

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
CHILDREN'S RESIDENTIAL CARE 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
Ali'imuumua Sandra Alofivae

Counsel: Ms Anne Toohey, Mr Simon Mount QC, Ms Kerry Beaton,
Mr Kingi Snelgar, Mr Simon Waalkens and Ms Julia Spelman
for the Royal Commission
Ms Rachael Schmidt-McCleave and Ms Julia White for the
Crown
Ms Katie Lane for a survivor
Mr Stone and Ms Watene for survivors

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TRANSCRIPT OF PROCEEDINGS

INDEX

DANIEL JORDAN REI	
Questioning by Ms Cooper	84
ANDREW PHILLIP JOHN MEADOWS	
Questioning by Mr Waalkens	126
MS T	
Questioning by Mr Snelgar	148

1 **4 MAY 2021**

2 **[9.32 am]**

3 **DANIEL JORDAN REI**

4 **CHAIR:** Tēnā koutou katoa, nau mai haere mai hoki mai ki tēnā huihui nga. Welcome back to
5 the second day of our hearing. I'm going to invite Ms Cooper to lead our next witness,
6 Daniel Rei. Before we do that, kia ora Daniel.

7 A. Kia ora.

8 **Q.** Do you mind if I call you Daniel?

9 A. Not at all.

10 **Q.** I'm just going to ask you to do the affirmation. Daniel, do you solemnly sincerely and truly
11 declare and affirm that the he have that you'll give to the Commission today will be the
12 truth, the whole truth and nothing but the truth?

13 A. I do.

14 **Q.** Kia ora. Thank you Ms Cooper.

15 **QUESTIONING BY MS COOPER:** Tēnā koutou katoa. So just get you to confirm that your
16 full name is Daniel Jordan Rei?

17 A. Correct.

18 **Q.** And you were born in Auckland in 1973?

19 A. Yes.

20 **Q.** And your iwi is Ngāti Toa Rangatira?

21 A. Yes.

22 **Q.** Just by way of background, you were in care between December 1986 and April 1990 and
23 you became a State ward in August 1987 and you remained a State ward until January
24 1990?

25 A. Yeah.

26 **Q.** I'm going to skip reasonably quickly through childhood to get you into care. As you say in
27 your witness statement, you had a pretty happy childhood?

28 A. **[Nods]**.

29 **Q.** There were just a couple of experiences that we will come to. At 18 months of age your
30 mother and you moved to Taranaki and your mother meets your stepfather who takes on
31 responsibility for you and your mum and adopts you. And you talk about life in a small
32 town in Taranaki. So just talk to us a bit about what life was like for you in that small town
33 in Taranaki?

34 A. Pretty isolated to be honest. Growing up in a European household with a Caucasian mother

- 1 and a Caucasian stepfather and being brown, you know, looking in the mirror I was like
2 what's going on here? But, yeah, so I had no cultural identity until a lot later on.
- 3 **Q.** So one of the things you talk about is your experience at primary school?
- 4 **A.** Yeah.
- 5 **Q.** So you went to a very small school, about 80 to 100 children, and all of them Pākehā?
- 6 **A.** Yeah, that's correct.
- 7 **Q.** So what was your experience of that?
- 8 **A.** Overt racism pretty much. I think the kids didn't even know what they were on about
9 really. But strangely at that time the series Roots came out on TV and overnight I became a
10 nigger. The kids didn't really know even what that derogatory term meant, it's just they
11 came to school with something different and I fit the bill, yeah, pretty much.
- 12 **Q.** Did you get any support from school?
- 13 **A.** No, they just -- because I started acting out they just saw it as a behavioural problem really
14 and it's all my problem, so --
- 15 **Q.** So there were two key things that happened to you when you turned 8?
- 16 **A.** Yeah.
- 17 **Q.** First your younger brother was born?
- 18 **A.** Mmm-hmm.
- 19 **Q.** And secondly you were sexually abused by an uncle?
- 20 **A.** Yeah.
- 21 **Q.** Which went on for a couple of years?
- 22 **A.** Yeah.
- 23 **Q.** Just talk about how that impacted on your behaviour?
- 24 **A.** Yeah, because it was so confusing and stuff and I was a little -- didn't know how to process
25 it, and it probably helped, or it not helped but assisted in me acting out a lot, not being able
26 to process it means you don't know how to explain it to anybody. Yeah.
- 27 **Q.** So in your evidence you talk about throwing tantrums.
- 28 **A.** Yeah.
- 29 **Q.** Starting to steal.
- 30 **A.** Yeah.
- 31 **Q.** So that's from your mum and from school?
- 32 **A.** Yeah.
- 33 **Q.** And becoming aggressive?
- 34 **A.** Yeah. Well, yes, it was sort of like culminated at once the sort of racist stuff, the, yeah, the

- 1 abuse and then I just started scrapping, yeah.
- 2 **Q.** So you had a spell overseas and you come back to New Zealand?
- 3 **A.** Correct, yeah.
- 4 **Q.** And then by the age of 13 you describe yourself as being on the brink?
- 5 **A.** [Nods].
- 6 **Q.** And so your mother ends up contacting the Department of Social Welfare at the end of
7 1986?
- 8 **A.** Yes.
- 9 **Q.** And you say she had complete faith in the state?
- 10 **A.** Yes.
- 11 **Q.** So on 22 December 1986 you're placed into Social Welfare care and admitted to the
12 Rosendale Family Home in New Plymouth?
- 13 **A.** That's right.
- 14 **Q.** I'm going to talk about your experience there is because that's the start of your experience
15 in State care. Tell us about how you were taken away from home and what you
16 understood?
- 17 **A.** Literally I woke up one morning and there was a Social Welfare worker in my bedroom.
18 She told me her name was Amanda and that I had to go with her and live where directed
19 and that was it.
- 20 **Q.** So no prior warning?
- 21 **A.** Not at all.
- 22 **Q.** What did your mother say to you?
- 23 **A.** Nothing.
- 24 **Q.** But you understood at that stage it was just going to be temporary, didn't you?
- 25 **A.** Well they explained that, yeah.
- 26 **Q.** So Rosendale's a family home with four or five boys and a couple of girls. So one of the
27 things that you talk about and I think it's important in setting the scene, is you had a large
28 number of firsts at Rosendale. So can you just talk through that?
- 29 **A.** Like you said previously, I did have quite a happy childhood and stuff you know like it was
30 pretty standard and getting in there I was exposed to a lot of stuff that I'd really had
31 anything to do with, yeah, and it -- smoking cigarettes for example, alcohol, drugs, sex, all
32 sorts, crime, it was all there.
- 33 **Q.** So you say that one of the very first things that happened to you was that an older boy and
34 an older girl took you under their wing?

- 1 A. Yeah.
- 2 Q. And you would shoplift for them all day?
- 3 A. Yeah.
- 4 Q. And you'd get drugs for that?
- 5 A. Yeah.
- 6 Q. That's at age 13?
- 7 A. Mmm-hmm.
- 8 Q. And then you also talk about the older boys beating you up on a number of occasions?
- 9 A. Yeah.
- 10 Q. But they were also your mates?
- 11 A. Yeah.
- 12 Q. So just when you talk about those beatings, what did that involve?
- 13 A. There were certain unwritten rules that, you know, one law for the carers, if you like, one
14 law for us. So you know, it was a beginning of a culture if you like that existed throughout
15 everything. I'd find out later, but yeah, it started there. No narking, don't sit alone with the
16 staff, you know, if you're in there talking to GRO-C-1 and GRO-C-2 who ran
17 the house you know for longer than a couple of seconds you were obviously telling on
18 someone so on and so forth. So there was an ingrained culture of don't talk to them, if
19 you've got a problem talk to us, we'll sort it, you know, that sort of stuff. And if you do, if
20 you go against any of these rules, you're an enemy, mmm.
- 21 Q. What happened to the enemies?
- 22 A. They got beaten up. Sorry, I know it's not funny, but yeah.
- 23 Q. So I know you kind of compare it with what you've been exposed to as an adult but as a
24 13 year old what did those beatings entail?
- 25 A. You usually just get called into one of the rooms, the furthest from the lounge where they
26 lived and you'd go in there on the pretence of something else and then they'll just jump you,
27 yeah. But yeah, understood, you know, like because they set these rules, you knew why
28 they were doing it kind of so, but still very confusing.
- 29 Q. So you talk about the exposure to sexual activity?
- 30 A. Mmm-hmm.
- 31 Q. You talk about in your statement seeing teenagers having sexual intercourse?
- 32 A. Yeah.
- 33 Q. You saw an older boy sexually touching two little girls?
- 34 A. Yeah. He wasn't allowed near them. He'd attempted several times, but he was in that home

- 1 for being a sex offender or an abuser, and then the girls were there because they'd been
2 abused, so you know, didn't really make sense.
- 3 **Q.** And you also say that you lost your virginity there as well?
- 4 **A.** Yeah.
- 5 **Q.** And talking about starting to sniff glue that day?
- 6 **A.** Mmm-hmm.
- 7 **Q.** And that's something you continued with isn't it?
- 8 **A.** Yeah, it was quite prevalent in the 80s.
- 9 **Q.** One of the other things you talk about is the two of the older girls were working as escorts?
- 10 **A.** Yeah.
- 11 **Q.** So they're selling themselves for sex?
- 12 **A.** Yeah.
- 13 **Q.** And you said they bought drugs and this is how you got drugs?
- 14 **A.** Well, I get drugs off them, yeah.
- 15 **Q.** So you've described that as conditions and Benzodiazepine?
- 16 **A.** Yeah.
- 17 **Q.** So you've also talked already about having cigarettes, alcohol?
- 18 **A.** Yes.
- 19 **Q.** You stay there about a month and then you go home and then you go to the psychological
20 services. We're about paragraph 37 of your witness statement go home to your family?
- 21 **A.** I don't think I stayed home very long, I think I may have even gone for a leave, a temporary
22 leave.
- 23 **Q.** Right?
- 24 **A.** I'm not too sure what that entails because, yeah.
- 25 **Q.** So you start college at New Plymouth Boys High school?
- 26 **A.** Yeah.
- 27 **Q.** And tell us about that, because that was a different experience from primary school?
- 28 **A.** Yeah, yeah, yeah, it was, and one of the stand out things about the difference was that there
29 was heaps of different students there from background, different backgrounds and
30 ethnicities, so yeah, it made it, while I wasn't everybody's victim, everybody's target, they
31 were pretty much down to earth, it was quite good.
- 32 **Q.** So one of the things that you talk about at college is you start hanging out with the,
33 I suppose the bad kids, and you're truanting with them and being away from school.
- 34 **A.** Yeah.

- 1 **Q.** And also running away from home?
- 2 **A.** Yes.
- 3 **Q.** So then you go back to Rosendale in April 1987?
- 4 **A.** Yes.
- 5 **Q.** Anything different about Rosendale at that stage?
- 6 **A.** Hang on a minute, where are we?
- 7 **Q.** At paragraph 43?
- 8 **A.** Oh yeah, sorry. So where were we, 43?
- 9 **Q.** 43, back at Rosendale?
- 10 **A.** Can you please repeat the question? I've got a lot going on.
- 11 **Q.** I was asking you if everything was different?
- 12 **A.** About?
- 13 **Q.** Rosendale when you went back?
- 14 **A.** When I went back from where?
- 15 **Q.** The second time. So you're coming back thereafter having been home for a while?
- 16 **A.** Yeah, I think I actually ran away and I was returned -- I don't recall going home the back
17 and forwards.
- 18 **Q.** Right?
- 19 **A.** It's some time ago, it's like, yeah, but I remember being returned to Rosendale by the Police
20 for some reason, and yeah, I don't know about the, what differences I could refer to.
- 21 **Q.** So the records confirm you're being taken back by the Police for shoplifting?
- 22 **A.** Yeah, yeah, nearly every day. This went on for quite some time. I, yeah, I can't recall any
23 exact differences or, I can't help you sorry I don't know.
- 24 **Q.** So then we get to July 1987 and a complaint's made that you're in need of care protection or
25 control?
- 26 **A.** Mmm-hmm.
- 27 **Q.** And so a warrant's made to take you into care and to take you away from Rosendale at that
28 stage, that you kind of take that into your own hands by running away?
- 29 **A.** Yeah.
- 30 **Q.** And then two days later you appear in the New Plymouth children and young person's court
31 on the complaint?
- 32 **A.** Yes.
- 33 **Q.** And you then go to Hamilton Boys' Home?
- 34 **A.** Oh yeah, yeah.

- 1 **Q.** So just before we leave Rosendale, what do you think of that in terms of the path that you
2 subsequently went on, where does Rosendale fit in that path?
- 3 **A.** The crime for one, that's probably what got me put into Hamilton Boys' Home, the
4 absconding automatically because I didn't like where I was. The gateway drugs like
5 conditions and solvents and stuff like that, just led to more bigger and bad err stuff. And at
6 that time those attitudes and behaviours were pretty much the building blocks that led me to
7 be put in that facility, yeah, so yeah, that's about as far as I can go with that.
- 8 **Q.** So we have you going into Hamilton Boys' Home or Melville?
- 9 **A.** Yes.
- 10 **Q.** 17 July 1987?
- 11 **A.** Yeah.
- 12 **Q.** And you're still 13 years old?
- 13 **A.** Mmm-hmm.
- 14 **Q.** So you describe that as a terrifying place. Just in terms of the physical set up, how do you
15 describe Melville?
- 16 **A.** It was like any facility of the time, you know, I hadn't seen one before, so yeah. At first it
17 was extremely daunting, it didn't stop being daunting during the time I was there. It
18 was -- I guess only thing I could compare it to is the dormitories at high school I saw the
19 boarders at, it was very set up like that.
- 20 **Q.** So as at Rosendale you talk about having a number of first experiences at Melville?
- 21 **A.** Mmm-hmm.
- 22 **Q.** So let's start with your first introduction, which is being strip-searched so do you want to
23 talk about that?
- 24 **A.** Yeah. Yeah, it stands out only because it was the first time that I was strip-searched, it was
25 completely foreign to me and I was naked in front of a guy that I didn't know, you know?
26 And it triggered stuff from, you know, the past, you know, automatically I thought what's
27 going on here, you know, like what kind of place have they put me in basically, you know,
28 I didn't know what was going on, I was a kid.
- 29 **Q.** So you're searched while you're naked?
- 30 **A.** Yeah.
- 31 **Q.** And you also talk about threats of violence by the staff being made almost immediately, so
32 just explain a bit about that?
- 33 **A.** Oh you know, everyone's seen those prison movies with the chip cracking guard that comes
34 out and give the, you know, the welcome to jail speech, it's a real thing, it is actually a real

1 thing, I don't know if they get it from the movies or the mauve ease get it the from them, it's
2 real thing, and yeah, this was that speech and it was look you're going to do fine here as
3 long as you do exactly what you're told. If you don't some sort of painful punishment
4 physically is going to be inflicted on you. And this is not maybe, this is what's going to
5 happen. And yeah, if they don't do it, the boys will do it, you know? And so yeah, just toe
6 the line.

7 **Q.** That's actually what happened to you pretty much, isn't, because as soon as you got into
8 your room you were jumped?

9 **A.** Yeah, yeah.

10 **Q.** So talk a bit about that?

11 **A.** After I was searched and that processed and so on and so forth, I was given my kit and then
12 taken to fold my room by one of the staff members. Now incidentally my room was right
13 at the end of the wing, at the very end of the wing so I had to walk past everybody to get in
14 there and basically they were all in their cells, in their dormitories or rooms or whatever the
15 hell they were called. Yeah, and one by one everyone was just eyeing me up, there's like
16 20, 30 kids in there almost you know, and I don't know where they were from, I didn't
17 know who they were, I didn't know anybody. They were all generally appeared to be
18 predominantly Māori there as well. And I was like wow, and went down to fold my room
19 and the guy comes in, one guy goes oh the first thing he said, he walks into my room and he
20 goes where are you from, I told him, he goes who are you for? They just attacked me,
21 straight away, probably two, three, I can't remember, but there was several. Yeah.

22 **Q.** And you talk about having black eyes, swollen lips, bruises on your head?

23 **A.** Yeah.

24 **Q.** Loosened teeth?

25 **A.** Yeah.

26 **Q.** And you say of it wasn't a kids fight it was a full on stomping?

27 **A.** Yeah, yeah, yeah. Well, later on I'd find out it goes in degrees, you know like there's kiddy
28 stuff then it gets bigger and it gets bigger, as the boys get bigger and as the age grows up
29 and as they grow up. You know, they get bigger, the violence gets bigger. So yeah, it's
30 sort of intermediate range beating if you like.

31 **Q.** You say in your witness statement that you couldn't fight back because you were out
32 numbered and you thought you were going to die?

33 **A.** That's correct.

34 **Q.** You didn't understand why it was happening to you?

- 1 A. No, that's the first time in my life I thought I was going to die.
- 2 Q. So your response to that is to take off as soon as you could?
- 3 A. Yes.
- 4 Q. How long were you there before you took off?
- 5 A. Not long at all.
- 6 Q. How far did you get?
- 7 A. From Melville in Hamilton to Hamilton CBD.
- 8 Q. And then picked up by the Police?
- 9 A. Yeah.
- 10 Q. Did they talk to you at all?
- 11 A. One of them said look it's pretty obvious you've run away because I was walking around in
12 Hamilton Boys' Home clearly marked clothing and, yeah, and I just said look I'm cold and
13 I'm tired and I'm lost and I'm hungry and they said we better take you back to the Boys'
14 Home eh and they did, they took me directly back.
- 15 Q. So what was the response to you taking off?
- 16 A. Initially once the Police left I was taken to the secure unit.
- 17 Q. What happened to you there?
- 18 A. I got a few whacks and the head and so on so sort, strip-searched again, and then left in the
19 secure unit, yeah.
- 20 Q. So you talk about being locked in a cell?
- 21 A. Yes.
- 22 Q. What was the cell like, do you remember?
- 23 A. The cells there, the secure cells were -- there were no bars on the windows, but the
24 windows didn't open. There was no, you know, big cell doors and stuff like that, they were
25 just almost like an isolation cell or something like that, a detox cell, and they had a fixed
26 bed, a mattress on it, a table and that was it, they may have had toilets I'm not too sure, but
27 I've been in multiple facilities and they all start to look the same after a while.
- 28 Q. Fair enough.
- 29 A. The marked differences are you've got to shit in the bucket or you've got a toilet, you're
30 lucky in you get a toilet in your cell.
- 31 Q. So you think from your memory, as you say in your statement you were there for a few
32 days?
- 33 A. Yeah.
- 34 Q. So you're in the rec room in the day?

- 1 A. In the secure unit.
- 2 Q. In the secure unit?
- 3 A. Yes.
- 4 Q. Were you with anyone else?
- 5 A. People came and went, but differently, it was also a punishment area, that's what it was, so
6 if boys were any infringements they could go there from the staff, that was like the level
7 before the beatings happened, you know, there could be, yeah, yeah.
- 8 Q. Did you get any schooling?
- 9 A. No.
- 10 Q. And then after a few nights you get let out?
- 11 A. Of the secure unit?
- 12 Q. Of the secure unit?
- 13 A. Yeah.
- 14 Q. And you say that four of boys who'd attacked you before attacked you again?
- 15 A. Yeah, I can't be sure of how many, because when you're being beaten up by multiple people
16 you don't sort of like look around and take names, you know.
- 17 Q. Yeah?
- 18 A. No-one's wearing a tag hi I'm Steve, you know, so you know and it gets down to you, after
19 a while you get better to it, 1, 2, 3, 4, recognise places and that.
- 20 Q. I think what's important here is that you were told at this stage that one of the staff
21 members had directed them to give you that hiding?
- 22 A. It was actually the guy that told me at the start that that's what would happen, so yeah.
- 23 Q. So you ran away again?
- 24 A. Yeah, immediately.
- 25 Q. And you got lost again?
- 26 A. Yeah.
- 27 Q. And so you went around the same circuit, found by Police, taken back to the secure unit?
- 28 A. Yes.
- 29 Q. So the second time, same staff member, talk about what his response was to you the second
30 time?
- 31 A. Yeah, the beating I got when I got back was markedly different than the first. I went to the
32 secure unit, again and then the man I figured he must be the secure unit boss or something,
33 that was just his job. Yeah, I started -- I think that was the first time I actually started
34 mouthing off with him you know like yelling back at them and stuff, and yeah, I think I was

1 throwing things around, I got locked in my cell and I wouldn't calm down, and then he
2 dragged me out of there, slapped me around a bit and dragged me down the -- he opened
3 the secure unit and dragged me down this corridor it's probably as long as this room by one
4 arm, by two arms, by a leg, by hook or by crook, whatever he can -- yeah, I remember at
5 one point he was dragging me by my legs and my head was hitting the door jambs and
6 stuff, yeah, yeah.

7 **Q.** And you say as a result of that you had carpet burns all over your legs and body and you
8 were crying?

9 A. Yeah, I was crying and I did have a couple of burns, grazes and bumps and stuff you know
10 and my ears were ringing and stuff, yeah.

11 **Q.** Then you get locked in what you call the time-out room?

12 A. Yeah.

13 **Q.** So just describe that room?

14 A. The room was about as long as this booth we're in here, about as long as that to the door,
15 about as -- not as wide.

16 **CHAIR:** You're describing thereabouts 3 metres, 3 or 4 metres long, a couple of metres wide?

17 A. Yes, that's correct. And there was a carpeted seat at the end and just a linoleum floor, zero
18 facilities, no fresh air, a window that was completely sealed at the top, and that was high up
19 too. It was a very unusual room, it was high, narrow, short and no facilities there, yeah, and
20 I was locked in there, yeah.

21 **Q.** You were locked in there overnight, weren't you?

22 A. Yeah, it ended up being overnight. I thought they were coming back to get me but they
23 didn't.

24 **Q.** So you say there was nothing in there, so that included no toileting facilities?

25 A. No nothing, there was nothing, no bed, no toilet, you know, it was a temporary holding cell.

26 **Q.** So what happened when you needed to go to the toilet?

27 A. I had to use the floor.

28 **Q.** You had to sleep in the same room?

29 A. Yeah.

30 **Q.** And you talk about the smell being terrible in there, so you assume that other boys had been
31 in the same situation as you?

32 A. Yeah, yeah, definitely.

33 **Q.** What happened when staff came in the next day?

34 A. The first staff member that opened the door wasn't the member that was in charge of the

1 secure unit, but he opened the door, I think he was the first person there. And even he was
2 like what are you doing in there, sort of thing, and I was like I don't know. He goes you
3 pissed and shit on the floor man, what are you up to? I was like, I don't know, there's no
4 toilets in here, I was pretty scared and freaking out. He went oh shit and went and got the
5 other staff member and he come back and he just dragged me out and beat me up again and
6 put me back in the secure unit.

