

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED INSTITUTIONAL RESPONSE 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 Anaru Erueti
Ali'imuumua Sandra Alofivae
Paul Gibson

Counsel: Mr Simon Mount KC, Ms Kerryn Beaton KC, Ms Katherine Anderson, Ms Tania Sharkey, Mr Michael Thomas, Ms Kathy Basire and Ms Alisha Castle for the Royal Commission
Ms Rachael Schmidt-McCleave and Ms Julia White for the Crown
Ms Sally McKechnie and Ms Brooke Clifford for Te Rōpū Tautoko, the Catholic Bishops and Congregational Leaders
Mrs Fiona Guy-Kidd, Mr Jeremy Johnston and Ms India Shores for the Anglican Church
Ms Maria Dew KC, Ms Kiri Harkess and Mr Lourenzo Fernandez for the Methodist Church and Wesley Faith
Mr Brian Henry, Mr Chris Shannon and Ms Sykes for Gloriavale
Ms Sarah Kuper and Mr Matthew Hague for the Presbyterian Church
Ms Helen Smith and Ms Sarah Kuper for Presbyterian Support Central
Mr Sam Hider for Presbyterian Support Otago
Mr Andrew Barker and Ms Honor Lanham for Dilworth School and Dilworth Trust Board
Mr Karl van der Plas, Mr Jaiden Gosha, Ms Rachael Reed and Ms Ali van Ammers for the Dilworth Class Action Group

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

Date: 21 October 2022

TRANSCRIPT OF PROCEEDINGS

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6 **MS DEW:** Thank you very much for this opportunity. I appear for the Methodist Church of
7 Aotearoa New Zealand and Wesley College, together with my colleagues Ms Harkess and
8 Mr Fernandez. Tēnā koutou.

9 I'll describe my appearance for those that require that. I am a Pākehā female in her
10 mid 50s with a black jacket on today, light hair, and I don't have any visible disability.

11 So thank you, I have filed with the Commission this morning written closing
12 remarks on behalf of the Church and College and I am going to take you to portions of this.
13 I think I should be about 15 minutes but well within time allotted I think.

14 **CHAIR:** Thank you, and we have got the submissions, thank you for giving us a written copy, it's
15 very helpful.

16 **MS DEW:** Yes, and we have now ensured we do have a Word version for Mr Gibson.

17 **CHAIR:** Thank you.

18 **CLOSING STATEMENT BY THE METHODIST CHURCH**

19 **MS DEW:** I start by thanking, as all who have appeared before this Commission, by once again
20 on behalf of the Church and Wesley College, thanking survivors and the Commissioners for
21 the opportunity to be part of the Commission's mahi and for the opportunity to publicly
22 acknowledge and be held accountable to survivors for the abuse that was suffered while in
23 the care of the Church and College. They both take up the challenge given to them by
24 survivors and the Commissioners to maintain this commitment to action and setting right
25 for survivors.

26 The Church and College hope that through their witnesses' evidence this week that
27 their commitment was evident and authentic for survivors, the Commission, members of
28 their Church and College communities.

29 The Church and College witnesses expressed in the talanoa in various ways the
30 intrinsic incentive that lies at the heart of their commitment. They want all members of the
31 Methodist Church of Aotearoa New Zealand and the Wesley College community to carry
32 with them pride in their faith and their College. So those are short opening remarks.

33 A summary of the submissions I've laid out are matters arising from the hearing day
34 on Tuesday, designed to assist the Commission and survivors. There are six matters that

1 are going to be addressed in the submissions. I won't address each of them in full detail,
2 but you will have the submission to read on each of these matters.

3 The first is that the Church and College stand together in this mahi; secondly, the
4 Church and College's commitment to Te Tiriti; the importance of the special character to
5 Wesley College; the efforts of the College and Church to respond to the abuse; and
6 importantly, record-keeping for survivors that we heard about through the Commission's
7 week -- this week; and finally, redress and the ongoing call for survivors.

8 So firstly, the Church and College stand together. This has been an important
9 message for the Methodist Church to communicate when dealing with its response to this
10 Commission and to survivors. The Church holds itself responsible for the harm caused and
11 the redress required. This, of course, includes the former children's homes, survivors, the
12 college, former students and the parish and faith care settings.

13 The Church believes this is a moral duty it carries as a faith-based organisation. It
14 also believes it is the safest way to ensure the necessary learning, accountability and
15 restoration for harm.

16 Wesley College also believes it has and will continue to benefit from this standing
17 together. As the College works with the Church to deal with redress claims they will
18 continue to develop together a trauma-informed pathway for survivor redress. They will
19 also be able to ensure, together, that the College continues to develop its understanding and
20 resourcing to respond to the trauma needs of students coming into the care of the College.

21 The Church and College also recognise that this standing together will require the
22 involvement, the skills, input and investment of State agencies as a State-integrated school,
23 and particularly given some of the children that come into its care.

