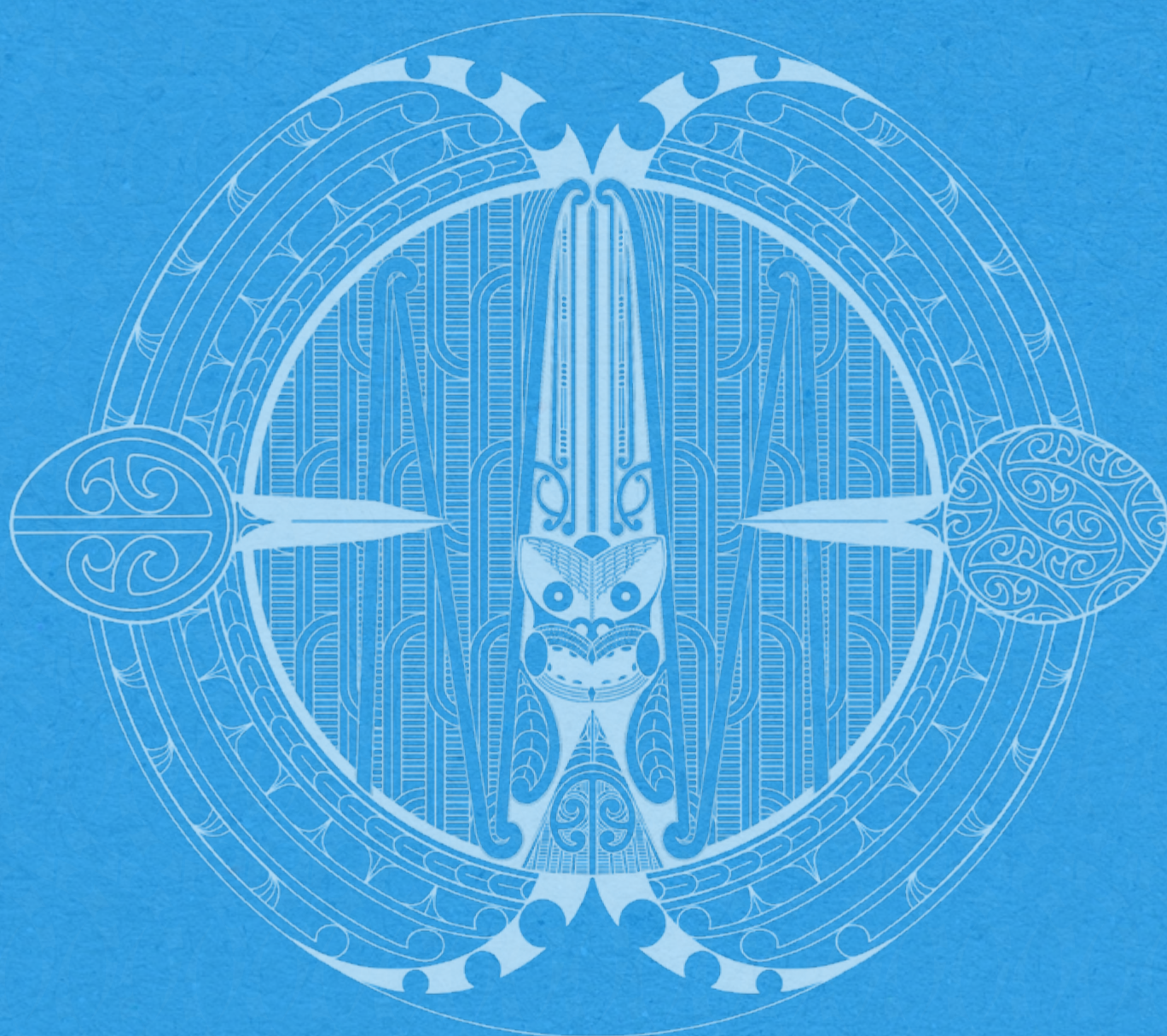


# Deaf survivors' experiences of abuse and neglect in care

Guide and key messages



JUNE 2024



Abuse in Care  
Royal Commission of Inquiry



Developed by the Royal Commission of Inquiry into Historical Abuse in State Care  
and in the Care of Faith-based Institutions to assist accessibility

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**Whakairihia ki te tihi  
o Maungārongo**



# He karakia

E tāmara mā, koutou te pūtake o ēnei kōwhiringa, kua horaina nei  
E tohe tonu nei i te ara o te tika  
E ngaki tonu ana i te mārā tipu  
Anei koutou te whakairihia ki te tihi o  
Maungārongo, kia tau te mauri.

Rukuhia te pū o te hinengaro  
kia tāea ko te kukunitanga mai o te whakaaro nui.  
Kia piere ko te ngākau mahora  
kia tūwhera mai he wairua tau.