7 **Q.** That was because you hadn't been able to hold on?

8 **A.** Yeah, well, I used the floor as a toilet, you know, you know, that's what he was really
9 worried about.

10 **Q.** So what was the response of staff if they saw you being beaten by other boys?

11 **A.** Nothing. Unless it was getting too severe and they'd break it up, because they didn't want
12 anything coming back. Only severe assaults would be reported to the outside. Near deaths
13 and broken bones and things that needed medical attention. Even some of them weren't.

14 **Q.** Did you see what was happening to you happen to other boys?

15 **A.** Yeah. Only generally the new boys, not boys that were stable there. To some of them it
16 was home, it was a literal home, they liked it. They probably didn't like it but it was home,
17 you know.

18 **Q.** You talk about staff allowing hidings to happen, boys attacking other boys?

19 **A.** Mmm, yeah, to an extent though, there was always an extent to the stuff and the extent was
20 measured by the staff as to only if they were ever going to get in trouble, if they saw
21 something and went whoa, they were concerned primarily with themselves and it'd
22 become, I don't know, sadistic I guess in it, they were just, I don't know, desensitised to
23 what was happening, it was just the way it was and it was a control tool and it was better
24 that the inmates controlled each other than the staff have to do it, you know. Plus they
25 couldn't get in trouble.

26 **Q.** You talked about the gym being used as a way I suppose of organised violence, it is a
27 theme quite a lot?

28 **A.** Yeah.

29 **Q.** Talk about how the gym was used?

30 **A.** The gym is a gym, you know, it's used for physical purposes, you know. The violence was
31 incorporated into sport within the prison system it was style of rugby developed because we
32 don't have the space. So they call it crash and it's like an extreme form of rugby league.
33 There's no rules basically, and people get destroyed in that. They'd use it as an excuse too,
34 we were playing crash and you fell over, just for beatings, for anything, yeah. But it was

1 very aggressive, extremely aggressive and that would occur all the time. They'd have one
2 out fights if the boys had a problem with somebody, you know, they'd fight them in the
3 gym.

4 **Q.** And staff would arrange that?

5 **A.** Well they'd let it happen, the boys would arrange it on their own, staff is staff you know
6 like at the end of the day they can't go around like a -- I can't answer all these questions like
7 slowly.

8 **Q.** I'll do it slowly?

9 **A.** I've got someone here, you and Rachel, and it's all getting a bit much. I wouldn't mind
10 having a break.

11 **CHAIR:** I was just going to say, let's take a break.

12 **A.** Thank you, it is a lot for me, it's all good, it's all right.

13 **Q.** Take a break, take a breath, and we'll come back when you're ready.

14 **Adjournment from 10.05 am to 10.26 am**

15 **CHAIR:** Thanks for coming back Daniel, really appreciate it. Thank you Ms Cooper.

16 **MS COOPER:** So the next topic, we're still at Melville, that I wanted to talk about was the
17 hierarchy there. Can you talk a bit about how that worked.

18 **A.** It was an extension of the pecking order or the culture that I experienced in Rosendale.
19 Yeah, yeah, there were senior boys that had been there the longest and they ran the place.
20 Then there were like the intermediate boys, they'd been there for not as long as the Old
21 Boys and then the new boys, yeah, and the staff ran everything. But they basically used the
22 older boys as overseers, yeah, yeah.

23 **Q.** And one of the differences I suppose for those older boys is they also got more privileges,
24 didn't they?

25 **A.** Yeah.

26 **Q.** So can you give some examples of the kinds of privileges they got?

27 **A.** Well, they were left alone pretty much to administer whatever they wanted to do, you
28 know, freely. They were allowed to smoke more than -- because they had certain times you
29 were allowed several smokes a day, I think it was five.

30 **Q.** Even you at 13?

31 **A.** You had to be a certain age to smoke, but they -- I think it might have been 15 or 16. But
32 yeah, if they caught you smoking they'd do nothing, but Melville had a specific smoking
33 rule. It was different than the other boys' homes, yeah, they had a smoking rule and you
34 were only allowed at certain times and certain -- enough smokes, you know, yeah. But they

- 1 had everything, everything they wanted, you know?
- 2 **Q.** So we've talked about the beatings and the hidings going on and the use of locking up?
- 3 **A.** Yeah.
- 4 **Q.** What about the emotional and verbal abuse?
- 5 **A.** In Melville?
- 6 **Q.** Yeah, from staff and boys?
- 7 **A.** It was frequent, like all day, all day, you know? Even the weakest of the herd would take,
8 you know, some pleasure in insulting you in some way, because it wasn't them, you know
9 what I mean, yeah, and I understand it, I understand it clearly now, you know, like it's
10 survival, it really is, yeah.
- 11 **Q.** So you talk about being called names, yelled at, threatened with violence, put down?
- 12 **A.** Yeah.
- 13 **Q.** Threats to bash your teeth in, called a worthless piece of shit?
- 14 **A.** Yeah by.
- 15 **Q.** And that's staff isn't it?
- 16 **A.** Those sort of, you know, I don't know what you call them, but put downs or whatever, you
17 know, they destroy your self-confidence and stuff like that, undermine your self-esteem,
18 those things were done by staff. The threats of violence, indiscriminate pointless violence
19 was from the boys, yeah, pretty much, they just -- yeah.
- 20 **Q.** So you finalise your kind of summary of your experience at Melville by saying it had
21 nothing positive about it and that you cried nearly all the time?
- 22 **A.** Yeah, I cried a lot. That was unaccepted too, you know, you'd get beaten up for crying, you
23 cry about being beaten up and you get beaten up again for crying. You know, I can't make
24 sense of it, but I can tell you what happened.
- 25 **Q.** One of the things you say, because that's your first experience going into a boys' home, is
26 that you considered yourself to be different, not better, but different. Can you explain what
27 you mean there?
- 28 **A.** Once I got to talking to some of the boys there I realised that there was a common theme,
29 most of them lived on the streets, they were from the same age as me or a couple of years
30 older. Their concept of family was completely different and their experiences were -- they
31 were horrific. Yeah, I hadn't experienced that, you know, like the only thing shit that
32 happened to me in my childhood really was like sexual abuse you know and stuff like that,
33 it was, you know, I was, you know, beaten up and got a hiding but it wasn't severe, just got
34 a boot up the arse or a slap around the head and be off, wouldn't do it again for a couple of

1 days, but it was a different time and a different place, you know, everyone got a hiding
2 back then. These are the days where women would wear big glasses around to hide their
3 black eyes and they were frequent and they'd go and get the milk and bread and no-one
4 would say a word you know, all that shit. Kids expected to get beaten for stuff, you know,
5 like, but not like that. So I, yeah, I just thought where I've come from is markedly different
6 and my progress here has been yeah, a lot different.

7 **Q.** So you finish up there in August 1987?

8 **A.** Mmm-hmm.

9 **Q.** And in the same month you're made a State ward, so you're now under the guardianship of
10 the State?

11 **A.** That's correct.

12 **Q.** And you go back to Rosendale, which you say was just the same as it had been before?

13 **A.** Yeah.

14 **Q.** One of the things you say is that after your experience at Melville you didn't want to live in
15 anywhere the State placed you?

16 **A.** No.

17 **Q.** So you ran away?

18 **A.** Yes.

19 **Q.** Where did you live?

20 **A.** On the streets pretty much.

21 **Q.** And how were you supporting yourself?

22 **A.** Numerous ways, just, yeah, mostly crime, you know?

23 **Q.** And you talk about sniffing glue during that period as well?

24 **A.** Yeah, in this time, or in those days kids living on the street was quite prevalent, you know,
25 Auckland, Wellington, Christchurch, whole hoards of us, like hundreds, I'm talking about
26 hundreds of children, a lot of them had escaped from these places too. And solvent abuse
27 was rife, it was rife throughout the country, this was way before meth and shit like that, it
28 was really bad. But that's all you had to do, it was cheap, it was available and it kept us
29 warm and shit, you know, it sounds weird I know, but yeah.

30 **Q.** And during this time I'm assuming you're not going to school?

31 **A.** No way.

32 **Q.** What about contact with your parents during this timeframe?

33 **A.** None really.

34 **Q.** So you also talk about shoplifting to survive?

- 1 A. Yeah.
- 2 Q. And taking cannabis and pills if they were available?
- 3 A. Yeah.
- 4 Q. This is all during a timeframe that you're supposedly living at Rosendale isn't it?
- 5 A. Yeah.
- 6 Q. So this then leads you to Kohitere, doesn't it?
- 7 A. Rosendale, yes, and the Melville Boys' Home as well.
- 8 Q. So in late November 1987 you go to Kohitere for the first time?
- 9 A. Yes.
- 10 Q. And on my calculation you're literally just 14?
- 11 A. [Nods].
- 12 Q. So in terms of the age group of Kohitere, would you have been one of the younger boys?
- 13 A. Yes.
- 14 Q. So you bounce in and out of Kohitere essentially for two years?
- 15 A. Mmm-hmm.
- 16 Q. So you go in and out between November 1987, your last placement there is coming out in
17 early September 1989?
- 18 A. Yes.
- 19 Q. I'm going to reference the first document that we're going to look at today, which is your
20 community social workers' referral to why you're going there. So if we can have witness
21 245011. If we can call out the top paragraph through to numbered 4 please. So now this is
22 your community social worker asking for you to be admitted to Kohitere, so it's saying you
23 need an environment where clear boundaries are set as regards your behavior, an education
24 programme that provide you with the academic and social learning you've missed through
25 truanting and changes of schools, counselling about your turbulent family relationships,
26 break in offending behaviour, time-out from peer group, sound skills to deal with
27 aggressive behaviour, accept responsibility for your own behaviour, and work with family
28 members on visits to ensure the possibility of family integration.
- 29 So that's how your social worker sees Kohitere is going to be for you. Just
30 as a general comment, were your experiences at Kohitere, did they provide you any
31 of that?
- 32 A. No. Nothing.
- 33 Q. So we'll just start with your admission to Kohitere and you say that that was pretty much
34 the same as it had been at Melville, so you're taken by staff?

- 1 A. Yeah, that's right.
- 2 Q. And given another strip-search?
- 3 A. Yeah.
- 4 Q. So again, that required you to take off all your clothes?
- 5 A. Yes.
- 6 Q. Did you have any towel by the way?
- 7 A. No.
- 8 Q. No towel. And then you're given the run down?
- 9 A. Yeah.
- 10 Q. So unfortunately even though you've come through the Police, you have a knife in your
11 bag?
- 12 A. That's correct.
- 13 Q. And what happened because you had a knife in your bag?
- 14 A. I was taken immediately to the secure unit.
- 15 Q. And just explain, describe what the secure unit at Kohitere looked like?
- 16 A. The secure unit at Kohitere is a large concrete block, yeah, pretty much, it's concrete and
17 steel block.
- 18 Q. Any external windows?
- 19 A. They were put in over time. Yeah, originally there was no windows in the cells apart from
20 high up where you couldn't reach them, yeah.
- 21 Q. And you talk about heavy gauge mesh on the roof?
- 22 A. Absolutely, yeah.
- 23 Q. And then an open courtyard with about 12 cells?
- 24 A. Yes, it's a concrete block in a square. The inside of it, the centre of it, is a courtyard, open
25 air courtyard with a large steel mesh across the top, that allows the rain and fresh air to
26 come through, and that was it, inside is the concrete courtyard with pillars supporting the
27 roof.
- 28 Q. What was inside the cell?
- 29 A. Down one side of the room a wooden bunk bed just built into the concrete wall and it ran
30 along and went up into a desk and that was one side of the cell and on the other, I'm not too
31 sure if it had buckets for, they called ablutions like you use them to go to the toilet, or I
32 think they may have had stainless steel toilets in Kohitere because I remember scrubbing
33 everything, I remember scrubbing basins and that until they shone like armour.
- 34 Q. So you're strip-searched again?

- 1 A. Yes.
- 2 Q. And you're given the run down about how secure works?
- 3 A. Yeah.
- 4 Q. That's by two staff members?
- 5 A. Yes.
- 6 Q. And you're told you have to call them, sir?
- 7 A. Yeah, that's right.
- 8 Q. And if you mess with them they'd kick your teeth down your cakehole?
- 9 A. Yeah something of that description, yeah.
- 10 Q. So what was your response to that?
- 11 A. I didn't respond basically, I forgot to call one of them, sir, and they responded.
- 12 Q. So what was that response?
- 13 A. I was punched in the stomach or sorry elbowed in the stomach and then grabbed by the
14 throat, chucked up against the wall and then biffed into the courtyard, there's a steel grille,
15 grabbed me with one hand and unlock the door with the other and just tossed me straight
16 through and put a foot in my back behind me and just locked the door.
- 17 Q. You talk about landing on the concrete and grazing the skin off your hands?
- 18 A. Yeah, that was probably the least of my injuries.
- 19 Q. What about the boys in secure?
- 20 A. Yeah, well we were left unattended all day apart from when they came out and did PT or
21 whatever, you know, staff, you know, ordered us to do this and that or it's tea time or
22 whatever. But we didn't leave the block, so those -- I got chucked in there, I didn't know
23 where I was, literally it's like being a gladiator and just kicked into the coliseum, you don't
24 know what's coming out, could be Russell Crowe, could be a bunch of lions, could be all of
25 them. But unfortunately it wasn't, but yeah, they -- it was a bunch of angry boys who beat
26 the shit out of me.
- 27 Q. You say that these were like the full on beatings you'd had at Melville but probably a step
28 up?
- 29 A. Melville and also Rosendale it was, it was progressive, yeah, it was, yeah.
- 30 Q. So again, you talk about cuts, scrapes, black eyes, scraped face?
- 31 A. Mmm-hmm.
- 32 Q. This is part of your welcome to Kohitere?
- 33 A. Mmm-hmm. You ended up getting black eyes on black eyes on cuts on cuts and stuff, it
34 never heals.

- 1 **Q.** Would staff have known that was going on?
- 2 **A.** Well, they never say anything, but it's pretty much undeniable, you get up and your face is
3 purple like a grape, you know, they don't go, what's wrong with you, they know what's
4 wrong with you, but yeah.
- 5 **Q.** You also talk about the fact that the office that they were in had a full view, so they would
6 have been able to see--
- 7 **A.** Absolutely.
- 8 **Q.** What was going on?
- 9 **A.** There were blind spots but most of the violence happened right out in the open.
- 10 **Q.** So then you're locked up, next day, so what was the routine in secure that you remember?
- 11 **A.** First thing in the morning, I mean you lived in exercise shorts, that's all you had, bare feet,
12 exercise shorts and a t-shirt, that was your clothing and at night time you had like a night
13 shirt thing you had to wear, it was -- yeah.
- 14 **Q.** So you're woken up early in the morning?
- 15 **A.** Yeah, yeah sorry and then PT immediately 5.30, 6 o'clock, something like that, yeah.
- 16 **Q.** What was PT like?
- 17 **A.** You would have to run a single lap of the secure unit which would be no more than the
18 circumference of this room, yeah, so start at 100 and count back until you, yeah, finish.
19 Like every 10 laps they'd make you go into the centre of the compound and exercise.
20 Either pull-ups, duck walks, sit-ups, all that stuff, press-ups, you name it, yeah.
- 21 **Q.** And did you get any biffs or anything as this is going on from staff?
- 22 **A.** It depended what staff were on. They all had their own methodology, they'd adapted to do
23 their job. So some of them was just a backhand around the head or whatever, other ones
24 was full force punches. One staff in particular had a small piece of alkathene that he'd keep
25 in the staff room and if we were playing up he'd just tap on the window with it and
26 everyone would go back to their rooms and stuff. Yeah, you'd have to make him pretty
27 wild for him to get the alkathene out, you know, but yeah, he saved it in reserve. He was a
28 big man, a big man.
- 29 **Q.** Did you ever get the alkathene used on you?
- 30 **A.** A couple of times.
- 31 **Q.** Whereabouts on your body?
- 32 **A.** Around the legs, yeah.
- 33 **Q.** So did you get any schooling when you were in secure?
- 34 **A.** Not in the secure unit. I believe that they did a thing where the boys were allowed to go to

- 1 school again from the secure unit, I think that lasted all of three days.
- 2 **Q.** So you're there for about a week?
- 3 **A.** Mmm-hmm.
- 4 **Q.** Then you're taking to Tui Villa?
- 5 **A.** Yes.
- 6 **Q.** So talk about the kind of physical layout of Tui Villa?
- 7 **A.** Once again, it's a long dormitory style building, just one long wing with housing on either
8 side and a staff room in the middle, like a central hub and that will lead to the showers and
9 the dining room, yeah.
- 10 **Q.** So just like at Melville you get your first beating on the first night?
- 11 **A.** Yeah.
- 12 **Q.** So what happened there?
- 13 **A.** The dorms are doorless, right, each individual room has no door. So you can take off at
14 will. At the end of the day you have to take off your clothes, your wearing clothes, fold
15 them up and your shoes and put them at your door. That's how the staff would know that
16 you're gone if you've taken off, because they'd look, your clothes are gone, you can't run
17 away naked, you need your shoes and your clothes. It was also used as a discourager if you
18 would like, to run away, yeah. I don't know, I'd been asleep a little while and I just
19 remember waking up to heaps of people in my room hitting me and kicking me and stuff
20 and dragging me out of bed and stuff, yeah.
- 21 **Q.** And then you also talk about soon after that waking up to have two boys urinating on you?
- 22 **A.** Yeah, that was a while later.
- 23 **Q.** It was a while later?
- 24 **A.** Yeah, a couple of days or something I don't know, can't remember.
- 25 **Q.** And you talk about being asked who you were with?
- 26 **A.** Yeah.
- 27 **Q.** I suppose?
- 28 **A.** Yeah.
- 29 **Q.** And you understood later that they were talking about what gang you were affiliated with?
- 30 **A.** That's correct, when I first attended Melville Boys' Home that's what I was asked, before I
31 was beaten. I discerned that they meant later on which gang I was affiliated to or what
32 gang affiliations I had so on and so forth. Gang land was a lot more clearly defined in those
33 days, you know, there wasn't so many hybrid gangs popping up here there and everywhere,
34 but yeah, yeah, that's what happened, yeah.

- 1 **Q.** So you took off pretty much straight away, 7 December you take off after?
- 2 **A.** Yeah, because like it was probably a week day or something like that, because I remember
3 throughout that week it was a hell week for me, I was beaten up like three times, pissed on
4 when I was sleeping, I went to sleep and someone would shit in my pillow case and stuff
5 like that. That was standard, I used to take it personally, I'd be like wow someone really
6 doesn't like me, hey they don't like anybody, so you know.
- 7 **Q.** And so again you're caught you're taken back?
- 8 **A.** Yeah, that's correct.
- 9 **Q.** Back to secure?
- 10 **A.** Yes.
- 11 **Q.** So and you spend obviously, we'll come on to how long you end up spending in secure?
- 12 **A.** Mmm-hmm.
- 13 **Q.** So just talking about the pecking order at Kohitere?
- 14 **A.** Oh yeah.
- 15 **Q.** That had its own culture didn't it?
- 16 **A.** Yes.
- 17 **Q.** So there were new boys?
- 18 **A.** Yeah, I can break it down for you if you'd like.
- 19 **Q.** Sure.
- 20 **A.** This is where the hierarchy or the culture became formal if you like. It didn't exist in
21 Rosendale, it didn't exist in -- well, the formality of actually naming it and having structure,
22 hierarchy, proper hierarchical structure. There was the kings, the knights and the peasants
23 basically. That's how it went. It was -- so nine months or so in Kohitere would make you
24 an old boy. So you're effectively an old boy. Just like they have at high schools. And then
25 six months was K-boy which is Kohitere boy which is acceptable, you know, you didn't cop
26 the flack that anyone else would and stuff but you weren't quite as cool as the old boys.
- 27 **Q.** Right.
- 28 **A.** Then you had the new boys, the NA-boys, and NA was "new admission", they were about
29 three months, 3 to six months and then the spankers and they were over, as soon as you got
30 there it was just mauled for three months pretty much, yeah.
- 31 **Q.** So that's the very new initiated?
- 32 **A.** Yeah, that's what I was when I got there. Everyone was at some stage, yeah. And the place
33 was run by one guy though and he'd usually have a couple of, you know, trusted guys
34 beside him and then --

- 1 **Q.** That's the kingpin?
- 2 **A.** That's correct, mmm-hmm.
- 3 **Q.** And again, you say just like Melville they got the perks and they decided the rules for the
4 boys?
- 5 **A.** That's right.
- 6 **Q.** Where did staff fit in this hierarchy?
- 7 **A.** This structure was exactly the same as Melville, but.
- 8 **Q.** So staff were at the top?
- 9 **A.** Staff were always at the top.
- 10 **Q.** Yeah?
- 11 **A.** You know, you're in a correctional facility, you can only play up so much. But it was the
12 older boys were used as overseers. And because they had internalised a hierarchical
13 structure, you know, from within, then that was it, that was what everyone had to adhere to.
14 So the boys would come up with this stuff inventively over time and yeah, yeah.
- 15 **Q.** So you talk about there being a culture of extreme violence and no narking which staff
16 reinforced. So how was that culture reinforced?
- 17 **A.** Violence, extreme violence. Talking to the staff, saying anything, anything, even look, like
18 if you went into an office for something, you know, you'd come out there'd be three guys
19 going, what did you go in there for, automatically. So there was a culture of saying
20 nothing. And that was ingrained in us from day dot. It was ingrained in me from
21 Rosendale, to Melville and then Kohitere and it's continued right up to the present where
22 even today me sitting here makes me feel like death. So yeah, you know, and it would be
23 almost preferable than sitting here doing this.
- 24 **Q.** Yeah, you've talked a bit about how even being here makes you feel, because that narking
25 culture is so ingrained, eh?
- 26 **A.** Yeah well it's very serious you know, like people don't seem to get it, I mean like the end
27 sum of being an informant is death in some way, shape or form. Whether it be social,
28 whether it be psychological or physical, and that's what's coming. And that's what
29 they -- what was ingrained in us. And it started from the staff.
- 30 **Q.** You talk about two instances with staff where you tried to actually report what was going
31 on to you?
- 32 **A.** Yeah.
- 33 **Q.** So a female staff member you describe lighting into you because you reported?
- 34 **A.** Yeah.

