A. No, I did not mean to say that.

COMMISSIONER STEENSON: Okay, thank you.

CHAIR: Were you reluctant to meet on Church property, was that the problem, that was the issue that you had? You wanted to meet on neutral ground, rather than Church property?

A. Yes, it was, yes. Sorry, that was it, yes, thank you.

CHAIR: Thank you.

COMMISSIONER ERUETI: Tēna koe matua (Greetings to you). My question is about your question of independence with the committees you met with. When you met in Palmerston North in 2009 with McCormack and Vaney, that Protocol Committee I think it's called, was your understanding that that Committee was a Committee independent of the Society of Mary or Catholic Church?

A. No, no, it represented the Society of Mary.

COMMISSIONER ERUETI: Okay, yeah. And that was clear in your mind?

A. Oh yes, yes.

COMMISSIONER ERUETI: And do you have any comments on that, about the fact that it was closely associated with the

1 Church and not an independent process? Was that a concern
2 for you?

3 A. The meeting I referred to when Bishop Cullinane said to me
4 at the end of my appeal for support there was, "You must
5 realise I have very limited authority over the Society of
6 Mary" which I don't agree with because he employs them, the
7 personnel in his Diocese. He has the power to employ them,
8 he has the power to dismiss them, but he claims to have
9 this inability to have authority over them.

10 **COMMISSIONER ERUETI:** Okay, I understand. Can I ask one
11 further question about your - it's about your son, the
12 allegations when he came to you and then you both went to
13 speak to the parish priest and also the Principal of the
14 school, about when you reported your concerns and your
15 son's concerns about whether these two figures said that
16 you should go to the Police with your concerns?

17 A. No, they didn't say that, no.

18 **COMMISSIONER ERUETI:** Are we right in thinking that the
19 Police spoke to your son later because there were other
20 allegations about this brother?

21 A. Yes.

22 **COMMISSIONER ERUETI:** Okay. Thank you, they are my
23 questions, kia ora.

24 **CHAIR:** My question, Mr F, is about the apologies.
25 Clearly, you were dissatisfied with the apology letter that
26 we were shown. Two aspects to this. First of all, from
27 whom do you think it is appropriate that an apology should
28 come from the Catholic Church? What would be acceptable to
29 you as the level of seniority that would give you some
30 comfort?

31 A. I would accept as being adequate an apology from the
32 Cardinal or any Bishop of the area where I was living. It
33 depends on the attitude and the change of influence with
34 regard to being open and asking for forgiveness by them.

1 **CHAIR:** That goes to the second part of my question. So,
2 the first, the answer to the first part, from whom you
3 would readily accept, you would find it acceptable to get
4 an apology, you're saying Cardinal, Bishop, somebody of
5 that high level within the Catholic Church?

6 A. Yes.

7 **CHAIR:** And then moving on to the next point, the content
8 of the apology. Plainly, you didn't find what you got was
9 acceptable. What, in your view, should an apology letter
10 cover for somebody in your situation?

11 A. Sincerity, asking for forgiveness, admission of the events
12 happening.

13 **CHAIR:** So, by that you mean acknowledgment that what you
14 said happened, did happen?

15 A. Yes, and also the admission of the force of the cover up,
16 covering plural, covering ups, Mm.

17 **CHAIR:** Thank you for that. I will leave you now with
18 Commissioner Alofivae.

19 **COMMISSIONER ALOFIVAE:** Good morning, Mr F, just a couple
20 of points of clarification, if I may. It came across very
21 well how frustrated the process was to go from NOPS back to
22 the Society of Mary. Was there a clear understanding for
23 you about the roles that they played and how they were
24 perhaps supposed to influence one another?

25 A. I am aware that the Bishops appoint the NOPS office and
26 when I reported that I knew a certain person had been
27 reported to the NOPS office, the response of the Bishop was
28 "How did you find out? Has the office been leaking?" So,
29 I find that a very strange attitude.

30 **COMMISSIONER ALOFIVAE:** So, in terms of The Pathway to
31 Healing process, that wasn't helpful at all for you, was
32 it?