Koinei ngā pou whakairinga i te tāhuhu  
o te Whare o Tū Te Mauriora.  
Te āhuru mōwai o Te Pae o Rehua,  
kaimuru i te hinapōuri,  
kaitohu i te manawa hā ora,  
kaihohou i te pai.

Nau mai e koutou kua uhia e ngā hau kino  
o te wā, kua pēhia e ngā whakawai a ngā tipua nei,  
a te Ringatū kino rāua ko te Kanohihuna.

Koutou i whītiki i te tātua o te toa,  
i kākahu i te korowai o te pono,  
i whakamau i te tīpare o tō mana motuhake,  
toko ake ki te pūaotanga o te āpōpō e tatari mai nei i tua o te pae,  
nōu te ao e whakaata mai nei.

Kāti rā, ā te tākiritanga mai o te ata,  
ā te huanga ake o te awatea,  
kia tau he māramatanga,  
kia ū ko te pai, kia mau ko te tika.  
Koinei ko te tangi a te ngākau e Rongo,  
tūturu ōwhiti whakamaui  
kia tina, tina!  
Hui e, tāiki e!

– Waihoroi Paraone Hōterene



To you upon whom this inquiry has been centered  
Resolute in your pursuit of justice  
Relentless in your belief for life  
You have only our highest regard and respect,  
may your peace of mind be assured.

Look into the deepest recesses of your being  
and discover the seeds of new hope,  
where the temperate heart might find solace,  
and the blithe spirit might rise again.

Let these be the pillars on which the House of Self,  
reconciliation can stand.  
Safe haven of Rehua,  
dispatcher of sorrow,  
restorer of the breath of life,  
purveyor of kindness.

Those of you who have faced the ill winds  
of time and made to suffer,  
at the hands of abusers and the hidden faces of persecutors, draw near.

You who found courage,  
cloaked yourselves with your truth,  
who crowned yourself with dignity,  
a new tomorrow awaits beyond the horizon,  
your future beckons.

And so, as dawn rises, and a new day begins,  
let clarity and understanding reign,  
goodness surrounds you and  
justice prevails.

Rongo god of peace, this the heart desires,  
we beseech you,  
let it be,  
it is done.

– Waihoroi Paraone Hōterene





### **Pānui whakatūpato**

Ka nui tā mātou tiaki me te hāpai ake i te mana o ngā purapura ora i māia rawa atu nei ki te whāriki i ā rātou kōrero ki konei. Kei te mōhio mātou ka oho pea te mauri ētahi wāhanga o ngā kōrero nei e pā ana ki te tūkino, te whakatūrora me te pāmamae, ā, tērā pea ka tākirihiā ngā tauwharewarenga o te ngākau tangata i te kaha o te tumeke. Ahakoa kāore pea tēnei urupare e tau pai ki te wairua o te tangata, e pai ana te rongo i te pouri. Heoi, mehemea ka whakataumaha tēnei i ētahi o tō whānau, me whakapā atu ki tō tākuta, ki tō ratongo Hauora rānei. Whakatetia ngā kōrero a ētahi, kia tau te mauri, tiakina te wairua, ā, kia māmā te ngākau.



### **Distressing content warning**

We honour and uphold the dignity of survivors who have so bravely shared their stories here. We acknowledge that some content contains explicit descriptions of tūkino – abuse, harm and trauma – and may evoke strong negative, emotional responses for readers. Although this response may be unpleasant and difficult to tolerate, it is also appropriate to feel upset. However, if you or someone in your close circle needs support, please contact your GP or healthcare provider. Respect others' truths, breathe deeply, take care of your spirit and be gentle with your heart.



The Royal Commission of Inquiry examined the abuse and neglect of children, young people and adults in State care and in the care of faith-based institutions. This guide provides an overview of the key messages and references to the parts of the Inquiry's final report *Whanaketia – Through pain and trauma, from darkness to light* and the case study into Van Asch College and Kelston School for the Deaf that summarise the experience of Deaf survivors during 1950-1999.







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# Chapter 1: Introduction

1. This guide provides a high-level summary of the abuse and neglect experienced by Deaf survivors in State and faith-based care settings during the Inquiry period (1950 to 1999). It also sets out where to find additional information in the Inquiry's final report, *Whanaketia – Through pain and trauma, from darkness to light*, and in the Van Asch College and Kelston School for the Deaf case study, *Our Hands Were Tied*.
2. Chapter 2 is an executive summary.
3. Chapter 3 provides contextual information relevant to Deaf children, young people and adults including tāngata Turi Māori during the Inquiry period.
4. Chapter 4 summarises the circumstances that led to Deaf children, young people and adults including tāngata Turi Māori entering care during the Inquiry period.
5. Chapter 5 discusses the nature and extent of abuse and neglect experienced by Deaf children, young people and adults including tāngata Turi Māori in care settings.
6. Chapter 6 describes the impact of the abuse and neglect that Deaf survivors suffered in care.
7. Chapter 7 summarises the factors that contributed to Deaf children, young people and adults including tāngata Turi Māori in care being abused and neglected. It also summarises the lessons learned and the changes made to prevent and respond to abuse and neglect by State and faith-based institutions that provided care.