- 1 **Q.** And a male staff member who you told who then had boys come and beat you up?
- 2 **A.** Yeah the boys I told him that I'd just like to say I was 14 at the time and getting the crap
3 kicked out of me on a frequent basis and I was, yeah, yeah, I went and told on them, you
4 know? Like, yeah. I mean if they still feel sore about it they can look me up, see how it
5 goes today. You know, it's a different story, you know. Like but push comes to shove,
6 there are rules of the jungle and yeah, you know, 37 years ago I told on a couple of kids that
7 beat me up at school. This is my school, everyone else, all my friends the same age they
8 were in high school and I'm in there getting all sorts of shit happen to me, you know, so it's
9 different.
- 10 **Q.** One of the things you say, and it struck me is that reporting bad things meant that the staff
11 had to do paperwork?
- 12 **A.** Yeah, that's correct, yeah.
- 13 **Q.** And they tried to avoid doing the paperwork?
- 14 **A.** That's what I was getting at. I mean that was what stemmed, that's what this whole thing
15 stems from is them, over inflated sense of entitlement and believing that, well this is just
16 the way it is, we'll manage these little pricks anyway we can and we'll use them to do it,
17 because then it's not us beating them up, it's them beating each other up, you know, so on
18 and so forth, and what happens on tour stays on tour. You guys can do whatever you want
19 here just don't let it get to the outside, yeah, yeah, and everyone's just happily cruising
20 along out there, it's all kosh you know, they don't know, no idea.
- 21 **Q.** And you say that after a while you got used to the violence and started to take part?
- 22 **A.** Yeah.
- 23 **Q.** In it yourself?
- 24 **A.** Yeah, I did.
- 25 **Q.** Yeah?
- 26 **A.** I started fighting somewhere, I just got sick of taking it, started dishing it out and I just
27 didn't stop and I still haven't, yeah.
- 28 **Q.** So just want to look at another document now which is a report from Kohitere. So it's
29 witness 2450116. And this is a report by your residential social worker and I just want to
30 go to the second page and the heading "Peer Relations", if we can call that up please. So
31 you'll see there it says that you've by then established ties with groups who tend to put
32 pressure on other trainees?
- 33 **A.** Mmm-hmm.
- 34 **Q.** On reflection this was the only way that Daniel felt he was able to cope in a residential

1 setting?

2 A. Yes.

3 **Q.** While Daniel's defence mechanisms leave little to be desired, I feel that he abhorred his
4 own behaviour here. It became a matter of when all else fails. Think that's fairly accurate?

5 A. I think that's, yeah, very accurate. Yeah.

6 **Q.** So I just want to talk briefly about the violence from staff. One of the things you say that
7 distinguished the staff from the boys is that the boys were predictable but with staff you'd
8 never know when they were coming.

9 A. Yeah.

10 **Q.** So can you just talk a bit about that?

11 A. Well, you live with each other, so you know what's going on, you know what's happening
12 in someone's life, you know potentially they're going to be angry in the morning, so on and
13 so forth, you don't know what's happened in that staff member's life and they bring it to
14 work, drag their bags through the door, had an argument with the Mrs, smash the boys over,
15 you've got your punching bags, do what you want. Things aren't going right in your life go
16 to work and take it out on an inmate.

17 **Q.** You talk about the beatings from staff being kicked, dragged, punched, kicked?

18 A. Yeah, all of the above.

19 **Q.** One of the staff members you talk about was a Vietnam veteran?

20 A. Yeah.

21 **Q.** You talk about him being particularly violent?

22 A. Yeah.

23 **Q.** Was he the one with the alkathene hose you've referred to?

24 A. Possibly. I'm pretty -- yeah, it was. But you know, it's like Stockholm Syndrome, even
25 him I'm not going to sit here and slag off, you know, firstly I'm not going to slag off at the
26 dead and secondly, I'm not going to bad mouth a veteran, you know what I mean? If he
27 was angry he had a reason probably. But these are all retrospective points, kids don't know
28 how to process that, big angry violent man, there you go.

29 **Q.** Yeah. So one of the things looking back at one of the reasons for you going to Kohitere is
30 to get an education?

31 A. Yeah.

32 **Q.** Did you get any education?

33 A. No, nah, nah.

34 **Q.** One of the things you do do is forestry?

- 1 A. Mmm-hmm.
- 2 **Q.** How long were you in the forestry gang?
- 3 A. I can't recall, but I was there a bit, because I got some skill sets out of it, yeah.
- 4 **Q.** So tell us about your experience at forestry?
- 5 A. That was a real Lord of the Flies thing up there, you know, but there was one adult. The
6 work in particular was what stood out for me, it was exceptionally hard. Had 13, 14 year
7 old kids up there felling the Tararua forestry, clear felling with axes, this is the time before
8 chainsaws or OSH. So we had absolutely zero safety measures, we were 13 year old kids
9 cuttings down, I could cut down about 12 to 14 trees a day with an axe and after a while,
10 after the first week your hands would be ripped raw across here, the sap would get in there
11 and continue to, yeah, it's bad. The older boys were faster, quicker, so if you weren't fast
12 enough they'd drop a tree on you. These are only like 15 to 30 year old trees, so they're not
13 huge anything, but yeah they -- so the tip of the tree would whack you if it went past
14 because they'd be right behind you.
- 15 **Q.** This is another place you experienced violence, isn't it, from?
- 16 A. Yeah.
- 17 **Q.** The head guy there. So this is your first day, talk about your flying lesson?
- 18 A. Yeah, we went to -- I think I was a smoko boy that day on my first day, I thought I was
19 winning, I thought they all liked me, I was like yeah, and I did the cup of tea and all that,
20 I put the billy on and the boss -- where it was situated was on the edge of this hill and the
21 him went right down to the ravine and there's a river at the bottom. There's a little smoko
22 shed at the top and camp fire, so we went there, the truck came back with the guys, brought
23 all the guys that had been working, they had their cup of tea and lunch and that and then the
24 boss says come over here I want to show you something, look up there, all those hills and
25 that, he grabbed me from the back and threw me off the cliff. I went down the hill for ages,
26 it hurt, through all the gorse and stuff, it was ugly. And secondary scrub, and got to the
27 bottom and I was still alive, still all right, and everyone was up the top clapping and
28 cheering and that, and I went up the hill, he says right, sweet as, you're in.
- 29 **Q.** That was your flying lesson?
- 30 A. Yeah pretty much.
- 31 **Q.** You were in?
- 32 A. Yeah.
- 33 **Q.** And you talk about bleeding, your teeth loose?
- 34 A. I think my teeth have always been loosened from the initial beating I got in Melville, yeah

- 1 still not right today. But yeah, I was, I was cut, I was bruised, I was sore, I was damaged,
2 yeah, yeah.
- 3 **Q.** Any medical treatment?
- 4 **A.** Nah.
- 5 **Q.** Back up there the next day?
- 6 **A.** Yeah.
- 7 **Q.** So we've talked about the violence from staff?
- 8 **A.** Mmm-hmm.
- 9 **Q.** What about verbal psychological abuse?
- 10 **A.** Yeah, yeah, yeah, there was a new phase in the whole psychological type stuff, there were
11 staff there that had, I believe they'd been there for so long they actually understood the
12 violence wasn't working, so they weren't physically violent to you they were
13 psychologically manipulative. They had these huge yarns and tails they'd spin to the boys,
14 don't forget we're still children you know, story time's great, there's no internet, there ain't
15 no TV, there's no radios, there's no nothing. There's absolutely no stimulus whatsoever.
16 You suffer from chronic boredom and listlessness immediately. You will in that
17 environment and add the violence and all the rest of it to it. So yeah, yeah, they would tell
18 us certain things were going to occur and these things were going to happen to us as we got
19 older. They were absolute nonsense, but they were designed to frighten us so much we
20 may not want to do it again.
- 21 **Q.** One of those things was talking about your futures in prison really wasn't it?
- 22 **A.** That's correct, yeah.
- 23 **Q.** Like at Melville you talk about seeing a lot of violence against other boys?
- 24 **A.** Mmm-hmm.
- 25 **Q.** Some of that was by staff wasn't it?
- 26 **A.** Yeah.
- 27 **Q.** And some of that was by the other boys?
- 28 **A.** Yes.
- 29 **Q.** I know that you saw a pretty horrendous sexual assault?
- 30 **A.** Yeah, yeah, that was weird, I didn't hang around and look at it.
- 31 **Q.** How comfortable do you feel talking about that. If you don't want to we'll move on?
- 32 **A.** If it needs to be said I'll say it, I'll talk about it, but if it's not absolutely necessary I'd
33 probably rather move on.
- 34 **CHAIR:** Daniel just to let you know we've got your account here, we can read it, all right, and so

- 1 we respect your choice not to say.
- 2 A. It's not so much for me it's for the boys you know, like yeah.
- 3 **MS COOPER:** Then you're spoken to about that incident by the kingpin later.
- 4 A. [Nods].
- 5 **Q.** There'd also been a broomstick incident?
- 6 A. That's right, that's right, yeah.
- 7 **Q.** I mean I think one of the reasons you talk about that because it is something that stayed in
8 your memory isn't it?
- 9 A. Yeah, and for a while there I -- things blur, you try and let certain things go and they stick
10 around and they change format and they change shape and you have to recall them horribly
11 to make sure what you thought was correct and yeah. There were two separate incidents
12 that happened at two separate times with -- within the facility to other people and yeah,
13 yeah, very disturbing, yeah.
- 14 **Q.** Do you think that sort of thing was common?
- 15 A. Back then no, no, not sort of like sexual attacks from inmate on inmate, yeah. Most of that
16 is a stigma response. I'm not saying the people are just waiting to do it, as soon as the
17 stigma goes, it's just a -- New Zealand, we're so close together, all of us, that no-one wants
18 to be that guy, you know, it'd get out, everyone's laughing at them or whatever, but they, on
19 both sides, I know it sounds, you know -- yeah, but you've just got to make sense of it
20 somehow you know and that's it. Yeah, so yeah, no, it wasn't common but what was
21 common is, or not uncommon, was instances of staff doing it to people, yeah.
- 22 **Q.** We're talking about sexual abuse?
- 23 A. Yes absolutely.
- 24 **Q.** So I now want to take you back to the secure unit because one of the things about your time
25 at Kohitere was you spent such a long time in secure and as you say in your witness
26 statement, you became known as the block King because you had been there the longest?
- 27 A. Yeah.
- 28 **Q.** I'm just going to call out a document in August 1988 which, given you were there through
29 to September 1989, is still quite early, so this is 245026. And if we just look at that front
30 page and call out the words there. So this is talking about it being your tenth admission, so
31 by that stage you've been there a year or so, and it says you've spent 154 days in secure?
- 32 A. Yeah.
- 33 **Q.** 64 days in the open unit.
- 34 A. Mmm-hmm.

- 1 **Q.** And that they'd been unable to curb your behaviour?
- 2 **A.** Yeah.
- 3 **Q.** But in-depth counselling was continuing?
- 4 **A.** [Nods].
- 5 **Q.** I did want to next turn over to page 2 of that document and the last paragraph. So that says
6 you're not a problem in secure, cooperative and helpful, that you knew secure was of no
7 benefit but said you were better off there than in Tui. Sadly you'd shown little response to
8 intervention.
- 9 **A.** Mmm.
- 10 **Q.** Just looking back at that 14 year old boy, what made secure better?
- 11 **A.** Well, I learned some things in there, a guy told me that he was quite a prolific criminal and
12 re-offender for his age but he said look, this place is better, he says, when you're out there
13 in the open dormitory, so on and so forth, they can all come at you at once. He says in here
14 there's only 12 of us. In here if you stand just back from your door Dan, then they can only
15 come in one at a time. Yeah, there was that. And then there was also the fact that a much
16 loved family member of mine said to me one time, boy if you're getting chased out of town,
17 act like you're leading a parade. So I attempted to take away the power from the staff of the
18 threat of secure by saying I love it, I love the place, let's go now. You know, lock my door
19 thanks, I want to live here, because it's all I could do, and I've coped throughout my life
20 with all I can dos all of the time. Yeah, that's how I live day-to-day.
- 21 **Q.** So coming at it from an adult, was secure the best place for you?
- 22 **A.** Probably not.
- 23 **Q.** Other than PT, what did you do all day?
- 24 **A.** Learned how to be sneakier and more violent and fitter and just more angrier really, more
25 angry.
- 26 **Q.** You talk about there being no systemic education and no activities?
- 27 **A.** No, not really. I mean as much as anyone plays with a dog they get bored of you know,
28 yeah.
- 29 **Q.** We've already talked about PT?
- 30 **A.** Yeah.
- 31 **Q.** You did lots of PT so I imagine you got pretty fit?
- 32 **A.** Yeah twice a day PT, they worked us out at secure unit, they took us up forestry every
33 morning for a while.
- 34 **Q.** So you end up being there for most of your time in Kohitere?

- 1 A. Mmm-hmm.
- 2 **Q.** And one of the things you talk about it and it's something that struck me, is that it was a
3 gruelling and unstimulating environment?
- 4 A. Yeah.
- 5 **Q.** That the staff were harsh and punitive?
- 6 A. Yeah.
- 7 **Q.** Because one of the things that your records say quite a bit is that it was intended to be a
8 therapeutic environment for you. What do you think about that?
- 9 A. No, that's incorrect, yeah, it was not.
- 10 **Q.** Did you manage to abscond from secure?
- 11 A. Yeah, I'm the only person to ever escape from a secure unit in Kohitere, I took two others
12 with me so they could share in the glory.
- 13 **Q.** And you say in your witness statement that you actually learned to drive?
- 14 A. Yeah, that's where I learned to drive from stealing cars and getting away. I learned how to
15 steal cars there too, yeah.
- 16 **Q.** You talk about being able to get away from Kohitere, breaking out?
- 17 A. Yeah.
- 18 **Q.** And living on the streets in Wellington?
- 19 A. Yeah.
- 20 **Q.** And so what happened when you were caught and taken back?
- 21 A. Well, initially the first time I absconded, because I absconded several times from there, I
22 was in the dorms so, in the villas sorry, in Tui. So just like I said, they had no locks on the
23 doors, you just go. So that was no great achievement, I just took off you know and was
24 caught in New Plymouth not long after. But as soon as you get caught and as soon as you
25 return to the Boys' Home, the beatings begin again, you get beaten for taking off. And
26 that's also ingrained in the -- yeah.
- 27 **Q.** Is that by staff or boys or both?
- 28 A. No, it was the boys this time, yeah, and that was because they had their own rules that sort
29 of gelled with the staffs' ones if you like, the old boys or the KP you know.
- 30 **Q.** Were you allowed to smoke?
- 31 A. Yeah, yeah we were actually, when I got to Kohitere, we were given smokes, we were
32 allowed to buy them every week.
- 33 **Q.** So you're still 14 when you go to Kohitere?
- 34 A. Yeah.

- 1 **Q.** And you're given smokes?
- 2 **A.** Yeah, yeah, buy them every week.
- 3 **Q.** Were you allowed to smoke in secure?
- 4 **A.** I can't -- no, no you weren't.
- 5 **Q.** I do just want to come back because one of the things, as I say, about the -- one of the
6 reasons for you to go to Kohitere was for you to get an education?
- 7 **A.** Yeah.
- 8 **Q.** I mean it's true, you're quite bright aren't you?
- 9 **A.** Yeah, I suppose so, I don't know.
- 10 **Q.** Well, we'll talk later about your professional qualifications because you've got some?
- 11 **A.** Yeah, yeah.
- 12 **Q.** So wasn't it a plan that you were supposed to be doing school certificate through
13 correspondence?
- 14 **A.** Yeah, that's right, yeah, there was a whole schooling thing they didn't take us to school if
15 we were in the secure unit.
- 16 **Q.** Right?
- 17 **A.** And they started to and it lasted like all of a week or a couple of days and there was a big
18 fight and then they stopped it, yeah.
- 19 **Q.** So how much schooling, actual schooling, do you think you had at Kohitere?
- 20 **A.** None, a few days.
- 21 **Q.** So you've already talked about some of the crime that you learned?
- 22 **A.** Mmm-hmm.
- 23 **Q.** How do you think it kind of contributed to your criminal skill set?
- 24 **A.** It magnified it, mmm.
- 25 **Q.** So what did you learn there?
- 26 **A.** How to fight better, how to fight more than one person, how to make improvised weapons,
27 how to steal cars, how to commit successful arson if necessary, concealment techniques of
28 hiding contraband that are used in prison worldwide, you know. Like we're kids don't
29 forget, it's not Shawshank Redemption, we're tiny children, some of us were small, small
30 kids, and some of us were huge, but yeah. Yeah, I learned all sorts in there, just, there was
31 stuff you don't need to know really, or you don't want to, but yeah.
- 32 **Q.** What about access to drugs and alcohol?
- 33 **A.** Yeah, I also learned about home brewing and stuff like that in there, home brewing alcohol,
34 yeah drugs were around if you needed them, wasn't hard to get, I mean I learned how to

- 1 categorise and classify all the drugs too while I was there too from classes A, B and C.
2 Also what's what, you know, this is good pot, that's bad pot you know, don't take these
3 they'll kill you, take these they'll save you, all that sort of stuff, just practical stuff.
- 4 **Q.** Tattoos?
- 5 **A.** Oh yeah.
- 6 **Q.** Because you've got a few now?
- 7 **A.** Yeah.
- 8 **Q.** You say that you got your first tattoo there, but maybe --
- 9 **A.** Mmm-hmm.
- 10 **Q.** Which was your first tattoo?
- 11 **A.** A tattoo on my thumb.
- 12 **Q.** Did you do it yourself or did the other boys do it?
- 13 **A.** No my friend GRO-B did it, he's passed away sadly, he got me to go like that, put a
14 needle on a match stick and just tattooed in on my thumb.
- 15 **Q.** Is that the FTW?
- 16 **A.** That's correct FTW.
- 17 **Q.** One of the things you say in your evidence about Kohitere is that it was worse than any
18 adult prison you've been to?
- 19 **A.** Yeah, yeah. Yes.
- 20 **Q.** You still say that now after all these years?
- 21 **A.** Yes, yes, yes I will.
- 22 **Q.** Some of the things you talk about how you felt there, deep dark fear, despair and
23 hopelessness, always checking over your shoulder for threats?
- 24 **A.** Yeah. Those things began in Rosendale and then it's like a tear, it begins and then it gets
25 bigger and bigger every time you encounter it, and it grows. So yeah Rosendale, Melville,
26 Kohitere and beyond, you know, it's just gone and -- yeah, so that fear, that is based on
27 fight or flight, you know, what do I do, you know, you can see at the beginning, I just run
28 away, that's why, run away, run away as much as I could until I couldn't and then it was
29 fight and still fight. Stuck, it's stuck on, just can't get it off, it never ever ever ever goes
30 away and it never will.
- 31 **Q.** So after your first major stint in Kohitere, you go and live with your grandmother for a
32 while?
- 33 **A.** Mmm-hmm.
- 34 **Q.** And you also have some time back home?

- 1 A. Yeah, yeah.
- 2 **Q.** How did you find it after your time being in Kohitere, how did you find it going back
3 home?
- 4 A. Is that with my nan in Porirua?
- 5 **Q.** Yeah.
- 6 A. Yeah see I had never been home, that was the first time I'd actually been home. So there
7 was a -- back to my tūranga, that's the first, yeah, time I'd ever been there, so you know,
8 how was it? It's a mixed bag for me, you know, first, this was the beginning of my cultural
9 identity. So yeah, there's lot of factors there, personal stuff that have got absolutely nothing
10 to do with this and I'll hold on to those thanks, but yeah, how did it affect me? Basically it
11 was like an institutionalised form of prison, you know. Basically, you know, say someone
12 had been in jail for all their life over a 50 year period coming home to a place they didn't
13 know about completely disorientated, yes, disorientation, there you go, yeah.
- 14 **Q.** And so essentially it didn't last long and you're back in Kohitere again?
- 15 A. Because I dragged all the habits that I'd picked up in there and exhibited throughout home
16 with me or back to the marae, back to the pā. And yeah, that's correct, back to the world
17 actually because I didn't just stop there, yeah.
- 18 **Q.** So then you're bouncing in and out and I just wanted to refer to a report about you as you're
19 bouncing in and out of Kohitere and I see the document's already up, so we're just going to
20 first note that after we're talking about who were present at a meeting for you, or to court.
21 No-one seemed to know what should be happening with this case except Claire Taylor and
22 I see that's your lawyer?
- 23 A. Yeah.
- 24 **Q.** Then I just wanted to highlight the paragraph at the bottom, call that out starting from "it
25 seems", if we can just call that out. So it seems this case is extremely complicated, I get the
26 following picture from Claire, there has never been a comprehensive plan made for Daniel
27 covering his need for family, for help in dealing with his glue problem and for security,
28 discipline, fairness, limits, etc. Attempts have been made to hold whanau hui but these
29 have been unsuccessful so far. There has been talk of sending Daniel, and we'll just move
30 to Sydney over to the page, to be with his father, but someone felt this is really a shot in the
31 dark as little is known of Daniel's father or his ability to care for Daniel. Neither New
32 Plymouth Social Welfare nor Porirua Social Welfare have assumed responsibility for this
33 case, which has been very unclear as a result. In the midst of all this confusion, Daniel
34 continues to experience great insecurity, to run away from camps etc arranged for him, and

- 1 to accumulate various charges, mainly as a result of incidents with the Police.
2 Just reflecting on that document, which I know you hadn't seen until recently, do you think
3 that's a fairly accurate picture of what was really not happening for you in terms of the
4 social work?
- 5 A. Yeah, yeah. Who wrote that report again?
- 6 Q. So this is somebody who's in court I think from -- I'm guessing that she was a social worker
7 who happened to be in court on a day that you're appearing. She's a senior social worker.
8 So just wanted to just get your sense of whether that was?
- 9 A. I'm sorry, it's -- like I've got one document in front of me and another one on the tele
10 prompter, I'm listening to you and trying to all at once and trying to factor it and
11 somewhere in between that I just zoned out.
- 12 Q. Sure?
- 13 **CHAIR:** Daniel would you like to take a break.
- 14 A. That would be great.
- 15 Q. I think you need to just clear the brain a wee bit?
- 16 A. Thank you.
- 17 Q. All right, we'll take a break.
- 18 **Adjournment from 11.26 am to 11.39 am**
- 19 **MS COOPER:** So Daniel, unless there is anything more you want to say about Kohitere, I intend
20 to move on to life after Kohitere.
- 21 A. Yeah.
- 22 Q. One of the things that I know struck you from your records is that it was suggested that the
23 Department of Social Welfare had done everything it could to help you between 1986 and
24 1989 but you had resisted this every step of the way. Do you have any comment about that
25 characterisation of yourself?
- 26 A. I guess they can't take with one hand and give with the other and expect you to be -- find a
27 happy medium somewhere. It's not going to work, you can't deplete somebody of all of the
28 things they need to grow and then expect them to grow. It's like saying he resisted us at
29 every time but I'm going to put him in a place he's getting mauled every day but we had a
30 family group conference scheduled on Friday. I'm not going to stick around and get beaten
31 for five days until that, you know what I mean? And they probably don't want you to
32 anyway, they don't want you to turn up to a hui with your teeth knocked out, your family
33 will go what the hell, you know, so yeah, I mean it's six of one and half a dozen of another.
34 I can't speak for their logistics or their culture, I was just pushed into it and yeah.