24 The second matter I wanted to address in submissions is the commitment of the
25 Church and College to Te Tiriti. The Church began this journey towards becoming a
26 bicultural Church almost 40 years ago and in Tuesday's evidence the Commission heard
27 much about the commitment by the Methodist Church and Wesley College to Te Tiriti. I
28 have set out that commitment for the Commissioners. I don't intend to go over this matter
29 further, but the Church and College hope that the Commission and survivors will see that
30 there is a real and genuine commitment to Te Tiriti in the governance and structures of the
31 Church and of the College.

32 The Church and College's commitment to Te Tiriti also requires that their approach
33 to redress and relationships with survivors are cognisant of tikanga, and this is something
34 that the Church is continuing to evolve in its redress process.

1 The third matter I wish to address was the special character of Wesley College. The
2 significance of Wesley College's special character as a faith-based school was, we hope,
3 evident at the talanoa hearing on 18 October. The values inherent in Wesley College's
4 faith-based education support the values of the community that that College serves.

5 The Commission heard from Sekope Kepu, a former Wesley College student, from
6 Etuini Talakai, the Vice President of the Methodist Church, about their passion for the
7 school and the importance that a faith-based school held in their community and their
8 families' lives.

9 The Commission heard the Church and College are determined to reclaim "The
10 Wesley Way" away from a wrong and misappropriated use justifying violence and bullying
11 and towards its true meaning of faith, learning, and service. And I've provided in the
12 submissions the strong statement by Reverend Tautari on that matter.

13 Over the page at 5.7, the Commission also heard that Wesley College's special
14 character brings with it complexities that were discussed at the talanoa. The College
15 recruits students from rural areas, sometimes with limited prior schooling, Pasifika
16 communities, the Pacific Islands, and students who require special care. The Trust Board
17 has always provided financial support for students to attend the College, but they and the
18 College and the Church accept that in the past it did not always have sufficient resources
19 and structures in place to meet the immediate emotional needs and that this one-size-fits-all
20 style of past decades is now recognised as not appropriate. This is a shared responsibility
21 with the State for the State-integrated school.

22 And the Commission, in the hearing earlier in the week, requested some further
23 information about the composition of the College boards, we've now provided that, and you
24 can see that there is a very clear ethnic diversity of te taha Māori, Pasifika and European
25 descent on both of those boards.

26 It is hoped that the Commissioners' recommendations will reflect that there is a real
27 place for special character education in New Zealand which the State education colleges are
28 not able to deliver for the communities that wish them.

29 The next matter I wanted to deal with is the response to abuse at Wesley College.
30 The evidence of abuse at Wesley College before the Commissioners earlier in the week
31 rightly focused on the periods from the 1980s and the 1990s where survivor witness
32 statements have been provided and the TVNZ Paul Holmes programme was shown. And
33 further into the 2000s with the poor ERO reports.

1 While the Church and College were frank in their responsibility for the failure to
2 protect students, the Commission is also directed to the evidence that was filed, and it's
3 understood that during the course of a one-day hearing we simply couldn't attend to those
4 matters, and rightly so. But we do want to draw the Commission's attention to the efforts
5 that were made over the period of the 1990s and into the 2000s so that the Commission can
6 consider why, despite those efforts, the violence did still occur.

7 And I've set out 13, I think, and I certainly won't be taking you through those
8 matters, but 13 instances where the Church and Conference, Conference of the Church and
9 Wesley College, can be seen to have worked together in different ways, receiving external
10 consultants' reports, conducting their own reviews, holding themselves accountable at
11 Conference. Each of those matters happened over the decades of 1990 and into the 2000s
12 and yet the abuse occurred.

13 What that tells us is that there's a complex set of causes and it's a complex set of
14 solutions that is needed to achieve the progress.

15 The Commission did hear from the current principal of Wesley College about the
16 significant ongoing attempts and additional funding for counselling support, for a second
17 director of boarding, well-being deans, closer relationships between the hostel and school,
18 and in 2022 the Wesley College staff and hostel staff now being given professional
19 development in the care and learning of students.

20 The work being done by the College is ongoing, Dr Brian Edwards, the current
21 principal, spoke about the steps being taken also to reduce violence and bullying and
22 change the culture of the school.

23 The next matter I wanted to address, and this is particularly for survivors to
24 understand the importance that the Church holds for record-keeping for survivors. There
25 was an acknowledgment in the hearing that those records were not as fulsome in decades
26 from the 1960s, 70s, 80s, but the Church does want to acknowledge the significance of
27 those records to the identity of those children in its care and the hurt that's caused as -- to
28 them as adults by the lack or loss of those records.

29 The Church wants to say that it believes children's homes records belong to the
30 person whose life they document. The Church policy is not to destroy any part of the
31 children's homes records and to maintain them in perpetuity.

32 And then I've set out in the closing submissions, and they'll be available for people
33 to read online, but that the Church has taken steps since the 1990s to maintain a centralised

1 Church archive of all Christchurch and Masterton home records since the 1990s, and the
2 Auckland home records have also been centralised into this archive since 2019.

3 Those records have all been catalogued and indexed and are available for survivors
4 to request. The Methodist Church website also has information about the availability of
5 those records.

6 The Church does want to also acknowledge those records do not include
7 information about residents' disability, and that is likely because the children's homes did
8 not recognise that need at the time. And they regret that that has added to the invisibility
9 and pain for the disability community.