## Chapter 2: Executive summary

8. Deaf survivors including tāngata Turi Māori comprised 6 percent of the 2,329 survivors who registered with the Inquiry. Many Deaf people do not identify as disabled. They are part of a cultural and linguistic group and Sign Language is part of their identity.
9. During the Inquiry period, audist societal attitudes in Aotearoa New Zealand were influenced by arrival of European settlers and the adoption of Christianity as the predominant religious faith. New Zealanders were expected to fit in and conform to a narrow definition of what was considered 'normal'. Deaf people and many other marginalised groups were seen as 'abnormal' and less valuable than others.
10. Audism, ableism and other discriminatory attitudes created pathways for Deaf children, young people and adults to enter care. Many Deaf children were sent to special schools at a very young age on the advice of educators, medical and health professionals. Parents of Deaf children were told that an institution was the best place for their children, so they could be taught to adapt to the hearing world. Parents generally did not have the knowledge to teach their children to lipread or speak and were not offered the option to use Sign Language.
11. A lack of support at mainstream schools often led to Deaf children failing at school, being bullied by hearing children and punished by teachers for not understanding oral teaching. Some mainstream schools had Deaf units within the school, which provided some support for Deaf children.
12. Aotearoa New Zealand, like many countries, chose to follow a 19th century recommendation to stop teaching any form of sign language in schools<sup>1</sup> and the practice continued until the mid-1970s. Up until 1979, the Department of Education (now the Ministry of Education) banned Sign Language from the classroom. In some schools, it was also banned in the playground and in boarding residences.<sup>2</sup>
13. Deaf survivors including tāngata Turi Māori were frequently punished and abused for using Sign Language. Deaf culture was neglected and actively discouraged in special schools and in mainstream education settings. Deaf survivors were not supported to communicate as they wished to, were forced to adopt oralist methods of communication, and were ridiculed for signing with facial expressions. They were denied knowledge and access to Sign Language and Deaf culture.
14. Deaf survivors including tāngata Turi Māori were subjected to serious psychological, physical and sexual abuse in special schools. The lack of support for Deaf culture and identity contributed to linguistic and educational neglect. For tāngata Turi Māori, these experiences were compounded with racism and cultural neglect that denied them access to, and an understanding of, te reo Māori and their Māori identities.

<sup>1</sup> Powell, D & Hyde, M, "Deaf Education in New Zealand: Where we have been and where we are going," Deafness & Education International, Volume 16, No 3 (2014, page 130).

<sup>2</sup> Hopkins, R, Listening eyes, speaking hands: The story of Deaf education in New Zealand (Ministry of Education, 2018).



15. Deaf survivors including tāngata Turi Māori were separated from their whānau, denied their culture, had their education neglected and were denied the right to communicate in the manner of their choosing. This has resulted in a loss of confidence, difficulty in connecting and communicating with whānau and friends, and has impacted relationships and employment. Educational neglect and a lack of signing skills are a significant barrier to finding meaningful employment or working in high-earning environments for Deaf survivors.
16. At the heart of the factors that caused and contributed to Deaf children, young people and adults suffering abuse and neglect in care was audism and other discriminatory societal attitudes. For decades, oralism was seen as the superior approach to education, which meant Deaf people had to adapt to a hearing world rather than hearing people adapting to a Deaf world. The governance, management, teachers and staff of Deaf schools were predominantly hearing Pākehā with no lived experience of being Deaf, knowledge of Deaf culture, or awareness of te ao Māori or Pacific cultures.
17. From the records received by the Inquiry, critical oversight and monitoring of the schools created and funded by the Government appears to have been minimal. The little monitoring and review that did occur was more concerned with funding, administration and logistics rather than the educational achievement, safety and wellbeing of Deaf children and young people.



# Chapter 3: Purpose and process

## Deaf survivors who registered with the Inquiry

18. Deaf survivors including tāngata Turi Māori made up 6 percent of the 2,329 survivors who registered with the Inquiry.
19. The experiences of every Deaf and hard of hearing survivor informed the Inquiry's observations, findings and recommendations. Many are referenced or quoted in the Inquiry's final report, *Whanaketia – Through pain and trauma, from darkness to light*, and the Inquiry's Van Asch College and Kelston School for the Deaf case study, *Our Hands Were Tied*. In addition, profiles of some Deaf survivors were highlighted.
20. In the case study:
  - > Māori survivor Hēmi Hema (Whakatōhea, Ngāti Kahungunu), who attended Van Asch College and Kelston School for the Deaf
  - > Māori survivor Mr LF (Ngāti Maniapoto), who attended Kelston School for the Deaf
  - > NZ European survivor Ms MK, who attended Van Asch College
21. In the Inquiry's final report *Whanaketia – Through pain and trauma, from darkness to light*:
  - > in Part 2, Māori survivor Whiti Ronaki (Te Arawa), who attended Kelston School for the Deaf
  - > in Part 3, Cook Island Māori survivor Ms QP, who was placed in social welfare and mental health care settings and attended Wellington High School (Special Unit)
  - > in Part 8, NZ European survivor Ms NH, who attended Kelston School for the Deaf.
22. The table below sets out additional demographic information about the 130 Deaf survivors including tāngata Turi Māori who registered with the Inquiry:

