

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED INSTITUTIONAL RESPONSE HEARING**

Under The Inquiries Act 2013

In the matter of The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

Royal Commission: Judge Coral Shaw (Chair)
Dr Anaru Erueti
Ali'imuamua Sandra Alofivae
Paul Gibson

Counsel: Mr Simon Mount KC, Ms Kerryn Beaton KC, Ms Katherine Anderson, Ms Tania Sharkey, Mr Michael Thomas, Ms Kathy Basire and Ms Alisha Castle for the Royal Commission

Ms Rachael Schmidt-McCleave and Ms Julia White for the Crown

Ms Sally McKechnie and Ms Brooke Clifford for Te Rōpū Tautoko, the Catholic Bishops and Congregational Leaders

Mrs Fiona Guy-Kidd and Ms India Shores for the Anglican Church

Ms Maria Dew KC, Ms Kiri Harkess and Mr Lourenzo Fernandez for the Methodist Church and Wesley Faith

Mr Brian Henry, Mr Chris Shannon and Ms Sykes for Gloriavale

Ms Sarah Kuper and Mr Matthew Hague for the Presbyterian Church

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

Date: 19 October 2022

TRANSCRIPT OF PROCEEDINGS

INDEX

OPENING STATEMENT BY PRESBYTERIAN SUPPORT CENTRAL and PRESBYTERIAN SUPPORT OTAGO	239
NASEEM JOE ASGHAR and PATRICK WAITE	
Questioning by Ms Kuper	245
Questioning by Ms Castle	252
Questioning by Commissioners	274
JO O'NEILL	
Questioning by Mr Hider	277
Questioning by Ms Castle	281
Questioning by Commissioners	291
OPENING STATEMENT BY PRESBYTERIAN CHURCH OF AOTEAROA NEW ZEALAND	
	295
WAYNE MATHESON	
Questioning by Mr Hague	296
Questioning by Ms Castle	297
OPENING STATEMENT BY THE DILWORTH CLASS ACTION GROUP	
	327
OPENING STATEMENT BY DILWORTH SCHOOL and DILWORTH TRUST BOARD	
	331
DR MURRAY WILTON	
Questioning by Ms Anderson	337
Questioning by Commissioners	361

11 **OPENING STATEMENT BY PRESBYTERIAN SUPPORT CENTRAL and**
12 **PRESBYTERIAN SUPPORT OTAGO**

13 **MS SMITH:** Presbyterian Support Central, which I will refer to as PSC and Presbyterian Support
14 Otago PSO are grateful for the opportunity to be here today and to present this opening.
15 I did just want to introduce myself for those that are in the room and are also listening
16 online. I am a non-disabled woman, difficult to describe me, I was born in England, raised
17 in New Zealand, so I regard myself as a New Zealander but of European background
18 I guess. I'm 49 years young, I have medium length straight blondish-brownish hair,
19 sometimes blonder than others, and I'm tall and I'm wearing a purply pink dress with a dark
20 blue jacket.

21 In terms of the structure for today, I thought I might just highlight what we're
22 proposing to do if that suits the Commissioners. PSC and PSO are separate and
23 autonomous organisations from each other. Given the limited time, what I'm proposing to
24 do across this morning's two sessions is do a slightly longer opening now but covering
25 matters which are consistent for both PSO and PSC and then a very brief comment just
26 leading into the evidence on matters that are just specific to those organisations. And
27 hopefully that might save you time in listening to me all morning. So that's the intention.

28 **CHAIR:** Thank you.

29 **MS SMITH:** When giving evidence today, representatives from PSC and PSO are going to
30 acknowledge those survivors who suffered abuse while in the care of their institutions and
31 apologise for that harm, and it's really important, they felt, that those words came direct
32 from them, not from me, but they did want me to convey in this opening and acknowledge
33 all survivors who are watching this hearing, either in this room or remotely.

1 Your bravery to come forward and share your experiences is something which the
2 witnesses will acknowledge, not only in terms of that bravery, but the opportunity that they
3 have presented both organisations to make amends to learn from the past and to ensure that
4 all those who come into contact with their organisations are protected from all forms of
5 abuse.