- 1 **Q.** Spurred out the other end?
- 2 **A.** Pretty much.
- 3 **Q.** One of the things that you say is that, that in some you became what you are to a large
4 extent because of the involvement of the Department of Social Welfare not in spite of it?
- 5 **A.** That's accurate, but I will say that it wasn't for nothing that they were concerned initially to
6 put me into custody and stuff like that, I was, you know, I was bad, I was playing up, you
7 know, I wasn't, we weren't angels you know what I mean, people didn't go there for
8 nothing. And some code of punishment is expected, it's to be expected if you play up. We
9 can't have a society that's got no structure at all. What people need to be reminded of is we
10 were children. We weren't hardened criminals, we weren't public enemy number one, we
11 weren't wearing patches around we were too young. The guys that were in gangs they were
12 just associates or prospects, they weren't old enough to get patches, these were the days you
13 had to prospect for seven to eight years to look good, it's not a franchise it's not a
14 democracy, it's a dictatorship. What are you going to do, that's it.
- 15 **Q.** One of the things that I know you wanted to refer to is some of the documents that were
16 written that perhaps cast a different picture from that 'we did everything to help you' view.
17 So the first document we're going to call out is a document written by the District
18 Commander for the New Zealand Police, we have it there. So it's document 245734. If we
19 can head over to the top of page 2 please. Call that out thank you. So that says Daniel Van
20 Wynbergen has been in the custody of the Department of Social Welfare since 10 August
21 1989, custody being the operative word, because since then he has committed a further 11
22 offences such as burglary and intentional damage. Police inquiries have established that
23 although Daniel is supposed to be in Social Welfare custody, he is free to roam the streets
24 and live wherever he likes. He seems to us to be free to re-offend at leisure.
- 25 Do you think that was an accurate portrayal?
- 26 **A.** Yeah he's right. He's right.
- 27 **Q.** And then I know the other document which is the last document I'm going to refer to is a
28 facsimile sent between social workers on 23 May 1989. So that's document 245035. I just
29 want to turn to the last paragraph 10 of page 2 please, which is the recommendations, if we
30 can call that out. Just start with there "I found it disturbing to read in a fax sent 23 May
31 1989 that the social worker in New Plymouth suggested to the social worker in Porirua that
32 the answer to Daniel's problem was "perhaps a big bus could run over him." I regard this
33 statement as quite unprofessional and totally inappropriate".
34 Your comment on that document?

- 1 A. I'd never seen that document before until not long ago. Yeah, it's actually the only time,
2 one of the few times I've seen them use human words instead of these clinical templates
3 that they seem to lend to each other. Daniel seems to be blah blah blah blah, it's all the
4 same shit, this is someone saying maybe a bus could run over him. I was probably a
5 headache, I know I definitely was, but you know, maybe I could run them over too, who
6 knows. Nah. It hurt my feelings a little bit, only seeing it now, you know, like Jesus, but
7 yeah, I mean that's how much frustrated some of them, you know.
- 8 Q. It's very generous of you. So your discharge from the Director, from the guardianship of
9 the Director-General in January 1990, so I want to go on about just look at your life after
10 care. So you start by saying you've basically been in and out of prison and that you spent
11 about 18 years in prison all up?
- 12 A. Yeah, that's correct, yeah.
- 13 Q. And the longest consecutive period that you've been out of jail is about three years?
- 14 A. Yeah.
- 15 Q. From 2011 until the end of 2015?
- 16 A. Yeah.
- 17 Q. Lots of convictions?
- 18 A. Yes.
- 19 Q. You talk about joining Black Power at age 16 or 17?
- 20 A. Yeah.
- 21 Q. And that obviously you met a number of them in the boys' homes or the borstals?
- 22 A. Yeah.
- 23 Q. And that they were people you were comfortable with because they'd been through the
24 same experiences as you?
- 25 A. Absolutely. Survivors.
- 26 Q. You talk about destroying yourself. Your daily life consisting of taking drugs and alcohol,
27 you've moved on to hallucinogens and you say it was like I was not even alive, I had a
28 casual attitude towards violence that I learned from the boys' homes, those places had
29 turned me into a monster?
- 30 A. Yeah.
- 31 Q. Is that still how you feel?
- 32 A. I'm still afflicted by the same feelings, I'm still affected by, yeah, the past and the reality is,
33 it's never going to go away. You can learn coping skills and so on and so forth, but even
34 you will exhaust those -- this process has exhausted those in me. It's nothing directed at

1 anybody, it's just been protracted, and protracted hurt is going to hurt isn't it, you know, I've
2 never had a time where I've been able to put this at an end or behind me or try even to put it
3 behind me because I'm still alive.

4 **Q.** Yeah.

5 **A.** So yeah, she's been a bit of a wait since we first started. But that's all right, you know what
6 I mean, we got a result, doing something here.

7 **Q.** You're here.

8 **A.** Yeah, still alive.

9 **Q.** Exactly. One of the things I did want to just talk briefly about was doing the violence
10 prevention programme, prevention unit programme in 2003?

11 **A.** Yeah.

12 **Q.** Because that taught you some skills?

13 **A.** Yes.

14 **Q.** Didn't it?

15 **A.** Yes, it did.

16 **Q.** And basically, I suppose for the first time put a name on what had happened to you and
17 how that had impacted on you. So can you just talk a bit about that and how it helped you
18 but also how it didn't help you in real life?

19 **A.** Okay. So the VPU was an intensive cognitive behavioural therapy unit, where you were
20 under observation for up to a year in therapy, counselling, every day, and several different
21 modules, like one a month roughly, nine or ten modules, and the first, well throughout, I'm
22 not going to go into every one, but the third -- throughout it sorry, they taught us, or first
23 they identified, clearly and diagnosed what was occurring with you. So after my diagnosis
24 they said hey well look, there's trait behaviour and learned behaviour. Trait is generally
25 passed down hereditarily and the learned stuff has been learned by your environment. If
26 you learn it you can unlearn it apparently. So they set about doing stuff like that with me
27 and in order to learn it, first you had to identify it. Otherwise it's just that thing do you and
28 it's easy to get away with, you know, he's doing a wobbly you know, but it's not a wobbly is
29 it, it's got a proper name.

30 **Q.** You have you got two names at that stage, so you got Post Traumatic Stress Disorder?

31 **A.** That's correct.

32 **Q.** And the second name you got was Generalised Anxiety Disorder?

33 **A.** Yeah, amongst others. The first one was Psychopathy, learnt Psychopathy. So learnt
34 Psychopathy was I learnt from my behavior. It wasn't trait, it wasn't hereditary, it had been

1 learnt predominantly from my environment, from what I'd experienced. So I had these
2 things, I could grip that, I was like yeah, okay, wow this sounds pretty good. The guy who
3 diagnosed me worked for the veterans administration in America, he said man, you're rife
4 with PTSD brother, I said what's that, so he started to give me the name so I could name the
5 things that were afflicting me. Then I could name them all. And so but that was awesome,
6 because for the first time in my life I had a proper diagnosis and secondly, I could work on
7 it, I could identify it and work on it. So I grew my mood management skills, relapse
8 prevention, stuff like that, it was awesome, it really was. The only downside I could see for
9 myself is that psychology itself can be generalising, like it's good theory but everyone
10 generally has to be on the same page to be on the same page, you know what I mean.

11 **Q.** Yeah?

12 **A.** So when I came home I could identify all these things, didn't know how to fix them, didn't
13 know how to cope with them, didn't know what to do. So --

14 **Q.** You talked about an example, so your mates saying to you let's go down to the pub, you're
15 like yeah, I know that's a trigger, hey mate that's a trigger for me?

16 **A.** Yeah.

17 **Q.** If I go and drink I'll get into a fight and that's --

18 **A.** Yeah, yeah, yeah.

19 **Q.** So you could do all that?

20 **A.** Absolutely.

21 **Q.** That didn't help you live in the real world really?

22 **A.** No, it didn't no, it didn't, because there was a point, it's like that block game Jenga, they put
23 all the blocks together, identify them, someone pulls one out and it all falls to bits and
24 you've got to put it back together yourself and you don't really know how, sequentially
25 I guess. Yeah talking to my friends it ostracised me from everybody, it alienated me from
26 everyone, which is the odd thing, I was told I would get the exact opposite reaction from
27 people, that they would be like into it and helping understand what I was talking about, they
28 did not. Because most people don't understand psychology at all, if they haven't been into a
29 therapist or anything like that. They don't know what a seemingly innocent choice or a
30 high-risk situation or any of that stuff is. So just go down to the pub for a beer, me, I might
31 be going down to the pub subconsciously because I don't like the publican or something
32 and want something to kick off so I can get amongst it and beat him up and go out robbing
33 or some shit like that or whatever. And then so I'd say hey that's a seemingly innocent
34 choice for me brother, it's a bit of a high risk I can't go. They go, wow you've changed

- 1 man, and everyone leaves, you know, they tell you to change for ages, you change and
2 everyone goes away. What do you do? Yeah, yeah, find your way through.
- 3 **Q.** So you talk about getting out, being determined to stay out of prison, but you know, 18
4 months later there you are back in jail again?
- 5 **A.** Mmm.
- 6 **Q.** And you were devastated about that. So this is about 2005 and this is the point?
- 7 **A.** Yeah.
- 8 **Q.** At which you come to talk to us and start on your legal claim?
- 9 **A.** 2003.
- 10 **Q.** 2003, yeah. And we're not going to talk about that much just because that's not the focus
11 really of this hearing, but your case was actually going to be tracking along to a trial, wasn't
12 it?
- 13 **A.** That's correct.
- 14 **Q.** So you did a big brief of evidence and there were lots of other people who did witness
15 statements and the Crown did their witness statements?
- 16 **A.** Yes.
- 17 **Q.** And then shortly before trial you were offered a sum of money?
- 18 **A.** Yeah.
- 19 **Q.** And you accept that?
- 20 **A.** Yeah.
- 21 **Q.** And the trial settled eh?
- 22 **A.** Yeah.
- 23 **Q.** So part of that was the apology. So which was the more important to you I guess, or were
24 they both important to you, the money and the apology or the apology?
- 25 **A.** Definite the apology, like the money seems -- it was weird, because you know, I needed it,
26 like you know, I needed the money, I had things I wanted to do and it was a step forward
27 for me, a huge one.
- 28 **Q.** Yeah?
- 29 **A.** Not just for me but for a lot of other people. At that time I probably wasn't mentally apt to
30 sit and go through a process like this, so on and so forth, I wasn't a confident public speaker
31 all that sort of stuff and I was like nah, I had no skills in it, I would have -- yeah, and
32 I wasn't confident in myself either, so yeah. Um.
- 33 **Q.** So the apology was the most important part of that for you?
- 34 **A.** Yeah, yeah, in some ways the money felt a little bit like -- some people were even offended

- 1 by it, you know, I was like it's not the amount, it's just it comes up like blood money, you
2 know what I mean?
- 3 **Q.** Yeah?
- 4 **A.** If I hurt someone really, really bad you know what I mean and someone chucks some
5 money at me to make it go away, that sort of thing. But I know it's not that, I know it's not
6 that, but it came across like that. Money's money, it's not going to make anything better.
7 But yeah the apology, actually getting an apology from a Government official, quite a high
8 ranking one too and say hey look we know it's not all right. I was like great, because you
9 can't go on TV every night and say it's not okay when you've got three generations before
10 you. So yeah, it's not, you know.
- 11 **Q.** Then the last few bits I think is just looking where Daniel is, where he's come to, where he
12 is now. So you talk about being battle-hardened, extremely violent?
- 13 **A.** I have potential to be extremely violent yes, battle-hardened, definitely.
- 14 **Q.** You talk about barely trusting anybody, or particularly people who have anything to do
15 with the system?
- 16 **A.** People in general, but I think it's an inability to be able to trust, you know what I mean,
17 it's -- it's not like I'm waiting for everyone to betray me, it's just that I don't want to give
18 them the chance, yeah, yeah.
- 19 **Q.** You talk about being the only person in your family to do extensive prison time?
- 20 **A.** Yeah, there's a couple of us, but yeah. One of my cousins done a real big sentence all in
21 one hit but I'm the one in and out but me and him have probably done the longest.
- 22 **Q.** You talk about little things triggering you off?
- 23 **A.** Yeah, yeah.
- 24 **Q.** Behaviour attitudes?
- 25 **A.** Yeah bizarre things. For example, a couple of weeks before I came here, before I came to
26 see you in Wellington, I smelled lambs fry, someone was cooking lambs free and fry and
27 they used to serve that in Kohitere, all of this build up and that sort of stuff it happened all
28 that was all leading to that, all the talk of it, the anticipation, the repetition and then I smelt
29 the lambs fry, I was just had a massive episode. And yeah, yeah, things like that, weird
30 stuff you know?
- 31 **Q.** Yeah. You talk about it affecting your ability to have relationships?
- 32 **A.** Yeah, definitely.
- 33 **Q.** Don't like people touching you?
- 34 **A.** No.

- 1 **Q.** Very angry?
- 2 **A.** The anger is the same as the violence, I've got potential for it everyone does but I don't
3 walk around generally angry, I'm quite a content person these days.
- 4 **Q.** Anxious?
- 5 **A.** Yeah hugely, hugely anxious and I'm an insomniac, I can't sleep at the best of times.
- 6 **Q.** Nightmares?
- 7 **A.** Yeah, yeah, they've receded.
- 8 **Q.** Lots of head injuries which affect you and the stress can bring about seizures?
- 9 **A.** Culminated head injuries, multiple, over the years and now the end result is they can cause
10 me seizures, mmm-hmm.
- 11 **Q.** Just in terms of your education, I said to you before you're pretty smart and you are. So
12 you left Social Welfare care with no education?
- 13 **A.** That's correct.
- 14 **Q.** But now you're a qualified commercial painter?
- 15 **A.** Yeah.
- 16 **Q.** So you've got a qualification through, Welltech and you also have a Diploma in Enology
17 which I had to ask you what that was?
- 18 **A.** Mmm-hmm.
- 19 **Q.** Basically you're chemical engineer for wine making, that's that qualification?
- 20 **A.** That's correct, yes, yeah.
- 21 **Q.** And you've actually lived in that career for a while and done very well for yourself?
- 22 **A.** Yeah, years, yeah.
- 23 **Q.** For a while?
- 24 **A.** Yes.
- 25 **Q.** So what causes it to come crashing again?
- 26 **A.** That's a hard one, I can't pinpoint that I'm sorry.
- 27 **Q.** Fair enough.
- 28 **A.** Yeah, I -- yeah, I cannot.
- 29 **Q.** One of the things that you said about I suppose participating in this and even taking your
30 own claim was about justice being served. And you talk about there being no double
31 standards?
- 32 **A.** Yeah, my concept of justice is, you know, it's -- it ebbs and it flows with each individual
33 event I suppose and things. But yeah, no double standards, no double standards is what I'm
34 about, you know, it's good enough for someone in a uniform and it's not all right for me but

1 it shouldn't be all right for anybody you know what I mean. Also this is about longevity for
2 me, I mean I've already got my compensation, I could have bugged out from this ten years
3 ago, but no I have been given another chance when I am well and I am more capable and I
4 am in a better place personally in myself where I can come up here and do this. I'm still not
5 right now, you know, even today I just barricading and staying in my room you know and
6 not coming here, because yeah.

7 **Q.** One of the things that you and I talked about is the way you described yourself. So you
8 think of yourself sometimes as trauma made up of carbon, calcium and water?

9 **A.** Yeah.

10 **Q.** And you describe having been put in a soda stream machine and churned out?

11 **A.** Yeah, I think what I said when we were having that yack is that I said, we were talking
12 about trauma I said like I am trauma, I'm the poster boy for it, it's not hard you know to
13 figure it out. But traumatised calcium carbon and water, that's all we are isn't it, that's all
14 the planet it. At the end of the day it felt like I'd been chucked in the soda stream and just
15 like bubbled up until that's all that was left.

16 **Q.** You talk about the two Daniels, the one who you never wanted to be who up describe as
17 bloody dark socially isolated and sometimes violent?

18 **A.** Yeah.

19 **Q.** But the other Daniel who's lighthearted, cracks jokes, is smart and accomplished?

20 **A.** Yeah.

21 **Q.** You say you wish you were always the second Daniel but you have to live with the two
22 Daniels?

23 **A.** I wish I was anything else but the other one.

24 **Q.** Daniel, that's all the questions that I have for you and I just wondered if there is anything
25 that you would like to say to the Commission, to the Commissioners who will be interested
26 in anything you have to say. I guess in terms of what you would like to see moving
27 forward and what you might like to see from the inquiry?

28 **A.** I would much rather prefer the State become the wrought iron gate at the top of the cliff
29 than the ambulance at the bottom and that's what's occurring and has occurred. I don't
30 know how many times I've heard the same phrase over and over again, we must put the
31 children first, we must think of the children and then what goes wrong? No vetting
32 processes for caregivers and stuff like that, gaps in the system, people falling through the
33 holes like no other, you know? These generations, generational mistakes and they keep
34 coming in and it's happening to the same people just in a different format. If you're going

1 to put the kids first put the kids first, do it for them, don't let this happen again to anyone,
2 please, for God's sake don't because it's just created -- it's a petri dish and training ground
3 that will continue and perpetuate violent criminality far into the future and then the
4 community can't sit there and go oh criminals, this criminals that blah blah blah because
5 they're doing nothing about it, chucking tax dollars somewhere, ask where their money
6 goes, follow the dollars then you'll know. You know, I mean simple. I've got nothing more
7 to say, I've said heaps. Thank you.

8 **Q.** So Daniel, unless any of the Commissioners or counsel have any questions, that's --

9 **CHAIR:** Thank you so much. We have nothing to ask you, but Andrew Erueti's going to thank
10 you.

11 **COMMISSIONER ERUETI:** Tena koe Daniel, I'm one of the Commissioners, I'm from
12 Taranaki so close ties to Ngati Toa Rangatira, so on behalf of Sandra and Coral and the
13 Komihana we mihi you. E tū ana koe ki te tuku korero ki waenganui i a mātou. Tēnei te
14 mihi mahana ki a koe. I understand how difficult it is coming to speak to the trust that's
15 required and the confidence in the Commission to come forward and speak with us. And
16 we could probably do better, we're trying our best to make it comfortable for survivors,
17 Māori, non-Māori to come and share their experience with us and I know it was tough a
18 couple of hours for you. And you've been worrying about this for a long time you know.

19 **A.** Yeah.

20 **Q.** I think it was a year ago when you were asked to come and do this?

21 **A.** Yeah.

22 **Q.** So I want to acknowledge your courage and perseverance to come and speak to us. We
23 were talking in the break about how much we've been learning, we've heard lots about the
24 institutions over the two years that we've been doing our private sessions and these
25 hearings, but we had new insights from what you shared with us today, particularly about
26 the violence at Kohitere, the systematic violence, the staffing, lack of supervision, yeah, all
27 these things are essential for us to know for when we write our report for the Government,
28 and also that we know about the experience of Māori in care because we know during the
29 time that you were there that you know these homes were full of Māori right?

30 **A.** Yes.

31 **Q.** You're the second descendant of Ngati Toa Rangatira that we've heard this week?

32 **A.** Yes.

33 **Q.** So I want to assure you we're going to take our learnings from your testimony today and
34 we're going to -- it's going to inform our thinking and our recommendations to the State and

1 I hope we can get that justice that you've been searching for. So no reira, tena koe, ka nui
2 te mihi nui ki a koe.

3 A. Kia ora.

4 **CHAIR:** Thank you Daniel.

5 A. Thank you.

6 **Q.** We'll take a short break before the next witness thank you.

7 **Adjournment from 12.08 pm to 12.26 pm**

8 **CHAIR:** Commissioner Erueti's been delayed but we will continue until he returns. Hello.

9 A. Hi.

10 **Q.** It's Andrew?

11 A. It is.

12 **Q.** Very welcome. We'll just swear in Mr Meadows before we start Mr Waalkens.

13 **DR WALLIS:** Thank you.

14 **CHAIR:** Do you mind me calling you Andrew.

15 A. Yeah, that's fine, good as gold.

16 **Q.** Andrew do you solemnly sincerely truly and declare and affirm that the evidence you'll
17 give before this Commission will be the truth, the whole truth and nothing but the truth?

18 A. Yes.

19 **Q.** Thank you very much, I'm going to leave you Mr Waalkens' hands?

20 **MR WAALKENS:** Andrew as the Commissioners have mentioned I won't ask you to read your
21 statement, but I'll ask you some questions. Could you please confirm you were born in
22 1965 and that you were 55 years old.

23 A. That's correct but 56 now.

24 **CHAIR:** Time passes doesn't it.

25 A. Don't remind me.

26 **MR WAALKENS:** You're supported in this room today by your wonderful social worker
27 Marcell.

28 A. Yeah.

29 **Q.** Can you confirm Andrew you had a stroke about two years while you were working in the
30 United Kingdom and that has considerably impaired your speech?

31 A. That's correct, yes, when I was working in England I had a head injury slash stroke and,
32 yeah, and that affected, impacted on my physical health, my speech.

33 **Q.** I want to talk about your early life. Can you confirm that your family upbringing was very
34 dysfunctional?

- 1 A. Absolutely, I can definitely confirm that.
- 2 **Q.** Can you tell us a bit about your family upbringing?
- 3 A. Okay, my family upbringing, to cut a long story short basically, is that I grew up with two
4 other siblings, two older sisters, and there was myself, my mother continuously had mental
5 health issues and at one stage was admitted into Oakley Hospital here in Auckland, and also
6 my dad was abusive, sexually abusive towards me and I have mentioned that to my mum
7 but she didn't want to know. I don't think the other siblings knew and, yeah, it was very
8 dysfunctional. And of course it impacted on my life as it progressed.
- 9 **Q.** Can you confirm that on top of the sexual abuse and dysfunction in your family you had
10 your own personal issues to deal with?
- 11 A. Yes, that's correct. Yes, I definitely confirm that and with what happened to me during my
12 childhood and growing up at home, it had definitely had implications on my past
13 sexual -- my past abuse from my past sexual abuse and that had impacted on my life and
14 I'm feeling very nervous at the moment.
- 15 **Q.** It's fine Andrew?
- 16 **CHAIR:** Yes, Andrew, just take a breath. And can I just say to you, you're in control here and if
17 you just feel you can't go on just say I need a break and we will stop immediately all right.
- 18 A. Okay.
- 19 **Q.** So don't feel bad if you have to do that because we're used to that okay?
- 20 A. Okay, thank you.
- 21 **MR WAALKENS:** You tell me when you're ready to go on.
- 22 A. Yes.
- 23 **Q.** Can you confirm that from the age of about 7 or 8 you knew that you were gay?
- 24 A. Yes. I knew that I was gay at an early age and but of course I was hiding that as you do
25 back years ago, and yeah, yeah. No-one knew, no-one knew that, yeah, or they knew that
26 I played with dolls instead of trucks.
- 27 **Q.** What was that like for you living with this secret?
- 28 A. Actually it was quite difficult in some way, because when I was at school I remember,
29 yeah, all my classmates I always used to get called names, Andy Pandy, poofter that sort of
30 thing for example and that was quite hurtful because I tried to ignore the fact that I was
31 Gay, or back then I thought I was different, yeah.
- 32 **Q.** Is it correct that you were a target for sexual abusers from an early age?
- 33 A. Yes, that's correct, yes. Yes, for example, my father, my father used to get me up when I
34 was about 5 or 6 and he would take me to the toilet and -- late at night, when everyone else

1 was asleep, and he would start playing with me and of course when I was made a State
2 ward the sexual abuse started then. You know, especially when I was in various foster
3 homes like for example Nigel Hibberd, I was placed under his care, and he abused me,
4 sexually abused me, and, which I didn't get any support back then from Social Welfare or
5 from the Police or whatever, you know, I didn't get any help. And also, just, yeah, just
6 from various other people while I was under the care of mum, but under State care. This is
7 hard, this is really difficult.