<b>Gender</b>	
> Female	63 survivors (48 percent)
> Male	65 survivors (50 percent)
> Gender diverse, non-binary, other, prefer not to say, no data	2 survivors (2 percent)
<b>Ethnicity</b>	
> Māori	63 survivors (48 percent)
> Pacific Peoples	6 survivors (5 percent)
> Pākehā / European	77 survivors (59 percent)
<b>Part of Takatāpui, Rainbow and MVPFAFF+ community</b>	<b>7 survivors (5 percent)</b>
<b>Average age when entered care</b>	<b>7 years old</b>
<b>Type of care*</b>	
> State care	96 survivors (74 percent)
> Faith-based care	37 survivors (28 percent)
> State and faith-based care	16 survivors (12 percent)
> Unknown	13 survivors (10 percent)

\* Survivors who experienced both State and faith-based care are counted in all three groups (State care, faith-based care, and State and faith-based care).



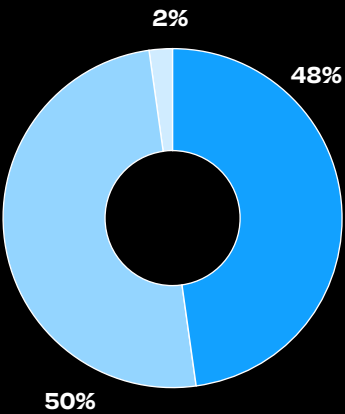
# Key facts about registered Deaf survivors



Total Number of Survivors: **130**

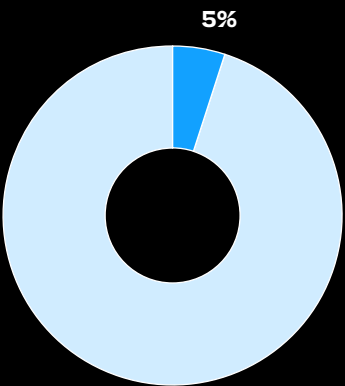
## Gender

	NUMBER OF SURVIVORS	PERCENT
Female	63	48%
Male	65	50%
Gender diverse, Non-Binary, Other, Prefer Not to Say, No Data	2	2%



## Part of Takatāpui, Rainbow and MVPFAFF+ community

	NUMBER OF SURVIVORS	PERCENT
Takatāpui, Rainbow and MVPFAFF+ community	7	5%



\* Survivors who experienced both State and faith-based care are counted in all three groups (State care, faith-based care, and State and faith-based care).

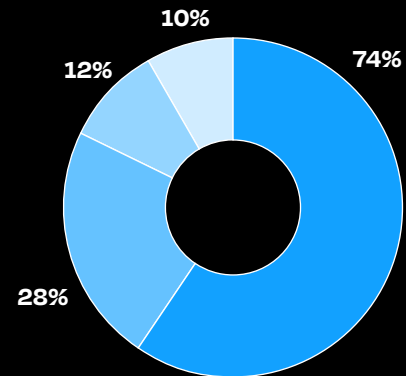


## Age

	YEARS OLD
Average age when entered care	7

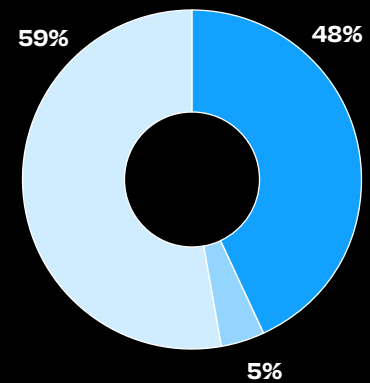
## Type of care

	NUMBER OF SURVIVORS	PERCENT
State care	96	74%
Faith-based care	37	28%
State and faith-based care	16	12%
Unknown	13	10%



## Ethnicity

	NUMBER OF SURVIVORS	PERCENT
Māori	63	48%
Pacific Peoples	6	5%
Pākehā / European	77	59%





23. The Inquiry held hui at Rūaumoko Marae (located at Kelston) in 2021 and Papatūānuku Kōkiri Marae with tāngata Turi Māori in 2022. The Inquiry held its Ūhia te Māramatanga Disability, Deaf and Mental Health Institutional Care Hearing in July 2022. A Deaf expert reference group was established to advise the Inquiry.
24. Part 1, Chapter 5 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, provides additional information on how the Inquiry engaged with Deaf survivors, tāngata Turi Māori, their whānau and wider communities.