6 Going back in history, PSO and PSC have been each operating in the Social
7 Welfare space for over 100 years. In the late 1800s there was a growing realisation that
8 Presbyterian parishes were not capable of dealing with increasing problems in the
9 community on their own. There was an alarming number of people living in poverty and
10 no basic social welfare system. So, to address that need in the 1900s, both organisations
11 initiated projects to care for orphaned and destitute children.

12 And relevant to the scope of your Inquiry, PSC operated a children's home in
13 Berhampore Wellington from around 1912. PSO operated the Glendinning Presbyterian
14 children's home and you'll hear that that comprised three cottages, Cameron, Nisbet and
15 Somerville and that was operated from 1930 and it also operated Mārama Home in
16 Lawrence from 1942.

17 Berhampore closed in the mid-80s and PSC stopped providing care at that time.
18 Mārama closed in 1973, Glendinning closed in 1991 and that is when PSO stopped
19 providing care. But during the time that they did provide care, several hundred children
20 passed through their doors.

21 The operations that PSO and PSC provide have changed significantly since they
22 first started. Neither provide direct care to any children, young person or vulnerable adults.
23 Instead what they do is they run two services through Family Works and Enliven.

24 So Family Works is a multi-disciplinary service which offers support to families.
25 Its services include courses for whānau, for parents and children and supplying the wider
26 community with support and essential items. But at no stage are children taken into care or
27 any residential services delivered by PSC or PSO.

28 Both entities also offer a range of positive aging services, including retirement
29 villages and care homes under the name Enliven and Enliven has grown to be one of
30 New Zealand's most trusted providers of aged care and retirement villages.

31 **CHAIR:** Who are not within the scope of this Inquiry.

32 **MS SMITH:** That is correct, yes. In terms of location, just so everyone can get their bearings,
33 PSC delivers its health and social services through those Family Works and Enliven across
34 the Lower North island. Its central hub is based in Porirua and services are located between

1 Taranaki and Wellington. It's governed by a Board of Directors and Joe Asghar is CEO
2 and it has around 1,000 employees and 350 volunteers.

3 I'll take you on a journey south of the motu now where PSO delivers its services in
4 the lower South Island from Oamaru to Balclutha and as far west as Queenstown. Its main
5 centre or support centre is based in Dunedin and it's governed by a separate Board of
6 Directors and Jo O'Neill, who you might see in some of the documents referred to as Jo
7 Rowe, is CEO, and they have 750 employees and 500 volunteers.

8 So just touching on the point that although they do not provide care anymore, they
9 still have members of their organisations who, when they are delivering work through
10 Family Works or Enliven, interact with children and young persons and other vulnerable
11 people. So although they are not providing the type of care, they are acutely conscious of
12 the importance of reflecting the learnings that they have obtained and continue to obtain
13 through ongoing education from their connections and liaisons with survivors and also from
14 this Commission.

15 **CHAIR:** Would you consider that those interactions that you referred to could come under the
16 broad heading of pastoral care? So it's not taking people into care but they are interacting
17 in the name of an organisation in a pastoral service way?

18 **MS SMITH:** It might be pastoral, but the organisations when they talk about that is more that
19 collective responsibility to -- we all have a responsibility to look out for people, to identify,
20 to learn so that we know what the signs are.

21 **CHAIR:** You mean as human beings.

22 **MS SMITH:** Indeed.

23 **CHAIR:** Yes, but as an organisation they are doing it in a deliberate and focused way.

24 **MS SMITH:** Absolutely, yes.

25 **CHAIR:** So to that extent are delivering a service of care to people.

26 **MS SMITH:** In that sense, and you will hear from the witnesses who talk about how both
27 organisations have changed the level of training and focus that they have, which has been
28 informed by the past but is a continuing, as it must be, and evolving learning process as we
29 continue to learn more. You'll hear them both say that it just simply can't be static, the job
30 is not done.

31 In terms of the relationship to the Church and Presbyterian Support New Zealand
32 and each other it's worthwhile just touching on that so that relationship is clear. There are
33 seven autonomous regional Presbyterian Support Services across Aotearoa. So we have
34 New Zealand Central, East Coast, Upper South Island, South Canterbury, Otago and

1 Southland. And collectively they are one of Aotearoa New Zealand's largest not for profit
2 and health and social services providers.