8 **Q.** Just take as long as you need Andrew, if you need a break we can take a break?

9 **A.** I thought I'd do better than this. And I think what really impacted me was when I was, you
10 know, when I was younger I was placed in Ōwairaka Boys' Home and that was a very,
11 yeah, a place that I do not want to remember.

12 **Q.** So you've mentioned Nigel Hibberd and other abusers and we're going to talk about that,
13 and obviously that's very important part of your evidence. So you were placed under the
14 supervision of the Department of Social Welfare by order of the court on 7 November
15 1979. If we could just refer to document reference 01680002. You were there 14 and a
16 half years old at the time, is that right?

17 **A.** When I was placed in the Social Welfare care, of course I was placed under -- I was made a
18 State ward at a young age, but then of course I was placed under the care around about,
19 yeah, around about that age 14, yeah.

20 **Q.** Yes. And you remained under the care of Social Welfare until about the end of 1983?

21 **A.** Yes, when I was 17.

22 **Q.** 17?

23 **A.** Yeah 17 was the cut off, was it 17? 18, sorry, 18.

24 **Q.** So I just want to talk about Social Welfare and your placement in care. Is it correct that
25 you were placed in a number of different places, both foster homes and boys' homes while
26 you were a ward of the State?

27 **A.** Absolutely, yeah, from one foster home to another.

28 **Q.** And you were moved around quite regularly?

29 **A.** Absolutely, absolutely. The first family home I went to was a Greek family home. Then
30 that closed down for a while, then I was shipped off to another one and it was just like
31 a -- it just went around a circle, I was going from one home to another, various foster
32 parents didn't -- felt like they couldn't cope with me for some reason, they said I had issues,
33 of course I had issues, but then, yeah, so I was picked up by Social Welfare, oh this is
34 where you're going to go. Hang on, ask me first, no, that's where you go, yeah.

- 1 **Q.** What was it like being moved around so regularly, how did that make you feel?
- 2 **A.** It was -- I felt like I wasn't wanted and I felt rejected, I felt like I hadn't got a -- had a home
3 and I would say I would feel -- I felt transient actually, putting it mildly, yeah, yeah. It was
4 horrible, very unsettling. Having to get to know new people all the time and other children,
5 you know, and yeah, it wasn't nice.
- 6 **Q.** So you mentioned that you had issues, so why were you ultimately placed in Social Welfare
7 care?
- 8 **A.** Well, apparently my mum accused me from hitting her when I was at home and she thought
9 no she can't cope with me anymore. One by one she kicked my sisters out sort of thing but
10 one got married and the other did her own thing, but then I was the only one home, and she
11 felt like she wanted to be on her own, so apparently I hit her, Social Welfare came around,
12 picked me up, took me away. And, yeah. Sent me to a Boys' Home. Actually, sent me to
13 the Boys' Home first and, yeah. I was threatened by social workers, if you don't behave
14 you'll go to a Boys' Home, you know, scaring me like is it a prison or a borstal and sure
15 enough it was like a prison.
- 16 **Q.** So how did that make you feel when you were threatened?
- 17 **A.** It scared me, it scared me big time. I was only young and naive.
- 18 **Q.** So do you feel like you were nurtured or cared in Social Welfare? What was your overall
19 views and experiences under Social Welfare?
- 20 **A.** I guess the only nurturing I experienced was when I -- they took me away from the
21 Hibberds, then they put me in a foster home in Helensville and I was staying with a family
22 on a farm, a dairy farm, their names are GRO-B 12 & 13 and I tell you what, it was
23 actually it felt like I was in a proper home with them. And I felt settled for the first time in
24 a very long time, I felt settled. I loved the farm, I was riding horses, I didn't want to leave
25 there. I wanted them to adopt me even and I actually still keep in touch with them from,
26 you know, today. And of course, what destroyed it all was that Social Welfare just came to
27 the farm out of the blue and took me away from there. So right pack your bags, a family
28 home's open, time to go. The last thing did I before I left was ride the horse that I was
29 given and that really upset me, and then they took me back to the family home and I didn't
30 want to be there. There were new people that took it over, he was abusive, and I ran away
31 the following day and I went back to the GRO-B 12 & 13 and Social Welfare came
32 around, I remember seeing the social worker, she came around and took me to the Boys'
33 Home because I ran away.
- 34 **Q.** Did Social Welfare ask you for your opinion?

1 A. No.

2 **Q.** Whether you wanted to stay with them?

3 A. No, no, I said I want to stay, I want to stay and I turned around to Mrs
4 please allow me to stay, tell them I want to stay. No, pack your bags,
5 get in the car.

GRO-B 12

6 **Q.** You still send letters and keep in contact with that family to this day is that right?

7 A. Yes, Christmas card once a year, yeah.

8 **Q.** You had a really good relationship with them and?

9 A. Yeah, that was the only place where I felt nurtured, I felt cared for, yeah, yeah, yeah. But
10 Social Welfare didn't want that for me, they just wanted, you know, difficulties -- you felt
11 like another statistic, you know, and he's ready to go off to somewhere else sort of thing.

12 **CHAIR:** Sorry to interrupt, Andrew, sorry to interrupt, can you just maybe lean forward into the
13 microphone or can it be brought forward a wee bit. Our stenographer who's sitting there
14 having trouble hearing you, so just have to have it a wee bit closer to your mouth, is that all
15 right?

16 **MR WAALKENS:** You mentioned running away from these places, why would you run away
17 Andrew.

18 A. I felt fearful and there were times when, because I was sexually abused by, you know,
19 various people when I was in care, you know, and for example, the family home that
20 reopened, I remember Mr GRO-B-3 he was physically abusive and he would hit me and
21 I remember they drank a lot, and also in a way I wanted to go home, you know, I wanted to
22 go back to live with my mum, you know, that's what I wanted. But of course my mum
23 didn't want me, and so she shipped me off. And you know, it's very hurtful, very hurtful,
24 especially when you're young. And so the reason why I wanted to run away, the reason
25 why I ran away from various places was, you know, to try and take care of myself because
26 I've been hurt by people, does that answer your question?

27 **Q.** Thank you. So you told us you were running away to protect yourself, you were running
28 away from the abuse that you'd suffered?

29 A. Yeah, yeah, absolutely.

30 **Q.** Did Social Welfare ask you why you were running away?

31 A. No, no, no, no, no. When -- I remember when I told them about the Hibberds and made the
32 complaints, when I made the complaint about Mr Hibberd, I felt at that time their response
33 was okay we better document it da, da-da, da-da, then they didn't tell me or they didn't tell
34 me that other -- there were other complaints, you know, about Nigel Hibberd. I only found

1 that out a few years ago when I had to come up to Auckland when there was a prosecution.
2 And so they put me in this unsafe environment.

3 **CHAIR:** Can I just ask a question Andrew of that. When you told Social Welfare about
4 Mr Hibberd and I take it that's about the sexual abuse.

5 A. Mmm, yes.

6 **Q.** Did they send you back there?

7 A. They took me back to pick up my bags and my belongings, and I would know, you know,
8 today I'm sure Social Welfare wouldn't do that, even take you back to the place where you
9 were abused.

10 **Q.** Yes?

11 A. But they did, they took me back and I had to pick up my belongings, I didn't want to go,
12 I didn't want to go inside, they could have done it for me, but I had to do it. And I had to go
13 into the room where Nigel did his thing and it just felt totally creeped out, I was only
14 young, yeah, I felt like I didn't have the support and they said we've got another family
15 home to take you, we've got another foster home to take you to. I thought okay, they're
16 nice people, they're on a farm, you would like it. That's all I got. Thank goodness I did like
17 it.

18 **Q.** Was that the GRO-B-12 & 13 ?

19 A. Yeah.

20 **Q.** That's good.

21 A. Yeah.

22 **Q.** Thank you.

23 **MR WAALKENS:** So while we're talking about Mr Hibberd, let's go through this in more detail
24 and we'll come back to Ōwairaka, okay. So we're going to talk about your experience in
25 foster care with Mr Hibberd now and we'll come back to Ōwairaka okay Andrew. So your
26 time records show that Social Welfare placed you into the care of the Hibberd's family
27 home on or about 14 October 1980 and on the screen in front of you is a report, it's
28 document reference 168005, can you see that.

29 A. Yes, I can, yeah.

30 **Q.** Thank you. So you were about 14 or 15 at the time, is that right?

31 A. That's right, yes.

32 **CHAIR:** We can make it bigger so you can see it.

33 A. Can you make it bigger? Yeah, that's better.

34 **MR WAALKENS:** It was in between your two stays at Ōwairaka, wasn't it.

- 1 A. That's correct.
- 2 Q. And you were there for about a week or so, is that right Andrew?
- 3 A. The first -- the second time I was --
- 4 Q. Sorry, with Mr Hibberd?
- 5 A. Yeah, roughly about a week, yeah, or could be a bit less, it's so hard to remember back
6 then, yeah.
- 7 Q. And as we know, he is a now known and convicted serial sex offender?
- 8 A. Yeah, that's right, apparently so on Google, yeah.
- 9 Q. And that week in his care, what sort of an impact has that had on your life?
- 10 A. I have always felt fearful, I all the felt fearful from various relationships, I've been in
11 long-term relationships and I have always been fearful of, you know, getting too close to
12 people in the past and what -- and also it's caused me to have a lot of mental health issues.
13 I ended up -- I've ended up in psych institutions, alcohol abuse and drugs, I've tried to
14 commit suicide several -- quite a few times, right up until at least 22 I've got lacerations on
15 my wrists to try and kill the pain, try and stop what -- stop the memories of what happened
16 to me in the past, yeah, yeah. I started trying to commit suicide at a very early age, yeah.
17 My first admission, my first -- when I first went into Ōwairaka I committed -- tried to
18 commit suicide by taking an overdose.
- 19 Q. So you were placed into Mr Hibberd's home in 1980?
- 20 A. Yeah.
- 21 Q. And there was one particular incident that you've talked about?
- 22 A. Yeah.
- 23 Q. In your statement. Are you comfortable talking about that, can you tell us what happened?
- 24 A. Yes, I'm okay about talking about it. When I went to the Hibberds I thought, you know,
25 there was a lot of kids around, it was in the country area, environment, I did notice that the
26 place was a bit messy and I thought oh, but I coped with it for the first night. And then
27 Mr Hibberd, I remember Mr Hibberd sitting on the couch and he got me to sit by him and
28 there were other kids sitting next to him as well, and ep says call me dad, don't call my
29 Nigel, call me dad, you know, and I thought no, no, I don't want to call you dad. And then
30 of course I ended up having to sleep in a room with another three guys in bunk beds. I do
31 remember Mr Hibberd coming into room to make sure that we're asleep, but I didn't think
32 anything of it. The following day I remember going with Nigel Hibberd to his workplace,
33 he said we'll try and get you a job.
- 34 Q. That was at Para Rubber is that right?

1 A. Yeah Para Rubber in Takapuna, went to the shopping mall, he got me a job at Foodtown
2 and I didn't want to work at Foodtown, I didn't want to work, and I just thought okay, I'll do
3 it. But then of course, he says when you finish work just come to the Para Rubber shop
4 where he managed. So I went back to the shop and then all his staff were still there but
5 then they left, he said just go and sit at the back Andrew and I'll be there shortly and we'll
6 go home. So anyway I sat at the back, he closed his shop, came out the back, he sat in front
7 of me, we were talking, and I felt a little bit uncomfortable, but didn't take much notice,
8 then I had to wear a tie at work at Foodtown, and he flicked my tie and he says that tie suits
9 you, it really suits you. I thought okay, and then he started tapping me on the knee or
10 something and then started rubbing my leg and then unzipped my pants and started playing
11 with my penis and this that and the other, and he was just a creep, a friggin creep. And so
12 anyway, he took me home, he says oh, yeah, he took me home, I didn't talk about it, I didn't
13 say anything, took me home, then he ran me a bath, I hopped in the bath, and he was in the
14 bathroom when I was in the bath watching me, and -- and.

15 **CHAIR:** Andrew I'm concerned for you.

16 A. I'm okay.

17 **Q.** If you don't want to give the full details?

18 A. No, I'm okay.

19 **Q.** Are you?

20 A. I'm okay Coral, yeah, yeah, I'm okay, thank you. So anyway he came into the bathroom
21 when I was in the bath and just watched me and everything and it just felt so uncomfortable
22 and I was only young and I didn't know what was going on, and then the following day he
23 took me into work, he says I'll drop you into work and I had to sit in the middle because it
24 was like a truck, so he was driving, he wanted me in the middle, and there was some other
25 guy sitting over the other side, passenger side so he took me to work, he said I'll drop you
26 off at work, and I says okay, see you later, I was about to walk-in and then I hopped on a
27 bus and went to New Lynn to go and see my sister and I says I've been raped by this foster
28 father, then went straight to Social Welfare and I remember seeing or
29 somebody by the name of that, or or someone, and made a complaint and, yeah,
30 they didn't take it seriously. They didn't take my complaint seriously, that's how I see it
31 now, they didn't take my complaint seriously.

32 **Q.** You made a serious sexual allegation against Mr Hibberd?

33 A. Yeah.

34 **Q.** But at that time?

1 A. Yeah.

2 Q. No charges were filed or anything like that?

3 A. That's right, yeah, that's right. Yeah the Police didn't prosecute, nothing.

4 Q. So the Commissioners now have the document reference 168005 in front of them. So
5 Andrew this is a report dated --

6 **CHAIR:** Just stop for a moment. Sorry we have an issue. (Technical issues).

7 **Adjournment from 12.58 pm to 2.01 pm**

8 **CHAIR:** Thank you for coming back Andrew.

9 A. You're welcome thank you.

10 Q. Are you feeling a little easier?

11 A. Yes, yes, I am.

12 Q. Good to hear?

13 A. Thank you.

14 Q. Yes Mr Waalkens thank you.

15 **MR WAALKENS:** Thank you. Andrew, before the break you were describing to us the horrific
16 sexual abuse you suffered from Mr Hibberd and if you could please be referred to that
17 report again, that is reference 168005, dated 21 October 1980.

18 A. Yeah.

19 Q. So that's a letter from the Department of Social Welfare to the Director-General?

20 A. Yes.

21 Q. Of Social Welfare regarding your allegation against Mr Hibberd. I'm just going to read or
22 pull out a few excerpts from that report, so if you just listen to some of these please. So the
23 second paragraph of that report states at the start "on Friday 17 October 1980 Andrew
24 reported to this office in a most distressed condition stating that he had been subjected to an
25 indecent homosexual assault by Mr Hibberd" that's obviously the assault you have
26 described to us. Then over the page please, the next, second to top paragraph states
27 "Andrew presented a very credible and consistent account of this assault on five different
28 occasions throughout the day".

29 Then, and I'm just skipping through aspects of this letter, but two paragraphs later it states
30 "unfortunately I also have to report that there have been no two previous incidents when
31 similar allegations were made against Mr Hibberd by European youths whom they were
32 fostering. It states I'm given to understand that both of these youths were devious,
33 untruthful and manipulative boys".

34 The next paragraph it states that the second allegation was made in June 1979, so this is

1 well over a year before the assault against you and then the following paragraph states

2 "I might say that when I arranged the temporary placement with Mr and Mrs Hibberd for
3 Andrew I was totally unaware that these allegations had been made in the past".

4 So, you obviously found out about this letter and these prior allegations quite some time
5 later. How did it make you feel Andrew when you found out that there had been two other
6 previous serious sexual allegations made before your time against Mr Hibberd, how did that
7 make you feel?

8 A. When I found out Simon I was absolutely – actually, I was absolutely taken aback.
9 I thought how can -- if Social Welfare knew that -- if Social Welfare had previous
10 complaints about the same -- about the same person Mr Hibberd sexually abusing children
11 under his care, why the hell did Social Welfare place me under his care knowing that there
12 was already complaints? When I found out later on I was absolutely gob-smacked. Does
13 that answer your question?

14 Q. It does. You've told us that you suffered serious mental issues?

15 A. Yes.

16 Q. As a result of this?

17 A. Yes.

18 Q. Ended up in a psychiatric?

19 A. Yes, unnecessary -- it impacted on my life unnecessarily. If Social Welfare was acting in
20 the way they should have they wouldn't place children under the care of an abuser. But
21 they did and because they said that I was naive and, you know, just making stories up and
22 stuff, you know, they didn't believe me, but they still, you know, placed me under the care
23 of an abuser. It just really impacted on my life, I ended up in psych institutions, it impacted
24 on my education, personal education, it impacted on my psychological, you know, growing
25 up when I was an older teenager in my 20s, that's how it affected me, that's how it affected
26 my life. Does that make any sense?

27 Q. Yes, thank you Andrew. If we could please turn to the last page, page 4 of that document
28 and I'm just going to read some excerpts from that last page Andrew. So it states
29 "considerable case discussion has been undertaken at this office during the last two working
30 days and it was agreed that matter should be fully reported to you with the following
31 recommendations. First, that Mr and Mrs Hibberd are not approved for any future
32 placements. Second, that -- there's a number of names who have been -- redacted -- -- that
33 those persons be permitted to return to Mr and Mrs Hibberd because it would appear from
34 their experience of the home that they are not at risk with these foster parents, that they

1 regard the Hibberd's home as their home and that at their respective ages, having given and
2 received acceptance in this placement, they are unlikely to settle happily anywhere else and
3 will suffer all the current distress and disturbance that such a disruption to their lives would
4 produce" then the letter goes on and it states second to last paragraph:

5 "The situation as it is seemed to us only proper that this proposition being referred
6 to you for your confirmation or otherwise. I need hardly add that we sincerely add that you
7 are able to support our recommendation. The effect of the alternative would have
8 disastrous effect to the children. " Andrew reading that and finding out that notwithstanding
9 the serious sexual allegation made by you against Mr Hibberd and also two previous
10 serious sexual allegations

11 A. Yeah.

12 Q. That the recommendation was to leave these three others still in Mr Hibberd's care?

13 A. Yeah.

14 Q. What do you have to say about that, how did that make you feel?

15 A. I just couldn't believe it when I found out, in later years knowing all this in later years
16 I couldn't believe it. I just could not believe it, how Social Welfare could continue allowing
17 children to be placed under their care, even if the children were their own children. But
18 you know, I just couldn't believe it. You know, because it was all swept under the carpet,
19 yeah, that's what it was.

20 Q. So at the time of your complaint, the Police made a decision not to prosecute, that was back
21 in 1980?

22 A. That's right.

23 Q. But then as you know, the Police eventually did make a decision to prosecute?

24 A. Yes.

25 Q. Mr Hibberd and you were one of multiple children?

26 A. Yes.

27 Q. Who alleged?

28 A. Yes.

29 Q. Made allegations that they had been sexually?

30 A. Yes.

31 Q. Abused by Mr Hibberd?

32 A. Yes.

33 Q. If you could please be referred to document reference 168006. That's statement that you
34 made to the Central Police Station in Christchurch?

- 1 A. Yes.
- 2 Q. In May 1999 isn't it?
- 3 A. That's correct.
- 4 Q. I mean this was 18 years after your allegation to the Police?
- 5 A. That's correct.
- 6 Q. 18 years down the line until you were given an opportunity to give evidence?
- 7 A. Yes.
- 8 Q. Against this serious sexual abuser at trial?
- 9 A. That's right.
- 10 Q. How did that make you feel?
- 11 A. To be completely honest, I felt absolutely ill when I got the phone call from the detective to
12 cut the long story short I was driving home from work, feeling good one minute, then I get
13 a call-out of the blue when I was in the carpark oh, my name is such and such, detective, do
14 you remember Nigel Hibberd, I thought, you know, it took me a while to twig, I says yes, I
15 do. And once I heard his name, then once I knew what was going on I thought oh my God,
16 this is like reliving -- this is like reliving a nightmare, yeah. And so when I had to give this
17 evidence to the detective, it was -- yeah, it was a hard thing to do, yeah. And it was really
18 hard to think back, because I felt like I had a major mind block, because what
19 happened -- like because I've been sexually abused in the past and because Nigel had
20 abused me, and you go through that, you go through that situation, I don't know, for me
21 I get this mind block. And then being asked to relive it, you know, it's really hard
22 sometimes. It takes a while. Do you know what I mean? So that made me sick.
- 23 Q. 19 years later?
- 24 A. Yeah.
- 25 Q. After the --
- 26 A. Yeah, yeah.
- 27 Q. This abuse on you?
- 28 A. Yeah.
- 29 Q. You had to go to Auckland, give evidence in court?
- 30 A. Yeah.
- 31 Q. Face Nigel Hibberd?
- 32 A. Yeah.
- 33 Q. In court?
- 34 A. Yeah.