## Identities and key concepts

25. Many Deaf people including tāngata Turi Māori do not consider themselves as being disabled, rather they are disabled by society and are part of a cultural and linguistic group for whom Sign Language is a key marker of identity. This is particularly so for those born Deaf or who become Deaf prior to the acquisition of language. Those who lose their hearing as an adult are more likely to see themselves as hard of hearing and disabled by this. Survivor Ms MH told the Inquiry:  
  
*"I cannot properly explain to hearing people what Deaf culture is, or what it is like to be Deaf. Deaf people are not disabled. I might be financially disabled, but I am not disabled in any other way."*<sup>3</sup>
26. The Inquiry acknowledges that Deaf people and their communities have their own histories, worldviews and values. The Inquiry acknowledges that tāngata Turi Māori, and Deaf people who are Pacific and / or Takatāpui, Rainbow or MVPFAFF+ have their own unique experiences and perspectives.
27. Deaf children and young people in care experienced audism, which is a form of systemic oppression that disempowers Deaf people, based on a view of deafness as pathology and speaking / hearing as normal. Audism manifests as discriminatory attitudes and actions by hearing or Deaf individuals towards Deaf people, and through institutionalised practices such as oralist education and employment discrimination.<sup>4</sup> Oralism refers to the education of Deaf children and young people to produce oral language using lipreading, mimicking mouth shapes, using breathing patterns and vocal exercises of speech.
28. Ableism and disablism can contribute to the barriers experienced by Deaf people, tāngata Turi Māori and people who are hard of hearing. They are belief systems that see value in people only according to their ability to have bodies or minds that fit social and medical definitions of 'normal' and are considered productive and desirable.

<sup>3</sup> Witness statement of Ms MH (18 October 2021, para 3.8).

<sup>4</sup> Lane, H, The mask of benevolence: Disabling the Deaf community (Knopf Publishing Group, 1992).



## **Framework applied by the Inquiry to understand and analyse Deaf survivors' experiences**

29. The Inquiry's approach to understanding the experiences of Deaf survivors including tāngata Turi Māori was informed by the knowledge, expertise and work of its Deaf Reference Group and what it heard from Deaf survivors, tāngata Turi Māori, their whānau and communities.
30. Part 1, Chapter 6 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, sets out the framework that the Inquiry used to guide its analysis and understanding of Deaf survivors including tāngata Turi Māori who suffered abuse and neglect in State and faith-based care. The framework was also used to understand the experiences of disabled survivors and survivors who experienced mental distress.
31. Part 1, Chapter 6 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, also describes the principles from the United Nations Convention on the Rights of Persons with Disabilities and Enabling Good Lives, which the Inquiry considered appropriate to help frame its understanding and analysis of the abuse and neglect suffered by Deaf survivors.

## **Context relevant to Deaf people in Aotearoa New Zealand**

32. During the Inquiry period, Sumner Institution for the Deaf and Dumb (renamed Van Asch College in 1980) in Ōtautahi Christchurch, and Kelston School for the Deaf in Tāmaki Makaurau Auckland were the main public providers of Deaf education. Both schools were run and funded by the State.
33. Chapter 1 of the Inquiry's Van Asch College and Kelston School for the Deaf case study, Our Hands Were Tied, sets out the context and history of these two schools.



34. Part 2 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, includes more detailed contextual and historical information relevant to the abuse and neglect of Deaf people in care:
- > Chapter 2 describes traditional Māori, Pacific and settler societal attitudes to care
  - > Chapter 3 describes the arrival of missionaries in Aotearoa New Zealand and the start of colonisation, including the State's role in education
  - > Chapter 4 explains societal attitudes to Deaf people during the Inquiry period
  - > Chapters 5 and 6 summarise key events in Aotearoa New Zealand's social and economic history in 1900–1950 and 1950–1970
  - > Chapter 7 summarises key events in Aotearoa New Zealand's social and economic history in 1970–1990, including the introduction of Total Communication and the increasing visibility of Deaf people in society
  - > Chapter 8 discusses the limited demographic data available about Deaf people during the Inquiry period
  - > Chapter 9 summarises Aotearoa New Zealand's system of government, education legislation and the Department of Education, including the history of special schools
  - > Chapter 10 describes the State-run disability care settings during the Inquiry period, including psychopaedic institutions, sheltered workshops and special schools
  - > Chapter 11 describes the faith-based care settings during the Inquiry period, including St Dominic's School for the Deaf in two locations (Te Whanganui-ā-Tara Wellington and Manawatu).