10 Finally, I wanted to address the redress programme for the Methodist Church and
11 the ongoing call for survivors. The Church does encourage all survivors of abuse in its care
12 to come forward to seek redress through the Church's process. The scheme is open to
13 persons who have experienced abuse in a range of care settings with the Church and the
14 abuse, the definition of abuse is wide, including emotional, physical, sexual abuse, neglect,
15 or deprivation.

16 The General Secretary of the Methodist Church did speak at some length about the
17 evolution of that redress process. It commenced in 2018 in a new way and continues to
18 evolve as their experience with survivors, with the Commission, with overseas insights so
19 that it remains a work in progress as it should, but there is a genuine commitment to
20 reviewing past redress claims, and I've put in the evidence -- in the submission, reference to
21 the review of claims, and now the claim payments are more substantial, in the range of
22 25,000 through to 100,000, and there are average payments now much higher than in past
23 years when the evidence of those low payments was heard.

24 The Church is committed to a survivor-focused approach. They recognise that this
25 is hard work, and they won't always get it right, but they have the commitment of the
26 Church and the College that they will do their best to achieve a safe process for survivors.

27 Paragraph 8.8. We have also learned through the evidence before the Commission
28 that lawyers engaged in assisting State and faith-based institutions have not always got it
29 right. Lawyers acting for parties involved in redress matters must also gain a better
30 understanding of trauma so that they can assist with advice that does not contribute to the
31 harm. And I know that we've seen in the evidence sometimes letters written by lawyers,
32 advice by lawyers, and I think lawyers have to own some of this responsibility and take up
33 the challenge to understand the setting of trauma that they are working in and to do their

1 best -- and I include myself in that acknowledgment. We're all learning but it's important
2 that we learn fast and that we develop a proper way of assisting our clients.

3 The Church acknowledges survivors' call for an independent body and the
4 Commissioners' call to empower survivors in the design of a National Redress Scheme.
5 The Methodist Church will take up the survivors' challenge to engage in ecumenical
6 conversations. We've heard questions from the Commissioners about exchange of
7 knowledge-sharing information and attempting to seek a consistency of redress processes
8 perhaps. The Methodist Church is willing to engage in that both with other churches and
9 the Crown Response Unit.

10 Finally, during the 18 October hearing the Paul Holmes TVNZ programme was
11 shown in evidence reporting horrific abuse suffered by a former student in 1991 from other
12 students. The survivor has not yet come forward to the College or Church. However, he
13 and his whānau are invited, if they wish, to come to the College and Church to discuss
14 redress. The College and Church will continue Tatala e Pulonga, or lift the dark cloud.
15 They wish to lift that dark cloud from the Church and Wesley College. Thank you, those
16 are my submissions. **[Applause]**.

17 **CHAIR:** Thank you, Ms Dew. Just a clarification, and I think it's important what you've just
18 acknowledged on behalf of the lawyers and legal teams and their approach and I think
19 we've all seen, haven't we, the chilling effect of the legal process on what is in fact a
20 trauma-filled experience and I'm grateful for that acknowledgment.

21 I as a past lawyer, as a past judge, I too know and have watched as those processes
22 have chilled the attempts of survivors to gain justice, and so I personally, as a former
23 lawyer, am grateful for that acknowledgment, I think it's very generous and important for
24 all lawyers and those involved in the process to hear.

25 The second thing is that you graciously extended an invitation, if they wish, to the
26 family of the boy who was featured in that programme. You said they could come to the
27 College. I don't think you meant physically, I think you meant --

28 **MS DEW:** No, I'm sorry, I mean as in --

29 **CHAIR:** Yes, I want to make that quite clear for them, that they can approach the Church or the
30 College in any way they feel comfortable in order to discuss those matters; is that what you
31 meant?

32 **MS DEW:** Yes, absolutely, thank you for that clarification, it was certainly never even in my
33 mind that they might want to enter the premises again.

34 **CHAIR:** I thought so, so it's important clarify.

1 **MS DEW:** Yes, but thank you for that clarification.

2 **CHAIR:** Good.

3 Well, Ms Dew, may I finally thank the Methodist Church and the College for their
4 cooperation with the Commission, the talanoa I think was a very important milestone in
5 terms of the Commission, and the world, hearing about the changes that have been made by
6 the Methodist Church and we were very grateful for their participation. Thank you to you
7 and your team who have seen this whole process through and for the immense amount of
8 work you've had to go to in responding to the rather large numbers of notices that we have
9 issued. We are very grateful for that and it has certainly added to our ability to hopefully
10 come up with the recommendations which are required.

11 So many thanks to the Methodist Church, the College and to you and your team.

12 **MS DEW:** Thank you very much.

13 **CHAIR:** Kia ora.

14 **MS DEW:** Kia ora.

15 **CHAIR:** Kia ora koutou.

16 Now I have lost my run sheet -- here we go. So that concludes the submissions
17 from the faith-based institutions, and now we lead appropriately into hearing submissions
18 on behalf of survivors and the first group of survivors is the Dilworth Class Action Group.
19 Welcome back, Ms Reed.