- 1 **Q.** And you found out things like that the Police found peep holes in the ceiling of the
2 bedroom?
- 3 **A.** I know.
- 4 **Q.** Where he watched his kids?
- 5 **A.** I know, I know, I know. Why wasn't that picked up years ago? Why wasn't that picked up
6 by Social Welfare and the Police? Why wait after, you know, after many 30 accounts of
7 sexual abuse, why wait, you know, sort of thing.
- 8 **Q.** Okay, so I want to go back now, so that's all I'm going to ask you about Mr Hibberd unless
9 the Commissioners have any questions?
- 10 **CHAIR:** No, I think you should proceed.
- 11 **MR WAALKENS:** Thank you. So I want to focus on your time in Ōwairaka now Andrew. Can
12 you confirm that you were in Ōwairaka twice and that you were first admitted there on 17
13 February -- in February 1980?
- 14 **A.** Yeah.
- 15 **Q.** And you were about 14?
- 16 **A.** Yeah.
- 17 **Q.** Just tell us about that time when you were first admitted to Owairaka and what -- why you
18 were sent there and what happened on your arrival?
- 19 **A.** The reason why I was sent to Owairaka was of course my mum, my mum accused me of
20 hitting her, which I didn't, and it was just an excuse, you know, for her to get me out of the
21 house. And it caused a social worker GRO-C-1 came , he came and picked
22 me up, or somebody, or the cops picked me up, I can't remember, but then I managed to
23 sneak away and I took an overdose of tablets and they took me into the Boys' Home they
24 took me to Owairaka, I wasn't sure where I was going, and it was some sort of borstal,
25 anyway they took me to Owairaka, they put me in this security prison area and where they
26 put me in a cell, locked the door, and I was lying there, they knew that I took an overdose,
27 the doctor saw me, he says oh you'll sleep it off, you know, is that what you want to know?
28 It's just -- it was horrible, absolutely horrible. I spent quite a few days in the secure unit
29 and I can remember the place. And I wasn't a criminal.
- 30 **Q.** Can you tell us what the secure unit was like?
- 31 **A.** The secure unit, it was only quite small, little courtyard, concrete or, yeah, asphalt
32 courtyard, wire meshing up the top so you can't climb the walls, made out of this cold
33 brick, the cells had metal beds with mattresses, horrible mattresses, the floor was red and
34 concrete, there was a toilet and sink that was metal that was fixed to the wall, there was a

1 door, the door was like an inch thick, very thick. And it was pokie and you were locked up
2 and there was this little light on. Yeah, and there was a shower, communal shower, we had
3 to shower with other -- another two, two guys, two kids, while the social worker or social
4 workers would stand and watch.

5 **Q.** So you spent some time in the secure unit?

6 **A.** Yeah.

7 **Q.** And did anything happen to you while you were in the secure unit?

8 **A.** Yeah. Yeah, yeah. I remember, I didn't know what to call them, social workers coming
9 into my room at night and coming into my room and feeling my up and doing disgusting
10 things.

11 **CHAIR:** I'm wondering Mr Waalkens whether you might lead a little more rather than getting
12 him to do the narrative.

13 **MR WAALKENS:** That's fine.

14 **CHAIR:** Are you okay Andrew.

15 **A.** Yeah.

16 **Q.** I'm just suggesting to Mr Waalkens as we've got your evidence, please don't apologise, as
17 he is we've got your evidence he might put some propositions to you and ask you whether
18 you agree or not agree, would that be helpful rather than having to speak lots of words?

19 **A.** Yeah, yeah that would be great thank you.

20 **Q.** Let's try it that way.

21 **MR WAALKENS:** Andrew you've told us that you suffered sexual abuse in Ōwairaka. Is it
22 correct that there seemed to be a core group of pedophiles in the staff at Ōwairaka with
23 their own little network and that you were sexually abused a number of times.

24 **A.** I believe so, I believe that there was a, you know, a network of male social workers who
25 would be fooling around, not even, fooling around with children, you know, and sexually
26 abusing them I should say, especially in the shower blocks, we had to share in the main part
27 of the complex. You had your own little room, sleeping room area, and they would come
28 in at night, you know, if you were in there and start fiddling with you, and you know even
29 in the shower block you had to share a shower with 20 other boys, there would be social
30 workers in there, you know, making fun at you sort of thing. So that's abuse in itself. And
31 it was very scary.

32 **Q.** Is it correct that you felt like you were a particular target for some of those sexual abusers?

33 **A.** Yeah absolutely, yeah, I believe so, I believe so.

34 **Q.** And you started self-harming as a way of coping, is that right?

- 1 A. Yeah, yeah, yeah.
- 2 Q. And during your second stay in Ōwairaka you went and while you were staying with your
3 father?
- 4 A. Yeah.
- 5 Q. Who had sexually abused you as a young boy?
- 6 A. Yeah, that's right.
- 7 Q. You found a pin and shoved it right into your foot?
- 8 A. Yeah.
- 9 Q. To try to prevent having to go back to Ōwairaka?
- 10 A. Yeah, that's right, that's right, I did, I did.
- 11 Q. And you used to slash, superficially slash your wrists?
- 12 A. Yeah.
- 13 Q. At Ōwairaka to get away from the abuse?
- 14 A. Yeah, that's right, that's right, yeah.
- 15 Q. And you even tried to break your arm?
- 16 A. Yeah.
- 17 Q. To get out?
- 18 A. I did indeed.
- 19 Q. So to sum up your experience at Ōwairaka, what would you say?
- 20 A. A nightmare. Am I allowed to say? A bloody nightmare. The place should have been
21 closed down.
- 22 Q. The staff there, how would you describe the staff?
- 23 A. The only staff member that I felt okay with who seemed quite sensible was a school
24 teacher, yeah, because I went to school, I did some schooling at Ōwairaka and I thought the
25 teacher was okay.
- 26 **CHAIR:** I think you said that you liked school, there was no pressure.
- 27 A. No pressure.
- 28 Q. He was good?
- 29 A. Yeah.
- 30 Q. And he was a nice, an older man?
- 31 A. Yeah, that's right, that's right. And so I felt safe, yeah, so that was one way of getting out of
32 the mainstream, yeah.
- 33 **MR WAALKENS:** And is it fair to say that that schooling and the opportunity to go to school at
34 Ōwairaka was the best part about it.

- 1 A. Yeah, I believe so, yeah, yeah, it was actually.
- 2 Q. I'm just going to leave Ōwairaka there I think, we've covered that. And as I mentioned they
3 have your statement Andrew, so they've got, the Commissioners have got that detail. So
4 we've talked about the fact that you were moved around quite regularly from residences and
5 foster homes?
- 6 A. Yes.
- 7 Q. You were obviously placed with the Hibberds, you were placed in a family home in
8 Normandy Road in Henderson where you were physically abused?
- 9 A. That's right, that's correct.
- 10 Q. And you would run away from these different places because that was your way of trying to
11 protect yourself?
- 12 A. That's right.
- 13 Q. And trying to escape?
- 14 A. That's right, yeah, yeah.
- 15 Q. So you have told us that you raised some of these issues with your social workers and you
16 felt like you weren't being listened to and that no-one really cared, is that right?
- 17 A. That's correct Simon, yeah, yeah.
- 18 Q. And you felt no-one from Social Welfare believed you and could believe these things you
19 were describing?
- 20 A. No, no, they wouldn't believe me, especially when it, you know, when it comes to, you
21 know, raising sexual abuse issues and stuff. And I didn't know, just to sum it up basically,
22 they would make -- I felt that they would make some sort of -- tried to be, tried to be
23 empathetic but it was just no, no, not at all.
- 24 Q. Yeah?
- 25 A. Yeah, they weren't listening, they just wanted you to do what they wanted you to, for them,
26 yeah, to do.
- 27 Q. So at the age of about 16 or 17, whilst still under State care you went to Taupo to stay with
28 your sister, didn't you?
- 29 A. That's correct.
- 30 Q. Yeah, and you didn't really know what you wanted in Taupo you were living quite a
31 transient lifestyle; is that correct?
- 32 A. Yes, I was, yeah.
- 33 Q. And I'm not going to ask you to go through the detail, but is it correct that while in Taupo
34 you were raped by a man whose house you had been painting?

- 1 A. That's correct.
- 2 **Q.** And you went to the Police and they were very good and they charged him; is that correct?
- 3 A. Yeah, they were good, but it was how they went about, you know, doing things was --
- 4 **Q.** And he was eventually convicted and sentenced?
- 5 A. That's correct.
- 6 **Q.** To community service?
- 7 A. That's correct.
- 8 **Q.** Social Welfare was informed about the rape?
- 9 A. That's correct.
- 10 **Q.** But didn't do anything?
- 11 A. That's correct. No documentation, nothing. If there was documentation, if there was
- 12 documentation it would have been in my social work notes and I've got a copy of my social
- 13 work notes.
- 14 **Q.** And --
- 15 A. And also, sorry Simon.
- 16 **Q.** It's okay?
- 17 A. It's funny how the Police can't find the statement that I gave to them and they could find the
- 18 statement that I, you know, that I gave to the Police about Nigel Hibberd.
- 19 **Q.** And then if we could please refer to document reference number 168008. So that is a letter
- 20 from a social worker to the assistant director social work in Gisborne and I'm just going to
- 21 read out aspects of that Andrew. So that states "Andrew moved to our district two years
- 22 ago without prior warning to stay with the married sister. Since moving to Taupo he's
- 23 come and gone from the sister's home and in general kept his distance from the social
- 24 worker so we have had some difficulty keeping up with him and I won't read out the
- 25 balance of the letter but there's some writing at the bottom and it states "Mike this file is an
- 26 indictment of the care our Taupo office has offered Andrew. Please have him seen and if
- 27 appropriate arrange discharge" and that's dated 30 August 1983. So with that statement and
- 28 the suggestion that Social Welfare has had little to no involvement with you whatsoever,
- 29 would that be consistent with what you remember?
- 30 A. I've never seen that before. I've never seen that statement before.
- 31 **Q.** So would you agree that Social Welfare made little to no effort with you while you were in
- 32 Gisborne?
- 33 A. I believe so. They knew that I was in Taupo, made myself known, they knew that I was in
- 34 Taupo because I approached them several times, first of all to get eye wear, which they paid

- 1 out, they knew exactly where I was and they knew exactly the time when I was sexually
2 abused, raped, yeah. So that's a load of crap.
- 3 **Q.** Andrew we've got about 15 minutes left, so I just want to focus on your life after Social
4 Welfare and then talk about in general terms the impact it's had on you and redress and
5 looking forward, okay?
- 6 **A.** Yeah.
- 7 **Q.** So can you confirm that you have had significant mental health struggles after leaving
8 Social Welfare and spent a lot of time in psychiatric institutions and was in and out of
9 various different hospitals?
- 10 **A.** That's correct, yes.
- 11 **Q.** And you were eventually diagnosed with borderline personality disorder?
- 12 **A.** That's right, I was diagnosed with that at first, yes.
- 13 **Q.** At first, and then later you were re diagnosed with bi-polar?
- 14 **A.** That's correct.
- 15 **Q.** And you eventually managed to join the workforce and you worked for many years, which
16 is something you're very proud of, isn't it?
- 17 **A.** Yes, absolutely, absolutely. And that was in -- working in mental health, yeah.
- 18 **Q.** And you've worked in mental health services in New Zealand and in Canada?
- 19 **A.** Yes.
- 20 **Q.** And you had moved and was working in England?
- 21 **A.** Yeah.
- 22 **Q.** Until you had your stroke?
- 23 **A.** That's right, that's correct.
- 24 **Q.** Yes. And as we've heard, you're continuing to make progress in your recovery?
- 25 **A.** Absolutely.
- 26 **Q.** And you hope to get back into part-time work as a nurse?
- 27 **A.** Yeah, that's correct, yes, yes.
- 28 **Q.** And you've been able to use your horrific experiences in State care to try to help some of
29 your patients?
- 30 **A.** Absolutely, absolutely, yeah.
- 31 **Q.** Just talking about the impact, and I know we've addressed this already, but can you just tell
32 the Commission the level of the impact that the abuse that you suffered has had on you in
33 your life?
- 34 **A.** The level of impact in one sentence, in one word? Oh God. There's all sorts of things. I

- 1 have lived through a living nightmare. I felt like a nightmare that I shouldn't have lived,
2 you know. If it wasn't for the abuse, if it wasn't for the living in a dysfunctional family
3 environment, maybe I wouldn't be experiencing time in mental institutions or, you know,
4 living a life that I did live. Does that make sense?
- 5 **Q.** And you spent time in psychiatric institutions, you have taken a lot of alcohol and drugs?
- 6 **A.** Yeah.
- 7 **Q.** You're holding up your wrists?
- 8 **A.** I'm holding up my arms, lacerations, superficial, serious cuts. I have to live with that and
9 you know I see that and it's a reminder, it's a reminder of what happened to me. Somebody
10 said get plastic surgery and I thought hang on no, I won't, no, it's what happened to me, I've
11 got to live with it, I'm strong and I can cope with it.
- 12 **Q.** You are strong.
- 13 **A.** Try to.
- 14 **Q.** You've had significant trust and intimacy issues?
- 15 **A.** Yes.
- 16 **Q.** Throughout your life?
- 17 **A.** Yes, very much so, yeah, I've been through two long-term relationships. Okay, but never
18 felt close because of what has happened to me over, just over a year going on two years I've
19 just met somebody, met him online, GRO-C, he's here today supporting me, we've
20 been together for a while and he's been great. I feel now I have a family. I have a proper
21 family in Fiji.
- 22 **Q.** That's fantastic. Andrew, you felt you had a real lack of -- so you told us that schooling in
23 Ōwairaka was one of the few if not the only highlights of your time there, but you
24 otherwise felt there was a real lack of education in the Social Welfare system; is that
25 correct?
- 26 **A.** That's correct.
- 27 **Q.** And you suffer from low confidence or low self-confidence and assertiveness because you
28 were always knocked down?
- 29 **A.** Yeah, yeah.
- 30 **Q.** And told you weren't going to achieve anything?
- 31 **A.** That's right.
- 32 **Q.** How did that make you feel?
- 33 **A.** Oh I felt absolutely ghastly. My father said that to me too and the guidance counsellor at
34 school, you're not going to achieve anything, that made me feel like crap, yeah. And

- 1 I believed it too.
- 2 **Q.** I want to talk about redress now. So you've received an ACC lump payment due to past
3 sexual abuse. You engaged a lawyer, you lodged a sensitive claim, you went through this?
- 4 **A.** Yeah.
- 5 **Q.** This court hearing?
- 6 **A.** Yeah.
- 7 **Q.** And process, and the award you received was \$8,000 every five years?
- 8 **A.** Yeah.
- 9 **Q.** For the rest of your life, is that right?
- 10 **A.** That's right.
- 11 **Q.** And you're going through the historic claims process with the Ministry of Social
12 Development?
- 13 **A.** That's correct.
- 14 **Q.** Yes, and can you just tell us a bit about that?
- 15 **A.** The historic claim?
- 16 **Q.** Yes?
- 17 **A.** Okay, the historic claim process has been a long lengthy one. It takes roughly three years.
18 At first I felt ill about the fact that I've got to relive this again given what happened. But it
19 was a good thing to do. I've got two supporting social workers helping me. They are doing
20 my assessment now, so it could come through any day. And so it's been three long years,
21 yeah, historic claim, three long years, plus I'm waiting for ACC to approve another lump
22 sum because of a sexual assault that happened last year.
- 23 **Q.** Andrew, you've really achieved something with your life and with your work, especially
24 given the abuse and challenges that you've had to endure along the way. So I want to talk
25 about recommendations now and looking forward and I would like to give you the
26 opportunity to say what you think this Commission of Inquiry should look at looking
27 forward?
- 28 **A.** Yeah, yeah. On a personal, my personal note, my personal belief, my personal experiences,
29 I think coming from the social worker or any healthcare or caring profession, you know, I
30 think it's important to focus on the person, to focus on the person's strengths and not their
31 weaknesses. I think that is a key aspect in any care profession. I think it's also important,
32 it's really good now social workers are well trained and they get registration. Of course
33 they didn't before. So keep up with the registration, keep up with the code of ethics, that's
34 important, focus on the client, listen to the client, listen to children. They have a voice,

1 they need to be heard. They may be abused, and they cry out for help, help them, listen to
2 them, do something, be proactive, and culture, understanding the person's culture
3 background, they may be all different, have an understanding on that, and respect the
4 people's rights on, you know, respect people, respect their -- respect them as a person and
5 not as a statistic, or a bot that they can shunt around from A to B. Does that make sense?
6 You know, so yeah, I think basically listen, listen to the person.

7 **Q.** Great suggestions.

8 **A.** Yeah.

9 **Q.** Andrew, you'd also in your statement made suggestions around working with families and
10 the quality and monitoring of Social Welfare service providers. Is there anything else you
11 want to say about that?

12 **A.** Sorry, could you repeat the question?

13 **Q.** So working with families?

14 **A.** Yeah.

15 **Q.** And quality and monitoring of Social Welfare service providers, do you have any
16 recommendations or suggestions there?

17 **A.** Yeah, well I believe in my experience, and I'm sure it's happening, to work together, to
18 work in a team, you know, whether you're a doctor, nurse, social worker, work in a
19 multi-disciplinary team and work towards the same goal, the same cause, and have that
20 understanding and have some knowledge that you can feedback to the client. Perhaps
21 better role model.

22 **Q.** You've got a unique perspective don't you from your work in mental health and is it correct
23 you've said in your brief there needs to be a lot more communication within and in between
24 services, both social services, external services?

25 **A.** Yeah, yeah.

26 **Q.** To make sure children are safe?

27 **A.** Yeah, yeah, absolutely, I think that's a key aspect in any care, I believe it's clear
28 communication across the board, yeah.

29 **Q.** You've suggested the opportunity?

30 **A.** Yeah.

31 **Q.** To raise grievances or concerns?

32 **A.** Yeah.

33 **Q.** In a safe environment, haven't you?

34 **A.** That's right, absolutely, yeah, yeah.

1 **Q.** Do you have any other comments you would like to make Andrew? This is your evidence,
2 this is your opportunity to be heard. Is there anything else you would like to say?

3 **A.** I -- overall I just want to say thank you for this opportunity basically, to allow me to talk
4 about and share my story and what happened to me when I was young, and my experiences
5 I had in Social Welfare care and making it public, making it public to people. And I'm not
6 hiding, I'm not hiding anymore, you know. For years I would hideaway from it, I'm not
7 hiding anymore. I was going to blank out my face and have my voice distorted. No,
8 decided not to, no. Yeah. And if you don't like it, tough.

9 **Q.** That's incredibly brave of you. Just before I hand-over to the Commissioners, I will just
10 note that during this evidence there have been a number of words that have been said that
11 are covered by the general restriction order, a list of those words are as follows,

GRO-B & C

12 So I'll hand over to Commissioners.

13 **CHAIR:** Thank you.

14 **COMMISSIONER ERUETI:** Kia ora Andrew, no questions from me, I just want to thank you,
15 and to assure you that we've taken on board your recommendations and particularly about
16 training and social workers and monitoring and listening and respect.

17 **A.** Yeah.

18 **Q.** So thank you for that advice, it's important to us, kia ora.

19 **A.** Thank you, thank you.

20 **CHAIR:** Andrew on behalf of the Commission, can I thank you sincerely. It's been very powerful
21 your evidence and I've been wondering why, what is it that makes it so special, and you
22 used the word nightmare quite often, you lived a nightmare, you've had to describe various
23 parts of that nightmare through your life.

24 **A.** Yes.

25 **Q.** Kept coming back and telling it and telling it, and I wonder why would you do it again,
26 why would you be bothered. Would you like to answer that?

27 **A.** Yes, I would actually. The reason why I'm here today is I see it as again a chance to tell,
28 tell the public, not to keep it behind closed doors, and to share my experiences with, you
29 know, with others. And hopefully, you know, people may be able to relate to what I'm
30 going through and you know, so they don't feel oh they're on their own, you know, we are
31 out there and we are, you know, survivors. I find this is my recovery.

32 **Q.** Well, I'm really pleased today hear that. It's very, very powerful and you said thank you for
33 the opportunity, we want to thank you for having the bravery and the courage and to
34 speaking out and reaching out to other survivors who might just be waiting for this moment

- 1 to be emboldened themselves. You deserve a great rest, go and look after yourself now?
- 2 A. Thank you.
- 3 Q. Thank you very much, thank you Mr Waalkens. We'll take a short adjournment before our
4 next witness. **[Applause]**
- 5 **Adjournment from 2.45 pm to 3.02 pm**
- 6 **CHAIR:** Welcome back everybody. And we have Ms T, kia ora.
- 7 A. Kia ora.
- 8 Q. Before I ask Mr Snelgar to lead your evidence, do you mind taking the affirmation? It's
9 like swearing to tell the truth?
- 10 A. Yes.
- 11 Q. Is that something you're happy to do?
- 12 A. Yes.
- 13 Q. Okay, I'll just ask you the question and we're calling you Ms T aren't we?
- 14 A. Yes.
- 15 Q. Ms T, do you solemnly, sincerely and truly declare and affirm that the evidence you'll give
16 before this Commission will be the truth, the whole truth and nothing but the truth?
- 17 A. I do.
- 18 Q. Kia ora.
- 19 A. Kia ora.
- 20 Q. Ki a koe Mr Snelgar.
- 21 **MR SNELGAR:** Tēnā koe e te Komihana. Tena tatou katoa tenei ruma. Tuatahi, ka nui mihi ki
22 a koe Ms T, ko Ngāti Maru nei kua tae mai i runga i te kaupapa o te rā. Mihi to you, Ms T,
23 and you're a descendant of Ngāti Maru. I'm going to start with some housekeeping Ms T,
24 just so we're on the same page. You'll see there is someone signing what is said, this is
25 probably more a reminder more for me than you, but it is really important that we take our
26 time so that there can be typing and signing done. The other point is at any time if you
27 need a break please let me know and we will do so, the Commissioners will be happy to
28 have a break at any time.
- 29 So I'll start just with, you were born in 1950; is that correct?
- 30 A. Correct.
- 31 Q. And you hail from Ngati Maru?
- 32 A. Correct.
- 33 Q. And you have four children, is that right?
- 34 A. Yes.

- 1 **Q.** In your statement you say your children and your mokopuna are your heart?
- 2 **A.** Yes.
- 3 **Q.** I'm going to talk -- start by talking a bit about your early life. Your father was British; is
4 that correct?
- 5 **A.** That's correct.
- 6 **Q.** And your mother is Māori?
- 7 **A.** Yes.
- 8 **Q.** And you were, you are the second eldest of 8 children?
- 9 **A.** Yes.
- 10 **Q.** You had an older sister that you lived with your grandparents, is that right?
- 11 **A.** Yes.
- 12 **Q.** And what was the language that you spoke?
- 13 **A.** Māori.
- 14 **Q.** And was it that you, up until five didn't really speak much English?
- 15 **A.** That's correct.
- 16 **Q.** And that was when you lived with your grandparents up until you were 5?
- 17 **A.** Yes.
- 18 **Q.** And at 5, did you move back to live with your parents?
- 19 **A.** Yes.
- 20 **Q.** And what was the language that you spoke with your parents?
- 21 **A.** English.
- 22 **Q.** Was there a reason for why you spoke English with your parents?
- 23 **A.** Well, my father was very prejudiced, so he wouldn't tolerate, you know, Māori being
24 spoken, plus also going to school as well, had to learn English quickly, yeah.
- 25 **Q.** This was in the mid-50s, late 50s?
- 26 **A.** Mid 50s.
- 27 **Q.** And today, as you sit here today, how is your Te Reo Māori at the moment?
- 28 **A.** Nilch.
- 29 **Q.** We'll talk more about that later. I just want to talk a little bit more about your childhood.
30 You lived in a state house with your family, your parents, is that right?
- 31 **A.** Correct.
- 32 **Q.** I think you describe in your statement at paragraph 12 your mum is a hard-working
33 woman?
- 34 **A.** Yes.