# **Chapter 4: Circumstances that led to Deaf children, young people and adults entering care**




35. Part 3 of the Inquiry's final report, *Whanaketia – Through pain and trauma, from darkness to light*, sets out the circumstances that led to children, young people and adults including tāngata Turi Māori entering State and faith-based care during the Inquiry period. Audism, ableism and other discriminatory attitudes created pathways for Deaf children, young people and adults including tāngata Turi Māori entering care.
36. Deaf children were sent to deaf schools at a very young age on a day or boarding basis on the advice of educators, medical and health professionals, and due to lack of support for education and communication at home and at mainstream schools. Audist societal attitudes meant parents of Deaf children were told that an institution was the best place for their children, so they could be taught to adapt to the hearing world.
37. Chapter 2 of the Inquiry's *Van Asch College and Kelston School for the Deaf* case study, *Our Hands Were Tied*, provides more detailed information on the circumstances that led Deaf children and young people to be placed there, including:
  - > the experience of being diagnosed Deaf
  - > lack of support for children and whānau to communicate at home
  - > advice from educators, medical and health professionals
  - > lack of support at mainstream schools
  - > lack of support to educate children at home
  - > Deaf children brought to Aotearoa New Zealand from the Pacific Islands.
38. Part 3 of the Inquiry's final report, *Whanaketia – Through pain and trauma, from darkness to light*, describes the circumstances that led Deaf people into care, echoing what is set out in Chapter 2 of the Inquiry's case study on *Van Asch College and Kelston School for the Deaf, Our Hands Were Tied*. Additional detail is included in Part 3 of *Whanaketia* on the limited pathways into faith-based education for Deaf children and young people.



# Chapter 5: Nature and extent of abuse and neglect of Deaf survivors

39. Part 4 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, describes the nature and extent of abuse and neglect suffered by survivors of State and faith-based care.
40. Deaf survivors including tāngata Turi Māori were subjected to psychological and emotional abuse and neglect, physical abuse, sexual abuse, educational neglect, linguistic neglect, neglect of Deaf culture, and racial and cultural neglect.
41. Survivors of Van Asch College and Kelston School for the Deaf endured serious sexual abuse including rape and sexual assault by staff and older children during the Inquiry period. Physical abuse by staff and from their peers occurred regularly, creating an environment of fear in some classrooms and in the hostels. Some were bullied, harassed and verbally abused by staff and peers. Children and young people were punished for using Sign Language, and experienced linguistic neglect as they were not taught Sign Language. The majority of children and young people received an inadequate education, particularly those with other disabilities. Deaf identity was not supported by staff. Tāngata Turi Māori experienced racism and cultural neglect at schools staffed by hearing Pākehā. Pacific children may have similarly experienced racism and discrimination.
42. Chapter 3 of the Inquiry's Van Asch College and Kelston School for the Deaf case study, Our Hands Were Tied, provides more detailed information on the nature and extent of abuse suffered by Deaf children and young people who were placed there.
43. Part 4 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, describes the nature and extent of abuse and neglect experienced by Deaf people in State and faith-based care, echoing what is set out in Chapter 3 of the Inquiry's case study on Van Asch College and Kelston School for the Deaf, Our Hands Were Tied. Additional detail in Part 4 of Whanaketia that is not covered by the case study includes:
  - ✍ **Chapter 2** explains that being placed into care caused trauma, disruption to forming attachments, and separated Deaf survivors including tāngata Turi Māori from their whānau, community and society
  - ✍ **Chapter 3** explains how abuse and neglect against Deaf people in care have transgressed te ao Māori worldviews, Pacific values and the Deaf, disability and mental distress framework and principles used by the Inquiry
  - ✍ **Chapter 4** describes abuse and neglect in faith-based schools for Deaf people
  - ✍ **Chapter 5** describes the extent of abuse and neglect as reported by Deaf survivors including tāngata Turi Māori of State and faith-based care settings.