33 A. Not when I was being challenged and not believed.

34 **COMMISSIONER ALOFIVAE:** And just my last point of
35 clarification is, you referred to the laity and the

1 perception of the laity of who's in charge, right? So,
2 you've referred to your Cardinals and your Bishops and the
3 role of the different committees. So, when the abuse
4 happened, you were reporting through a process that you
5 understood was the right process. I wanted to just ask if
6 you were able to expand on how just the average Catholic
7 person or community that you were very familiar with in
8 Whanganui, how they understand who's the boss in the
9 Catholic Church, so to speak, when it comes to these
10 complaint processes?

11 A. Well, when the Bishops of New Zealand wrote a letter of
12 apology to all the parishes in New Zealand, we were told
13 the letter would be available in the gathering area of the
14 Church that I attend. Within a couple of weeks, we were
15 told the meeting was in the presbytery where the priest
16 lives, it was not in the gathering area. For me to find a
17 copy of it was difficult. So, what's your point again,
18 please?

19 **COMMISSIONER ALOFIVAE:** So actually, they say one thing but
20 they make it quite difficult for you to actually access?

21 A. Yes.

22 **COMMISSIONER ALOFIVAE:** Thank you. Mr F, can I just thank
23 you on behalf of our Chair and my fellow Commissioners for
24 the very honest and forthright way in which you've given
25 your evidence this morning. Thank you for being a stoic
26 champion, for not being afraid to step up and to step out,
27 and obviously at an enormous cost to yourself but such as
28 your quest for justice within a faith that clearly still
29 you value very much.

30 A. Thank you.

31 **COMMISSIONER ALOFIVAE:** Thank you so much on behalf of our
32 Commission or your honesty and just for your heart for our
33 nation and Catholic communities.

34 A. Thank you very much.

35 **CHAIR:** Thank you, Mr F.

1 **MR THOMAS:** Madam Chair, I don't mean to prolong things but
2 I just have one minor clarifying question in light of the
3 Commissioner's questions.

4 **CHAIR:** Please.

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1 **MR F**

2 **FURTHER QUESTIONED BY MR THOMAS**

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5 Q. Mr F, I just wanted to clarify your point about the Bishop.
6 I think you referred to him as employing Society of Mary
7 individuals within his area. I just want to clarify, do
8 you mean allowing them to operate in his area, as opposed
9 to a more traditional employment relationship with a
10 contract?

11 A. I'm not sure what the content of the question means please,
12 Michael.

13 Q. I guess it's just a small point, just to clarify, try and
14 clarify your point about, I think, the Bishop. I'd have to
15 check the wording but I think you said employed the Society
16 of Mary people?

17 A. Yes, yes.

18 Q. I just wanted to clarify your description of that?

19 A. Well, my understanding is the appointment is a form of
20 employment. So, once a person appoints someone, they have
21 the right to dismiss them.

22 Q. Okay.

23 A. So, that's a form of contract, isn't it, like you asked me?

24 Q. Thank you.

25 **CHAIR:** And that is your understanding of the situation?

26 A. Yes.

27 **CHAIR:** Thank you.

28 **MR THOMAS:** Thank you for clarifying that.

29 Madam Chair, just one small point as well, I am just
30 wondering for the benefit especially of the media present,
31 if it might be appropriate to reiterate that the named
32 brother and at one point Mr F I think referred to his own
33 name by accident.

34 **CHAIR:** Yes.

1 **MR THOMAS:** If it is just clarified that those are not
2 for -

3 **CHAIR:** Not for publication, yes, certainly, and I am sure
4 the press is aware but anybody else in the room also, that
5 the names are subject to non-publication orders and for
6 everybody to be mindful of that. Thank you, Mr F, you are
7 now free to go, if you wish.

8 Please feel free to leave, if you like. (Witness
9 excused).

10 Ms Haronga, would you like to take a break before the next
11 witness?

12 **MS HARONGA:** I certainly would, thank you, Madam Chair.

13 **CHAIR:** For the benefit of the public, approximately how
14 long would you like?

15 **MS HARONGA:** 10 minutes.

16 **CHAIR:** Whatever suits.

17 **MS HARONGA:** 10 minutes would be ample.

18 **CHAIR:** We will take the adjournment.

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21 **Hearing adjourned from 12.08 p.m. until 12.20 p.m.**

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