- 1 **Q.** And your father you described as someone who was -- who had full reign of the house?
- 2 **A.** Yes.
- 3 **Q.** You also talk about your father as a very cruel man, I just wondered if you wanted to
4 expand on things on that a bit more?
- 5 **A.** Well, he was very cruel. He would, you know, well, he was really cruel to all of us kids,
6 he'd get birds and crush them in front of you and he'd made sure if you had a fight that you
7 would have to really hurt each other, he was very cruel.
- 8 **Q.** Did he call you names?
- 9 **A.** We were always called niggers, black huas, little black bastards, that was just norm in the
10 house.
- 11 **Q.** I know you mentioned school, I want to talk about your time at school. Did you experience
12 any racism at school?
- 13 **A.** Gosh yes, yeah.
- 14 **Q.** And one of the examples you talk about is the hanky, handkerchief?
- 15 **A.** Yes, I remember that so clear. You know, all the kids at school, my sister and I were the
16 only Māori kids going to the school at the time and all the, you know, Pākehā kids would
17 have very fancy ironed lazy handkerchiefs and, well, we had a rag, and you know, we were
18 humiliated because of that, yeah.
- 19 **Q.** Who were the people that would say things to you, was it other kids or teachers?
- 20 **A.** It was both, definitely teachers as well. We were quite often hit. I don't think they really
21 liked us at the school. You know, I don't think Māori were particularly well liked in the
22 50s, there weren't all that many Māori in Wellington at the time either.
- 23 **Q.** The school we're talking about is your primary school?
- 24 **A.** Yes.
- 25 **Q.** Did you ever speak Māori at primary school?
- 26 **A.** Yes.
- 27 **Q.** What would happen if you spoke Māori?
- 28 **A.** I'd get, you know, slapped and hurt by the teacher, because why I would say is because I
29 was trying to tell the teacher that's what I knew something to be, and I was finding it hard
30 to, you know, to learn the English word on how to say it, yeah. So, you know, I'd get, yeah,
31 I was always getting that stick, you know, the cane stick the teachers used to walk around,
32 I quite often would get that, yeah.
- 33 **Q.** A bit later you went to college, do you remember going to college?
- 34 **A.** I do.

- 1 **Q.** And was that with your sister?
- 2 **A.** Yes, my older sister.
- 3 **Q.** And did you end up getting expelled from college?
- 4 **A.** Yes, I did, yeah.
- 5 **Q.** Was that at age 13?
- 6 **A.** Yes.
- 7 **Q.** I want to talk about your father. Was your father sexually abusive to you?
- 8 **A.** Yes.
- 9 **Q.** Did that abuse start when you were around 4 or 5?
- 10 **A.** Yes.
- 11 **Q.** Later in life, did you learn that some of your other siblings were also sexually abused by
12 your father?
- 13 **A.** Yes, I did.
- 14 **Q.** I want to talk about a particular incident when you were 13. Was there a time when your
15 brother saw your father sexually abusing you?
- 16 **A.** Yes.
- 17 **Q.** And did you run away from home at that point?
- 18 **A.** Yes.
- 19 **Q.** Over time as you got older did the sexual abuse get worse over time?
- 20 **A.** Yes, it did, it did, very much so. I had no time to fold myself, as soon as I would, you
21 know, as soon as there was, you know, my mother would go to work, she worked two jobs
22 at the time, my father was very lazy, he never really liked to work, so he was always home.
23 Yeah, then he'd start his, you know, his abuse of me, yeah. I was begging for it to stop,
24 begging for it.
- 25 **Q.** I want to talk about the incident when you were 13 when you ran away. Had you heard
26 about Social Welfare?
- 27 **A.** Yes.
- 28 **Q.** What happened when you ran away, where did you run to?
- 29 **A.** Well, I went to Social Welfare to tell them that what was happening to me at home because
30 I heard that that was a place, you know, that if you had troubles at home this organisation
31 would help you, either that or the nuns, and I chose to go to Social Welfare in Lower Hutt.
32 I was on my way to college that I went, I didn't go to college, I went to the welfare. And
33 there was a lady there and I was telling her, trying to tell her what was happening to me, but
34 she just -- she wouldn't have a bar of it, she wouldn't listen to me. She told me to get the

- 1 hell out.
- 2 **Q.** Did she say to you that you were lying?
- 3 A. Yes she did, you know, she said, you know, that I was a liar.
- 4 **Q.** Did you also speak to a Sergeant Frost about what was happening to you?
- 5 A. Yes, I did. I spoke to Sergeant Frost because I -- when the lady at the Social Welfare didn't
6 believe me I'd made my mind up then it was going to stop. And I was going to run away.
7 And of course I ran away with another girl and we got caught in at Petone. She got taken
8 home but I told the copper that, you know, what was happening to me at home. I don't
9 think he believed me either really, because next thing all I know is that I was, you know,
10 taken to Miramar girls receiving home in Miramar.
- 11 **Q.** I just want to show you a couple of documents now Ms T. The first is document 119002
12 paragraph 1. This is a document from a social worker. Can you see -- I'll just read out the
13 relevant part. At paragraph 1 the last sentence, this is talking about you says "she made
14 allegation of INCEST against her father, although there was insufficient evidence for him
15 to be charged, Ms T could not be persuaded to alter her story, while in the receiving home
16 at Miramar refused even to see her father. "
- 17 A. Yes.
- 18 **Q.** Then if we just go to paragraph 5, can you see there a paragraph which talks about an
19 incident in July 1964, Mr -- I assume this is your father, "approached the office regarding
20 behaviour of Ms T, was not prepared to accept help, just wanted to talk and then in
21 November, Ms T called into the office to complain that her father was ill treating her and
22 also complained about his attitude and was talking dirty to her." Can you see that there?
- 23 A. Yes, I can, that's correct.
- 24 **Q.** We'll just go back, so after you spoke to Sergeant Frost, did you then speak to another
25 social worker?
- 26 A. Yes.
- 27 **Q.** Did you tell her everything about the abuse from your father?
- 28 A. Yes.
- 29 **Q.** And I think you mentioned it before, you were then taken to Miramar Girls' Home; is that
30 correct?
- 31 A. That's correct.
- 32 **Q.** And the records from your admission show you arrived there on 9 April?
- 33 A. Yes.
- 34 **Q.** 1965. When you got there, did you know why you were being taken there?

- 1 A. No.
- 2 **Q.** Did you know where you were going?
- 3 A. No.
- 4 **Q.** What were you told about being taken to Miramar?
- 5 A. I wasn't told anything, I was just locked up when I got there, I was put into a cell, no, I
6 didn't have a shower or anything, I was just -- there was just a bed I think and a potty in this
7 tiny little wee room and I stayed in there until I ran away from there as well.
- 8 **Q.** Can you remember how long you were in that cell for?
- 9 A. I can't remember.
- 10 **Q.** You were there on your own, is that right?
- 11 A. Yes.
- 12 **Q.** So you ran away, and were you eventually caught by that same sergeant?
- 13 A. Yes.
- 14 **Q.** And what happened after that?
- 15 A. I got returned to Miramar and there was, I can't really remember anything too much
16 happening, but I was then moved to a girls' home in Christchurch, Ferry Road Girls' Home.
17 All the time I'm trying to tell them that, you know, that this is -- what I've told them is the
18 truth, this was happening to me, it's not like I was a bad person or like I was made out like I
19 was a juvenile delinquent, I hadn't done anything wrong apart from tried to get myself help.
- 20 **Q.** The people that you told about your father, what was their response?
- 21 A. Sort of thing doesn't really go on. Well, you know, when I did go to court in Lower Hutt,
22 I mean the Magistrate there had called my father a good man. Well because he went there
23 with all his war medals, he probably bought them, but I know he had medals on and a little
24 medal on his black cap he used to wear and the Magistrate thought that was wonderful. But
25 to me the Magistrate treated me like a dog.
- 26 **Q.** Can you remember some of the things that the Magistrate said to you?
- 27 A. I will never forget them. The Magistrate told me that I was lower than the earth itself, to
28 treat a good man, to accuse a good man of doing these terrible things. So that changed me.
29 That day in Lower Hutt court changed my way I think. It made me very frightened, very
30 scared, not believing in myself, he took away something that kept me going, you know,
31 kept me real, I suppose, is how you'd think of a child, but it stayed with me all my life,
32 trying to prove that I'm okay, trying to prove that what I've been saying all these years is
33 bloody true, you know, I've -- it changed me, it just did something terrible to me. Sorry.
- 34 **Q.** No, that's completely okay Ms T.

- 1 **CHAIR:** Just take your time, do not apologise, please.
- 2 A. I'm fine, thank you.
- 3 **MR SNELGAR:** I know in your statement, Ms T, you say that the Magistrate made you feel full
4 of hatred.
- 5 A. Yes.
- 6 **Q.** And that you felt like no-one really cared?
- 7 A. Yes.
- 8 **Q.** Were you made a state -- a ward of the State?
- 9 A. Yes.
- 10 **Q.** In that area?
- 11 A. Yes.
- 12 **Q.** The reason for this was because they said that you were a delinquent child and not under
13 proper control?
- 14 A. Correct, yeah.
- 15 **Q.** After the court hearing, were you taken to Strathmore Girls' home at Ferry Road?
- 16 A. Yes.
- 17 **Q.** And were you there for about a year?
- 18 A. Yes.
- 19 **Q.** When you first arrived, was there any procedure for your arrival, were you -- did you see a
20 doctor or anyone?
- 21 A. No.
- 22 **Q.** And I just want to talk a little bit about the staff there. Do you remember a staff member, I
23 think at paragraph 63 of your statement, you talk about someone who was really horrible,
24 she was mean, she always had an apron on?
- 25 A. Oh, yes.
- 26 **Q.** Was she I think you say someone who was physically abusive?
- 27 A. She was very abusive. Always juggling those keys with those stockings and those big hairy
28 legs she used to have, she'd just freak you out, you know, she was built like a Pit Bull,
29 I remember her hairy legs, excuse me, but she did, and she always seemed to have these big
30 bunch of keys and would just be coming around you all the time and she'd bring them out
31 of your pocket and rattle them. She was like, she was the punisher there.
- 32 **Q.** Can you describe some examples of the type of abuse that you suffered?
- 33 A. She'd just, you know, we always, you know, calling me a liar, you know, she'd -- a lot of
34 mental abuse, a hell of a lot of mental abuse. She would, you know, make sure that, you

1 know, I was always placed in the kitchen with another staff that was not very nice either.
2 He's just a horrible person. Always threatening, always if you don't do this you're going to
3 go to Burwood. You know and I used to see her drag girls by the hair and they had two
4 cells in Ferry Road and see them just dragging girls and cutting their hair off, you know,
5 take the main off is what she used say, yeah, you know, I'll take your mane off and see how
6 big you growl then, you know, that sort of attitude.

7 **Q.** Do those secure cells?

8 **A.** Yes.

9 **Q.** Was there another example where she would pin you up against the wall?

10 **A.** Yes, yes.

11 **Q.** Was that for things like not folding --

12 **A.** Folding laundry and putting, you know, there was cubby holes, I remember there were all
13 these cubby holes and you had to put -- if you're on laundry duty you had to fold the cars
14 up, underwear in one, bra in another, you know, she'd just look for the slightest thing to be
15 able to, you know, push you and you know, push you around really, yeah.

16 **Q.** Another person you talked about is the cook?

17 **A.** Oh, yes, yes, yeah.

18 **Q.** And can you describe some of the abuse that you suffered from her?

19 **A.** Oh, yeah, she used to just constantly be hitting me over the head with her pots and her pot
20 lids and have to get up early in the morning and help her make the porridge, you know, and
21 she'd be verbally abusive, calling, well for me she was always calling me you bloody, you
22 know, I was useless, go on and do that, then she'd get these big pots and I'd have to see a
23 sink full of water and she'd throw these massive, they were big pans, throw them so the
24 water would splash up all over me, you know, she was very cruel and mean. Always
25 whacking me, she was -- I don't know how many times I had pots over my head from her.

26 **Q.** In your statement you say that these experiences were better though than what you were
27 putting up with at home?

28 **A.** Most definitely, yeah.

29 **Q.** And when we say home, the abuse from your father?

30 **A.** Yes, that's right.

31 **Q.** Were the staff all Pākehā?

32 **A.** Yes.

33 **Q.** Were you ever discriminated against for being Māori?

34 **A.** It was, you know, well yes, I was, yes.

- 1 **Q.** Did you see any other girls ever be discriminated against?
- 2 **A.** Yes, I did.
- 3 **Q.** Can you remember any examples of --
- 4 **A.** We were sort of you know like told you know if you were sort of Māori, you know, you
5 were, you know, you were given an example of how your future was going to go, you
6 know, you're not going to be good for anything, you know, the girls would like to bring out
7 their guitars and their ukuleles and sing and, you know, she'd always say that that was a
8 whole -- you know, waste of time, because girls, a lot of the girls could sing songs in Māori
9 as well, and she used to always make you feel that, you know, it was -- you were doing
10 completely the wrong thing. So rather than it being, you know, an enjoyable thing where
11 everybody would join in you were very fearful if she was on duty.
- 12 **Q.** This was one of the staff members and also the cook?
- 13 **A.** Yes, and the cook as well, yes.
- 14 **Q.** Did the cook ever discriminate against you, can you remember?
- 15 **A.** Yes, she'd call me names, she was always calling me names, yeah.
- 16 **Q.** Those names, can you remember any of those names in particular now? I know it's a long
17 time ago?
- 18 **A.** She always used to call me a useless little bitch and, yeah, just, you know, just words that
19 would just make you feel that, you know, you were nothing, yeah.
- 20 **Q.** The girls at Strathmore were they aged between 13 and 17 or 18?
- 21 **A.** Yes.
- 22 **Q.** And were most of the girls Māori?
- 23 **A.** There were a few of us that were Māori, we did have some European as well, yeah.
- 24 **Q.** You mentioned earlier the hair shaving punishment?
- 25 **A.** Yes.
- 26 **Q.** Was that something that you witnessed?
- 27 **A.** Oh, yes.
- 28 **Q.** Do you want to talk about what you witnessed?
- 29 **A.** Well, you know, she would have great delight, always happened on a Sunday, and if you
30 weren't listening, you know, you knew that you were probably going to be in line to get
31 your whole head shaved off. And I remember one particular girl, she was a very
32 clever -- she was very bright girl and she -- I think she may have -- I don't think she was -- I
33 think she just been sentenced at that time and they had a run in and before I know it this girl
34 was being held down and her hair all shaved off short. Now this girl had absolutely

1 beautiful long honey blonde curly hair, and obviously you know if we think back now how
2 beautiful she looked. She's dead now, [GRO-C] but very, very cruel, cruel. A lot of the
3 girls ended up getting their heads shaved off.

4 **Q.** The girl that you talk about, is it your understanding she ended up at Burwood Hospital?

5 **A.** She did, she ended up, yeah Burwood borstal.

6 **Q.** Also did you quite regularly hear thumping noises coming from the secure cells?

7 **A.** Yes.

8 **Q.** What did you think was happening when you heard that?

9 **A.** Well, you know, girls could be brought in from like places like [GRO-C], girls being
10 transferred through would be put into the holding cells and probably getting bashed.

11 **Q.** Was that by staff or?

12 **A.** By staff, yeah.

13 **Q.** Was there a hierarchy or kingpin system at Strathmore?

14 **A.** Yes, yes, there was. The older girls were certainly, you know, they're the ones that, well,
15 they were, you know, they had the say.

16 **Q.** Did you know -- do you remember how the staff dealt with that hierarchy, was it
17 encouraged or?

18 **A.** I think it was encouraged, yes.

19 **Q.** And violence, we've talked about some of the violence from the staff. Was there violence
20 between the girls?

21 **A.** Sometimes occasionally, yes.

22 **Q.** And was that something you experienced?

23 **A.** Yes.

24 **Q.** Can you remember what was the reason for that?

25 **A.** Maybe someone taking something out of my room. I had nothing to take but, you know,
26 just take one thing and it's very noticeable when you're in a place like that and you know
27 you'd, you know, words would be, you know, you'd get into conflict about stuff and then it
28 would end up, you know, punching each other.

29 **Q.** There were occasions where you saw new girls turn up I think in your words you say black
30 and blue. Do you remember that?

31 **A.** Yeah, there would be girls coming in, depending on, you know, where they'd come from,
32 yeah.

33 **Q.** I think you said in your statement that the girls that turned up black and blue told you they'd
34 been beaten up by nuns?

1 A. Oh, yes, they'd come in from GRO-C and they said they had to -- one girl I remember
2 so well she told me she refused to scrub out, I think scrub out a front doorstep with a
3 toothbrush or something, it's a long time, but I'm sure she -- she wouldn't do it, she'd been
4 there for a couple of years and she was just so full of hatred for the nuns and, well yeah,
5 they ended up beating her up and she was All Black and blue, yeah.

6 **Q.** At Strathmore, could you give us a bit of an insight into what your daily, your usual day
7 would involve?

8 A. We worked, like if you were on the kitchen, which I often was, get up, help in the kitchen,
9 have to get up early, mainly it was us girls that did all the work, we'd prepare all the
10 vegetables for tea, we had to do a lot of brass handles and door knobs and stuff all around
11 the windows, we had to polish all that up. We just worked all day. And I didn't get to
12 school much, I never had much schooling after that.

13 **Q.** I think you said in your statement you spent most of our time maintaining that home like
14 slaves?

15 A. Yes. I'm sure we were slaves.

16 **Q.** What would happen if you didn't want to do certain duties?

17 A. Oh well then you'd be punished, you know, you might not get tea, you certainly get abused,
18 you get a few whacks, yeah, if there was any outings, like you know, maybe a trip to the
19 beach a weekend coming up you certainly wouldn't be on that outing, you'd be made to
20 work, you'd get twice as many jobs to do. I mean ridiculous jobs.

21 **Q.** And you talked about being hungry I think at one time did you take some fruit from the
22 kitchen?

23 A. Yeah, we made a stick and we put a screw or nail on the end so we could punch the fruit
24 through the louvres, the fruit house so we could take the fruit, we were all hungry.

25 **Q.** And you mentioned earlier about going to school. Did you find it quite hard to concentrate
26 at school?

27 A. I just couldn't concentrate.

28 **Q.** And looking back on it, are you able to tell us why it was difficult to concentrate?

29 A. Well, I was always worried about my other siblings at home, because they're all little, you
30 know, little kids when I left, so I was constantly worried that, hoping that, you know, that
31 our father hadn't got to them, but he had. Constantly worried about, you know, I was so
32 full of shame, I couldn't learn. You know, going back to the Girls' Home, the kids would
33 be going, you know, going back to their family homes and you know, be just like a dream
34 you'd hear what they were doing, but we never had any of that. You know, other kids at

1 school, at college when they knew where you were, you're the girl from the bad home, you
2 know, the bad girls' home. So you know, you sort of -- I spent most of my time after that
3 Magistrate humiliated me was -- and I spent my whole life just survival, just surviving all
4 the time that I could keep myself together, that I think if I let go of holding on to survival I
5 would explode into a million pieces. That's how I -- to cope with everything.

6 **Q.** At Strathmore you went to school but there was no real education?

7 **A.** No.

8 **Q.** Where you were staying and no real Māori cultural activities?

9 **A.** None whatsoever.

10 **CHAIR:** Could I just ask a quick question there. Did you see any of your family members while
11 you were at Strathmore.

12 **A.** I saw my father once.

13 **Q.** He came to visit you?

14 **A.** Yes, yes, he was allowed to take me out of the girls receiving home. He'd stayed in a hotel
15 in the city.

16 **Q.** Right, I think we might be coming to that so I won't ask you any further about that?

17 **A.** Okay.

18 **MR SNELGAR:** We've talked about the punishments already, so I'll go to the threat of Burwood
19 Hospital. Was that something that some of the girls at Strathmore were threatened with.

20 **A.** Always.

21 **Q.** Were there things like you were told to shut your mouth, do you want to go to Burwood?

22 **A.** All the time.

23 **Q.** What did you understand happened at Burwood?

24 **A.** Oh, that's where you really got punished. Terrible things would happen, you know, you'd
25 meet other girls too, you know, along the way and, or you'd hear rumours that the girls in
26 Burwood were getting hammered, getting beaten constantly, or else everyone was beating
27 each other up, they had all sorts of, you know, it was just everyone over there was really
28 threatening and bad, so you wouldn't want to go there.

29 **Q.** Did any of the girls that you were in Strathmore with, did they end up at Burwood?

30 **A.** Yes.

31 **Q.** Was it something used to pull new line?

32 **A.** Yes.

33 **Q.** Threaten you with if you --

34 **A.** Oh definitely.