# Chapter 6: Impacts of abuse and neglect on Deaf survivors

44. Part 5 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, sets out the significant, pervasive and lifelong impacts that abuse and neglect in State and faith-based care had on survivors' physical and mental health, emotional wellbeing and spirituality, identity and cultural identity, education and employment opportunities.
45. Deaf survivors including tāngata Turi Māori were separated from their whānau, denied access to Deaf culture, had their education neglected and were denied the right to communicate in a manner of their choosing. Separation from siblings and parents at a young age and the resulting lack of attachment created issues such as separation anxiety, loss of cultural connection and mental distress for Deaf survivors.
46. Barriers to learning due to being taught by oral methods and Total Communication resulted in limited academic achievement. A lack of qualifications, discrimination and language barriers meant that Deaf survivors including tāngata Turi Māori faced barriers to employment. Tāngata Turi Māori experienced a lack of access not only to Deaf culture but to their Māori culture and identity. This diminished their mana and was also a transgression against their whakapapa.
47. Chapter 4 of the Inquiry's Van Asch College and Kelston School for the Deaf case study, Our Hands Were Tied, provides more detailed information on the impacts of abuse and neglect of Deaf children and young people placed there, including:
- > ongoing psychological and mental distress due to separation from family and whānau
  - > limited educational achievement
  - > barriers to employment
  - > disconnection from te ao Māori
  - > State denial of tino rangatiratanga
  - > pathway to gangs and the criminal justice system.
48. Part 5 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, includes more detailed information on the impacts of abuse and neglect of Deaf children, young people and adults in care. It reflects what is set out in Chapter 4 of the Inquiry's Van Asch College and Kelston School for the Deaf case study, Our Hands Were Tied. Additional detail in Part 5 of Whanketia includes:
-  **Chapter 2** explains the impacts on interpersonal relationships, physical health, mental health and emotional wellbeing, and life pathways of Deaf survivors including tāngata Turi Māori
  -  **Chapter 3** describes the particular impacts of abuse and neglect on Deaf survivors including tāngata Turi Māori
  -  **Chapter 4** explains how the negative impacts of abuse and neglect in care have contributed to further adverse outcomes for many Deaf survivors including tāngata Turi Māori and the Deaf community as a whole.



# Chapter 7: Factors that contributed to abuse and neglect in care

49. Part 7 of the Inquiry's final report, *Whanaketia – Through pain and trauma*, from darkness to light, describes the factors the Inquiry identified as having caused or contributed to the abuse and neglect of children, young people and adults in State and faith-based care. Part 7 also identifies the lessons learned and the changes made to prevent and respond to abuse and neglect. Part 7 concludes by setting out findings relating to:
- > breaches of relevant standards
  - > factors that caused or contributed to abuse and neglect in care
  - > fault
  - > lessons learned.
50. The Inquiry identified that four factors all caused or contributed to the abuse and neglect of Deaf survivors including tāngata Turi Māori in State and faith-based institutions. These included:
- > factors relating to the people at the centre of abuse and neglect
  - > institutional factors
  - > structural and systemic factors
  - > societal factors.
51. Deaf people including tāngata Turi Māori in State and faith-based care were diverse, with diverse care and support needs. Although each person in care was unique, every person needed support, strong protection, and safeguarding. Strong protection refers to a set of internationally-recognised factors that contribute to resilience because they promote healthy development and well-being and can reduce the risk of experiencing abuse and neglect. These factors are a combination of personal, parental, and environmental factors.
52. The rights guaranteed in te Tiriti o Waitangi reinforce many protective factors. For example, connection to whakapapa, whānau, hapū and iwi are taonga protected by te Tiriti o Waitangi.
53. Had these rights been upheld during the Inquiry period – such as the right to tino rangatiratanga over kāinga, and the right to continue to live in accordance with indigenous traditions and worldview guaranteed by the principle of options – these rights would have been amplified protective factors for tamariki, rangatahi, and pakeke Māori, reducing entry into care and the risk of abuse and neglect in care.

54. Human rights recognise that children, young people, adults, people with disabilities and Māori as indigenous to Aotearoa New Zealand are distinct groups that also require special measures, particularly protective measures. In care settings, this means special protection measures like comprehensive standards of care needed to be in place. During the Inquiry period, the lack of special protections or measures for people in care were factors that contributed to abuse and neglect.
55. Deaf culture and Sign Language were denied through the mandated oral approach to education. Deaf people were not involved in school leadership or decision-making positions at the schools to shape the education of Deaf children. Families and whānau were not supported to learn to communicate through Sign Language with their Deaf child, or to understand Deaf culture.
56. Many of the factors identified as contributing to abuse and neglect were exacerbated by societal attitudes, such as audism, that contributed to Deaf people being viewed by society as having a deficit and being unproductive. These attitudes meant that Deaf people were more likely to be placed into care, and more at risk of being abused and neglected while in care. Tāngata Turi Māori, Deaf people who are also Pacific and / or Takatāpui, Rainbow or MVPFAFF+, are disabled and / or experienced mental distress experienced the compounding effects of racism, homophobia, ableism and disablism on top of audism.
57. Chapter 5 of the Inquiry's Van Asch College and Kelston School for the Deaf case study, *Our Hands Were Tied*, describes the factors that contributed to Deaf children and young people being abused and neglected in care while in those settings.