- 1 **Q.** And was psychological abuse common at Strathmore?
- 2 **A.** Yes. We were all told, you know, we were never going to amount to anything. Yeah we
3 were just all led to believe that we were really bad.
- 4 **Q.** I want to talk about that visit from your father. Did he get you to write a letter saying that
5 you had lied about what had happened to you?
- 6 **A.** Yes.
- 7 **Q.** Were you desperate to get out of that place so you --
- 8 **A.** I was absolutely desperate to get out of, you know, get out of being a State ward, yeah. I
9 was desperate, I wanted to go home and see my other brothers and sisters. I couldn't care if
10 my mother and father were alive or whatever happened to them, but I cared very much
11 what was happening to my siblings.
- 12 **Q.** Was your dad able to take you out for a weekend?
- 13 **A.** Yes, for a day. And.
- 14 **Q.** What happened?
- 15 **A.** He had a hotel in the central city and he took me to the hotel and he was saying things like,
16 you know, he could get to me any time he wants to, that look what the welfare, you ran to
17 the welfare, you know they didn't care about you, said all sorts of things like that and then
18 he had his way with me, it was horrible.
- 19 **Q.** After that you were returned back to Strathmore?
- 20 **A.** Correct.
- 21 **Q.** And the date of that visit was the documents say 6 April 1966?
- 22 **A.** Okay.
- 23 **Q.** I just want to show you a letter which is document 119008 paragraph 3. We'll start just
24 with the date. This is a document from a superintendent to the minister in charge of Child
25 Welfare division dated 3 August 1965. Can you see that date at the top?
- 26 **A.** Yes.
- 27 **Q.** So this is about, eight months before the visit from your dad?
- 28 **A.** Right.
- 29 **Q.** Can you see at paragraph 3, if we could just highlight paragraph 3. It's talking about your
30 father?
- 31 **A.** Yes.
- 32 **Q.** Mr -- redacted -- is said to be irrational and mentally unbalanced and I have little doubt that
33 his daughter's allegations of misconduct have some basis in fact. Her good progress since
34 her removal from home supports the belief that her former behaviour had its roots in

- 1 unhappiness at the home"?
- 2 A. Yeah.
- 3 Q. Looking back at that document and the visit from your father, do you have anything you
4 want to say about that?
- 5 A. I guess that says it all really, I mean why did they even let him near me if they had already
6 months before he was able to come, he would have had to get permission, he would have
7 had to be in contact with them. They still let him get to me, and even when I told them
8 what had happened and he tried to see me before he went to Wellington, they didn't -- they
9 just said it was, you know, not the truth. That's quite sickening just to know that there was
10 someone there that, you know, thought maybe I was telling the truth and yet, and you
11 know, allegations of misconduct, I mean I never did anything wrong for, you know,
12 for -- to be labelled like I was labelled and treated the way I was treated. I was just trying
13 to get help for myself to -- someone to just stop this man from doing what he was doing to
14 me, you know, and he was smothering his filth all over me. That's not right, you know, that
15 he was able to still be able to get, yeah, be able to still see me underneath their wings really,
16 they should have opened a bedroom for him in the girls' home and said there she is, go for
17 it, that's what they should have said really.
- 18 Q. When you got back to Strathmore after what happened with your father, did you tell the
19 staff?
- 20 A. Yes.
- 21 Q. About what had happened to you?
- 22 A. Yes.
- 23 Q. And how did they respond?
- 24 A. Just they didn't respond, they just didn't, said I was a liar, I'd remember that clearly, that it
25 just didn't happen, stop making things up.
- 26 Q. I'm just wondering now might be an appropriate time for a brief?
- 27 CHAIR: Yes, would you like to have a break?
- 28 A. Thank you.
- 29 Q. We'll take a short break, thank you.
- 30 **Adjournment from 3.45 pm to 4.00 pm**
- 31 CHAIR: Ms T, you don't have your support person there, are you all right?
- 32 A. Yes.
- 33 Q. Thank you Mr Snelgar. Here she comes.
- 34 MR SNELGAR: Ms T, before the break we were talking about the incident with your father.

- 1 I want to talk briefly about the fact that you've written a letter to your father's sister.
- 2 A. Yes.
- 3 Q. Did you tell her about the abuse?
- 4 A. I told my father's sister where I was and why I was there and to the best of my knowledge
5 she had a, you know, she lived in England, and so it was only letter writing and she told,
6 you know, I know they had a big fight over it.
- 7 Q. While you were in Strathmore, did you have any contact with your siblings?
- 8 A. None, no.
- 9 Q. And did you have any contact with your mum?
- 10 A. No, no. My brothers and sisters were told I was dead, so they thought I had died.
- 11 Q. Did you have any contact with Social Welfare, social workers while you were --
- 12 A. Yes.
- 13 Q. Was there anything that stood out to you about that contact with the Social Welfare social
14 workers?
- 15 A. To be honest with you I can't remember at the moment.
- 16 Q. Kei te pai. I just want to talk about your visit to the dentist?
- 17 A. Oh.
- 18 Q. You had a visit with a dentist because you had an abscess?
- 19 A. Yes, I'd had an abscess for quite a while and trying to get myself help, it was very painful in
20 the girls home. I had to put up with it for ages. One of the staff gave me a cigarette to
21 smoke because the nicotine would help with the pain. She was a lovely staff member, and
22 didn't do anything, I ended up -- Social Welfare ended up having to book me in with a
23 dentist whom was a dentist that I think he would have worked for like a Nazi regime. He
24 was very, very cruel. He would not give me any painkillers and he changed my teeth, they
25 were all full of black fillings and I thought that that was -- he was very cruel, he used to say
26 things to me, well, you know you're a -- you think you're a hard little bitch, you hard little
27 black bitch, you can handle it, come on you can hand tell you bitch that's what he used to
28 say to me. But because my voice was really silenced from the Magistrate, I thought well, I
29 better just shut up here because I'll find myself in -- well not being believed, but in deeper
30 trouble. So I persevered with all that. It wasn't until I grew up and started to get myself a
31 dentist to get my life together that different dentists would say to me what happened to your
32 teeth? Why have you got so many -- and I I think he, well we did, he ruined my teeth,
33 yeah.
- 34 Q. This dentist work at Strathmore or it was someone you visited off site?

- 1 A. Someone that did all Social Welfare's work, yeah.
- 2 **Q.** Do you remember any of the other girls talking about the dentist?
- 3 A. Well, they used to be petrified to go, but I only met one other person probably 16, 18 years
4 ago that she was in Burwood, and she told me that, well yes, in actual fact I did, because
5 this girl that I -- when I did come out the dentist I run into her in some clothing shop and
6 she was telling me the hell that she'd gone through with the dentist. But I did meet another
7 woman that had gone through Burwood years later and she told me that she had the same
8 sort of experiences, you know? So, he obviously did it to lots of different people that were
9 in the clutches of the Social Welfare.
- 10 **Q.** Eventually you left Strathmore and were you placed with a family in Christchurch?
- 11 A. Yes, I was. A Catholic family. I wasn't there for very long, I mean, you know, they were
12 very, very nice people, but they were fanatical, wrong choice for me, and you know, I mean
13 at that time, you know, at that point in time I struggle with the whole father bit, you know,
14 yeah. It didn't work, I mean, and I sort of blame myself for that, because I went to the
15 pictures with a whole group of other young friends, and we met, you know, we met these
16 boys there and had a bit of a kiss in the picture theatre and one put a love bite on my neck
17 and of course, you know, I didn't sort of think too much of it at the time, but them being,
18 you know, very staunch biblical people, I mean they took great offence at it, and before
19 I knew it I was -- I had left there and was put back into the girls receiving home.
- 20 **Q.** And you ended up back at Strathmore?
- 21 A. Yes.
- 22 **Q.** I think you were there for about three to six months at the time?
- 23 A. Yes.
- 24 **Q.** Did you find it hard to trust the parents in that space?
- 25 A. To trust?
- 26 **Q.** The trust them or, I think in your statement you talk about being suspicious of the mother
27 who was very kind?
- 28 A. Yes, yes, that's right, I mean I'd already, you know, I'd already been so full of mistrust of
29 everything, so yeah. It just continued on.
- 30 **Q.** After you left Strathmore for the final time, were you placed back by Social Welfare with
31 your parents?
- 32 A. Yes.
- 33 **Q.** I know you were later discharged when you were about 18 from Social Welfare?
- 34 A. Correct.

- 1 **Q.** When you went back home did you get yourself a job?
- 2 **A.** Yes. I thought I'd been -- I thought I had been allowed to be not going back down to Ferry
3 Road, so I went out and got myself a job, parents took my money, but I was only too happy
4 not to, you know, not to have to go back down into the, you know, to the home, yeah.
5 Things sort of, you know, worked, but for a wee while and then, you know, I could almost
6 smell that behaviour coming my way from my father again and it was just not going to
7 happen.
- 8 **Q.** You mentioned earlier about your, when you first went back home that your siblings
9 thought you had died?
- 10 **A.** Yes, they all thought I was dead.
- 11 **Q.** And the behaviour talking about your father, was there one night in particular when your
12 mum was away and that your father tried to sexually assault you?
- 13 **A.** That's correct, my mother was next door at the neighbours and my father had been there
14 also, they were all drinking, and then he came back early and, you know, he started getting,
15 you know, quite abusive towards me and calling me, you know, you know you're lower
16 than the earth itself, you know you're this and that, you know, all this sort of bullshit he was
17 saying and then he tried to force himself on me. And that was not going to happen. That
18 time I was away from home I was a completely changed person and I would -- I vowed and
19 declared I'd never let anybody ever do that to me ever again. I was going to kill him and
20 I would have killed him if he hadn't have stopped. I went for the scissors, I would have put
21 them in him. The Police were called, I was made to look like a completely lunatic. He was
22 telling them to get mean the hell out of the house. They didn't do anything, they didn't, and
23 I suppose they had a file on me I'm not sure, but I ended up in a place in Upper Hutt in a
24 Social Welfare home, I thought oh God here we go again. But they were nice people.
- 25 **Q.** Was it a Māori woman and her husband who ran that?
- 26 **A.** Yes, yeah. They were very nice and they sort of, you know, actually believed in me, they
27 treated me with respect, they gave me a bit of courage to try and have a life, to try and build
28 something of myself. I suffered greatly when the Magistrate said that I was lower than the
29 earth itself, I mean I garden now but for years I couldn't even sometimes go to burials
30 because it was lower than the earth itself. It shut my voice up. But they gave me, you
31 know, they were nice to me and I wasn't used to that.
- 32 **Q.** Are you okay to carry on?
- 33 **A.** Yes, thank you.
- 34 **Q.** After spending time at this Upper Hutt family home did this then lead to your -- you say in

- 1 your statement finding your independence?
- 2 A. Yes.
- 3 Q. You kept working in the job that you'd been in?
- 4 A. Yes, yes, then I met other young teenagers, they had a room in their flat in the city, so
5 I moved in there and did what every other teenager was doing, you know, going to
6 nightclubs and dancing, getting into my music.
- 7 Q. And later on did you work as a support worker?
- 8 A. Yes.
- 9 Q. That was for people with disabilities?
- 10 A. Yes.
- 11 Q. Did you work in that role until quite recently?
- 12 A. Yes, I worked up until I was 67. I loved the job.
- 13 Q. The reason why you had to leave that job was because of your cancer diagnosis?
- 14 A. Yes, yes. My health was failing and I, you know, the kids had all moved on and moved up
15 to Tauranga and they wanted their mum to come up, so yeah, I moved up by the children,
16 yeah.
- 17 Q. You talked about the cancer which is throat cancer?
- 18 A. Yes.
- 19 Q. You wondered whether that was because you had so much to say and you didn't say?
- 20 A. Yes.
- 21 Q. Your sister took your father to court for his sexual offending, is that right?
- 22 A. That's correct, yes. 16 years after I, you know, after I laid charges with the law, 16 years
23 later a detective turned up at my home on a Sunday evening and, you know, asked me
24 unlock the key again to that part of my life, and which I did, I did everything I could to help
25 her, but he got away with it again, scot-free.
- 26 Q. Did you have to give evidence in that case?
- 27 A. Yes, yeah.
- 28 Q. Were there also 14 other girls who were friends of your sisters?
- 29 A. Yes.
- 30 Q. Who had been molested?
- 31 A. That's right.
- 32 Q. Was that also the time when you found out about your older sister?
- 33 A. Yes.
- 34 Q. That she was also molested?

- 1 A. Yes.
- 2 **Q.** Is there anything you want to say, anything more you want to say about that court process?
- 3 A. Well, I mean, you know, it just beggar's belief that somebody with such a, you know, such
4 a -- so sick could, you know, be found not guilty in the Court of law. I think I've always
5 believed that for me being a young Māori girl not knowing any skills to defend myself in
6 front of the Magistrate, my father being I'm sure British, you know, white in the court that
7 that's probably didn't help me back in those days, and I'm pretty sure it had something to do
8 as well, like my sister, you know, she wasn't very -- she almost sounded, you know, like
9 she'd been brought up at the Hicks really, she wasn't able to speak very well of herself to
10 protect herself, and I think, you know, his lawyer, he got a good lawyer and a well-known
11 lawyer and they just, you know, were able to get him off scot-free. So, made me just have
12 no respect for the law whatsoever, totally, yeah.
- 13 **Q.** The case, this happened, was it in the late 80s early 90s?
- 14 A. Yes, yes.
- 15 **Q.** I just want to move now unless there's anything else you want to say about the court
16 process?
- 17 A. No.
- 18 **Q.** To the impact that your -- what you've talked about has had on your life. First, just the
19 psychological damage this has had on you. Is it true that you haven't really talked to any of
20 your family about the abuse?
- 21 A. That's true.
- 22 **Q.** Was the first time that you told someone about what happened to you, was that through the
23 Confidential Listening and Assistance Service?
- 24 A. That's correct. I went there in my shorts and a top, it was a beautiful sunny day and I was
25 once again going to tell my story, and I wasn't sure whether I was going to get kicked out,
26 I didn't know whether the process had changed or it hadn't, but I was still going to tell my
27 story, and I went there by myself as I've turned up to every meeting, I'm by myself. I have
28 never told my children what has happened to me because I'm so frightened to tell them. I
29 think to me I carry that burden, it's like an over coat of filth and of everything degrading
30 and I think if I told them that it would be passed on to them, it's just I've never been able to
31 not -- I've come close but I just can't, and to me the buck has just got to stop with me. So
32 however, it turns out, I can't let it go past me, I have to keep saying it until someone just
33 really knows that it was the truth and what they did to me was just not right, what the law
34 did to me, you know? Not like I was out there thieving bloody cars or stealing anything

1 from anybody, I was just a young girl that had a rotten father and a rotten life and I needed
2 help. I didn't need to be shoved in a welfare home and you know, if anything the law hadn't
3 done their bloody job he should have been removed and that would have stopped my other
4 siblings from having to go through the same thing, you know, it would have stopped all
5 those girls being molested as well, but no, they took me and sort of locked me up and
6 I -- and I've always felt that you know, that it was my fault.

7 **Q.** Has it also been difficult for you to share, in your statement you talk about because no-one
8 believed you when you were younger?

9 **A.** Yes.

10 **Q.** Has that made it difficult?

11 **A.** Huge, huge, yeah. It's huge too, to reach out to someone and even say hey I'm hurting can
12 you help because I haven't got it in -- I haven't -- that rejection, yeah, no. I'm always
13 asking, you're always trying to read and find out how you cope with different things when
14 they come up, because that's the way I've always done it.

15 **Q.** Later in life, later in life were you diagnosed with Post Traumatic Stress Disorder?

16 **A.** Correct.

17 **Q.** As part of that did you get a few coping skills to help?

18 **A.** Yes, yes. It happened really very suddenly, I was working, everything was going well and
19 then all of a sudden I, you know, wasn't sleeping and I couldn't work out what it was and
20 then I'd have, you know, I would see, you know, I'd feel, I'd smell him, he was dead, but it
21 was horrific, how it happened to me, I could -- it's almost like my father had come back
22 alive. All I could see was the Magistrate laughing at me and the welfare all laughing at me.
23 It went on, you know, I kept working and trying to bury it and bury it and one day
24 I couldn't, it came out. So, I didn't know what it was and so I had to go and see the
25 psychiatrist and she said I had Post Traumatic Stress Disorder.

26 **Q.** And talking about some of the impacts that your abuse has had on you, has it affected your
27 relationships and your views on men?

28 **A.** Oh absolutely, yeah, most definitely. Yeah, I just don't trust. I'm always, you know, like at
29 night time in GRO-C I had a home there was a bus stop outside of it and sometimes
30 you know men would turn around to say, you know, I was always outside gardening and
31 my later life, they'd turn around to say hello but if they moved like that I'd find myself
32 automatically moving right back, always wary, always, I don't know, you know. They're
33 probably you know really decent people but it's just the way my brain reacts to things now.

34 **Q.** It also affected your relationship with your husband?

- 1 A. Oh, yes, yeah. Yeah.
- 2 Q. And your cultural identity, I just want to talk about that. We heard you spoke only Te Reo
3 up until you were 5?
- 4 A. That's correct.
- 5 Q. Now are you one of the Kuia or the elders in your iwi?
- 6 A. Yes, yes.
- 7 Q. And at the moment are your mokos or children today have much to do with their Māori
8 culture?
- 9 A. Yes.
- 10 Q. And for you, how does that affect you at the moment, are you able to speak much Te Reo?
- 11 A. I do my best. The hearings gone now, hearing and eyesight. I really don't think I've got
12 books and all that sort of stuff to try and -- I have a good G but no, I don't think I can. But
13 I'm so proud of my grandchildren, they are the ones that when we have family gatherings,
14 they do the karakia and, you know, they've got it, you know, and for that I'm very, very
15 proud.
- 16 Q. Is there anything else that you wanted to say about your cultural identity? I know you talk
17 about the -- a sense of loss of your culture. Would that be fair, that you today --
- 18 A. Most definitely. I mean I've had no confidence you know for a long time I've just existed,
19 doing everything I have to do. But what happened to me has had a hell of a bearing on
20 every decision I've made in my life. Certainly, cultural wise, you know, I don't think you
21 are quite respected as you should be if you can't speak it. Yeah, it's sort of a shame sort of
22 thing I feel that I can't, yeah. Knowing that I could once.
- 23 Q. Certainly, a common theme that we hear of?
- 24 A. Yes, yes.
- 25 Q. I just want to talk about now after your session with Judge Henwood at the Confidential
26 Listening Service, CLAS?
- 27 A. Yes.
- 28 Q. Were you approached by MSD about a settlement?
- 29 A. Yes.
- 30 Q. As part of that did you get a copy of your Social Welfare file?
- 31 A. Yes. It was a bit of a mess of a file, it was a lot of, you know, blacked out stuff in it, yeah.
- 32 Q. Did MSD give you any warning or direction when you got the file?
- 33 A. No.
- 34 Q. How was that for you reading the file?

1 A. Horrific, if really was. I mean I opened it up and I read probably about six pages and
2 I thought to myself this is bull, I became so angry, I sealed them back up again and they
3 stayed with me, I didn't want them with me because it reminded me that I was carrying my
4 father with me, but I didn't know what to do with them, because to mean the papers were so
5 filthy, so dirty, I didn't know -- I couldn't put them in the rubbish because what if the
6 rubbish men, you know, they flew around at the tip or something you know. I really didn't
7 know what to do with them, so I thought in the end there's only one thing, this is quite a
8 few years later, it's only since I've moved up to Tauranga, I put them in the compost and
9 I composted them, because I think that's they deserve to be.

10 Q. We've heard you're a keen gardener?

11 A. I have become, yes, yeah.

12 Q. As part of the MSD process were you put through something called the Fast Track system?

13 A. Yes, that's right. Yes, I was put, I got a letter to say that I was going to get an apology,
14 which never happened, and if I would take a settlement from them, they named the
15 settlement, I was that disgusted I told them to get stuffed, I wouldn't take the money. I just
16 thought it was a disgusting way to, after all that, it was just disgusting.

17 Q. Did they say that was going to be a full and final settlement?

18 A. Full and final settlement, yeah.

19 Q. Did you talk to some social worker about that settlement?

20 A. Yes, and she turned around and she said to me what do you want us to do, what the hell do
21 you expect from us? I thought well another one that is just clueless, just yeah.

22 Q. I want to move to the final topic which is anything particularly you want to say to the
23 Commissioners and the Commission about looking forward and recommendations for the
24 future. In your statement you talk about Oranga Tamariki. Is there something you want to
25 say about Oranga Tamariki?

26 A. Yes, there is, I don't think they should exist, I think the whole system's rotten, it doesn't
27 work, it hasn't worked since Social Welfare. Yeah, just, you know, I think a whole new
28 system needs to be developed and I think Māori should be able to have -- look after their
29 own, you know, they should be able to -- Māori looking after Māori. I think that's a great
30 way, a great start within them. But you know, padded cells and all that sort of stuff, really,
31 those girls homes when I think back, they are on par, they were jails, you know, they really
32 were jails, I mean no child should be held in places like that and with no-one to talk to,
33 known to even tell you what's happening to you. You know, you're just nothing, just a
34 horrible, horrible way to be treated, no child should be treated like that.

- 1 **Q.** And you talk about culture being something important to you?
- 2 **A.** Most definitely. I think, you know, whatever happens in the future with kids like me, I
3 think that their culture should be totally encouraged, it should be part of their living
4 breathing because without it you're always going to be not quite there, you're always going
5 to be -- you're lost, you know, I mean I hate to say it, but I mean you know, having a British
6 father and I speak his language, and he's the one that robbed me. I'd love to be able to have
7 my Māori language and be able to speak in that, you know?
- 8 **Q.** And finally, you mentioned you say if you were younger you'd like to open up a place?
- 9 **A.** I thought that for many years, if I had good health, even the girls I used to work with, we
10 worked in disability, mental health for many years and did some great work with a lot of
11 them as well, and I used to often say to the girls gee wouldn't it be great if we could get a
12 place going up and running where we could take some of these, you know, kids from -- I've
13 always called them Social Welfare, and set up a place where, you know, they can come and
14 they can learn and believe in themselves and, you know, and like -- but not run as an
15 institution, run as a home. I mean even in disability they still -- I mean I run homes for the
16 company I work for and they still had this institutional way of looking at things, and I hated
17 that. I always made sure that they were homes. Often came into conflict but it was their
18 home.
- 19 **Q.** Ms T I know we've been through a lot of the detail in the statement that you've prepared is
20 with the Commission, so is there anything we've missed kei te pai they have the full
21 version. But I just wondered if there was anything else you wanted to say before we finish?
- 22 **A.** I just hope that use, believe in my story and I've carried it for, you know, over 57 years now
23 and well, I mean you don't have to see how it effects a human being put into these places
24 coming from abusive homes, I'm sure that you's will do your best to change everything
25 that's happening for these young ones coming through. If my story can help one young
26 child from not being believed along the road I'm only too glad to be here. That's what
27 I think. Thank you.
- 28 **Q.** Kia ora. Ms T, we do have a waiata, I know that you have a love of music and you talked
29 about that being something for you, but I'll first before the waiata hand it over to our
30 Commissioners.
- 31 **CHAIR:** Kia ora Mr Snelgar. You are believed. Sorry, you have moved me deeply. And my
32 tears, I share with you.
- 33 **A.** Thank you.
- 34 **Q.** Can I just ask Sandra Alofiavae to thank you formally, I hope she can do better than I.

1 A. Thank you.

2 **COMMISSIONER ALOFIVAE:** Ms T, we believe you. We truly believe you.

3 A. Thank you.

4 **Q.** Thank you for the courage in coming forward and in trusting your testimony with us. It's a
5 privilege for us at the Royal Commission to receive it. Thank you for giving voice to
6 wahine, thank you for opening the door to future wahine and for those that are going to be
7 blessing us as well, the rest of this week with their voices as well. I hope you can accept
8 our heartfelt gratitude. We're so grateful for your honesty and just the integrity in which
9 you just told us exactly how it was. We need to hear it, we receive it, your korero has
10 actually enriched our work even more. So, thank you for your love for other young people
11 in care. That you're prepared to step up and be counted, to contribute to future change. We
12 wish you well and we just want you to know that we're standing in the trenches right
13 alongside you.

14 A. Thank you.

15 **Q.** Fa'afetai lava, thank you.

16 **MR SNELGAR:** We have a waiata, I'm just going to see if our guitar player is here. The song I
17 think we're going to sing, subject to whatever Moana says, is Porea Nei.

18 **Hearing adjourned at 4.40 pm to Wednesday, 5 May 2021 at 10 am**