58. Part 7 of the Inquiry's final report, Whanaketia – Through pain and trauma, from darkness to light, includes more detailed information on the factors that caused or contributed to the abuse and neglect of Deaf people in care:
- ✍ **Chapter 2** describes the factors related to people in care, abusers and bystanders that contributed to abuse and neglect in care
  - ✍ **Chapter 3** explains that standards relevant to care (including te Tiriti o Waitangi Treaty of Waitangi and human rights protections) were inadequate, inconsistent and routinely breached
  - ✍ **Chapter 4** discusses the poor employment policies and practices that contributed to abuse and neglect in care, including failure to vet staff, inadequate recruitment and training and under-resourcing
  - ✍ **Chapter 5** explains that complaints processes were absent or easily undermined, that survivors were often not believed if they reported abuse and neglect, and that senior leaders prioritised the reputations of institutions and abusers over the safety of people in care
  - ✍ **Chapter 6** explains that oversight and monitoring was ineffective
  - ✍ **Chapter 7** summarises the institutional, structural and systemic factors set out in Chapters 3–6 that contributed to abuse and neglect including there was little accountability for abuse and neglect
  - ✍ **Chapter 8** describes the faith-specific factors that contributed to abuse and neglect, including ableism based on religious concepts
  - ✍ **Chapter 9** discusses the State's responsibility for care, including that its highest-level decision-makers rarely took accountability for abuse and neglect in care
  - ✍ **Chapter 10** explains that societal factors, including audism and other forms of discrimination, contributed to abuse and neglect in care.

59. During the Inquiry period, the State attempted to make some changes to address problems identified in different care settings and to prevent and respond to abuse and neglect in State and faith-based care.
60. Most changes were specific to certain care settings. These changes included the creation of new legislation, policy, rules, standards and practices to prevent and respond to abuse and neglect in care as well as subsequent tweaks to these regulations, as new lessons were learned. Several of these changes had a positive impact on people in care, while some had intentions that were not achieved in practice.
61. Legislative and policy changes can largely be seen as a good faith attempt by the State to address lessons identified and to respond to and mitigate abuse and neglect in care. With hindsight, much more abuse and neglect could have been prevented if changes had been applied consistently across all settings and implemented differently. The changes often reflected discrete elements of a lesson, which limited their potential impact for preventing and responding to abuse and neglect in care.
62. Implementation repeatedly frustrated successful change. Common failures of implementation included funding and resourcing constraints, and lack of diversity in leadership positions, policy design and service delivery.



# He waiata aroha mō ngā purapura ora

Kāore te aroha i ahau mō koutou e te iwi i mahue kau noa  
i te tika  
I whakarerea e te ture i raurangi rā  
Tāmia rawatia ana te whakamanioro  
He huna whakamamae nō te tūkinō  
He auhi nō te puku i pēhia kia ngū  
Ko te kaikinikini i te tau o taku ate tē rite ai ki te kōharihari o tōu  
Arā pea koe rā kei te kopa i Mirumiru-te-pō  
Pō tiwhatiwha pōuri kenekene  
Tē ai he huringa ake i ō mahara  
Nei tāku, 'kei tōia atu te tatau ka tomokia ai'  
Tēnā kē ia kia huri ake tāua ki te kimi oranga  
E mate pūmahara? Kāhorehore! Kāhorehore!  
E ara e hoa mā, māngai nuitia te kupu pono i te puku o Kareāroto  
Kia iri ki runga rawa ki te rangi tihore he rangi waruhia ka awatea  
E puta ai te ihu i te ao pakarea ki te ao pakakina  
Hei ara mōu kei taku pōkai kōtuku ki te oranga  
E hua ai te pito mata i roto rā kei aku purapura ora  
Tiritiria ki toi whenua, onokia ka morimoria ai  
Ka pihi ki One-haumako, ki One-whakatupu  
Kei reira e hika mā te manako kia ea i te utu  
Kia whakaahuritia tō mana tangata tō mana tuku iho nā ō rau kahika  
Koia ka whanake koia ka manahua koia ka ngawhā  
He houkura mārie mōwai rokiroki āio nā koutou ko Rongo  
Koia ka puta ki te whaiao ki te ao mārama  
Whitiwhiti ora e!

– Paraone Gloyne



# A Love Song for the Living Seeds

The love within me for you, the people, remains unchanged

Left alone, abandoned by justice and order

Subjected to the silent suffering of mistreatment

A heaviness in the core, silenced into stillness

The gnawing of my heart cannot compare to the anguish of yours

Perhaps you are hidden in the depths of the night, Mirumiru-te-pō

A night dark and dense

Where there may be no turning in your memories

But here's my thought: 'Do not push open the door to enter'

Instead, let us turn to seek life and well-being

Is memory dead? No, certainly not!

Arise, friends, let the truth resound loudly from the heart of Kareāroto

To ascend to the clear skies, a sky washed clean at dawn

Emerging from the troubled world to a world of promise

A path for you, my flock of herons, to life

So, the precious core may blossom within you, my living seeds

Scattered across the land, cherished and growing in abundance

Rising in One-haumako, in One-whakatupu

There, my friends, lies the hope to fulfil the cost

To restore your human dignity, your inherited mana from your ancestors

Thus, it will thrive, flourish, and burst forth

A peaceful feather, a treasured calm, a serene peace from Rongo

Emerging into the world of light, into the world of understanding

A crossing of life indeed!

– Paraone Gloyne



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