3 So operating under a federation structure, those seven organisations, including PSC
4 and PSO, are governed, managed and operated separately to each other, and that's simply to
5 be able to best respond to the local needs in their communities. They come together,
6 however, under the Presbyterian Support Federation or Presbyterian Support New Zealand
7 to share information, best practice ideas, and where possible, resources, and there's also
8 regular communication between them on areas of commonality, such as standards of care,
9 purchasing opportunities, learning opportunities and so on.

10 But Presbyterian Support New Zealand has no governance responsibility of any of
11 the regional entities, and as I've said, none of those entities have any governance or control
12 over each other either. They are separate organisations.

13 **COMMISSIONER ERUETI:** Counsel, when you say that they communicate regularly with one
14 another, are you talking about Presbyterian Support New Zealand communicating with the
15 seven entities or the seven entities communicating regularly with one another?

16 **MS SMITH:** There is a bit of both but certainly the regional entities because they are the ones
17 that are delivering similar services, albeit in different areas with different needs, but there is
18 regular communication between them on the services that they provide.

19 **COMMISSIONER ERUETI:** Okay, thank you.

20 **MS SMITH:** Turning to the Church, the historical relationship between Presbyterian Support
21 entities and the Church originated in around 1905 when a preacher called William
22 Hewittson identified a need for support for hospital visits and social services. And in 1906
23 the Presbytery met and agreed plans for a service, at that stage covering five regions, and
24 that service was called Presbyterian Support Service Association, another acronym's
25 coming, what we refer to as PSSA.

26 Over time PSSA has expanded its operations into the seven self-governing regions,
27 which is where the organisation stands today. It goes without saying that each still bear the
28 name "Presbyterian", but as they say, that is to recognise their beginnings, their heritage
29 and the values that they share with the Church, and most importantly a shared value base of
30 supporting those in need.

31 There is no requirement for anyone in PSC or PSO to be Presbyterian or to attend
32 Presbyterian services, and even at an organisational level, the Church exercises virtually no
33 influence over the affairs, aside really from an ability to appoint someone to the board of
34 those organisations. But as practice has developed over time, the organisations essentially

1 go to the Church now indicating the skills that they need and the person that they have
2 identified and it operates in that way.

3 **CHAIR:** But there's still representation from the Church on these boards?

4 **MS SMITH:** There can be, yes.

5 **COMMISSIONER ERUETI:** There can be, there is designated places on each of the seven
6 bodies?

7 **MS SMITH:** I'm not sure about now, but there certainly has been over time and it does vary about
8 whether there is somebody from the Church on there.

9 **COMMISSIONER ERUETI:** You can provide us with that information?

10 **MS SMITH:** Absolutely can, and I'm sorry I wasn't clear on that.

11 **COMMISSIONER ERUETI:** Ka pai.

12 **CHAIR:** I'm just concerned about time here. I appreciate, I mean if your witnesses are going to
13 say this then -- the organisational thing has been good and helpful for us, but I suggest if
14 you can, just leap on to the end if that's possible.

15 **MS SMITH:** I've leapt. What I did want to cover is there are some comments about Te Tiriti o
16 Waitangi but I think that the witnesses are best placed to speak to that, because they know
17 what happens in practice.

18 But I do just want to highlight the witnesses that you will hear from today if that
19 suits. For PSC you will hear from Joe Asghar who is the current CEO. Mr Asghar
20 suffered -- it doesn't look like it, but he suffered quite a significant medical event last night,
21 so he apologises for not being able to be in here in person, but he was dogged in his desire
22 to be here today, which is why he is on the screen behind you and he's very keen to learn
23 and to give evidence today. And there'll also be Pat Waite who is the former CEO of PSC
24 and he has a specific role within the organisation for dealing with survivors and so on.

25 You'll also hear later this morning from Jo O'Neill from PSO. She is the current
26 CEO of that organisation, and, as I said, we will hear from her later this morning up.

27 In terms of -- we will hear them engage with you and so on, but at this stage they
28 just wanted to make the Commissioners aware that although they have learned a lot in
29 recent years, there is still more they can and must do and they are committed to doing that,
30 committed to shining a light on and making amends for the past, but very much with an eye
31 on the present to ensure that children, young people and vulnerable persons are safe, and
32 even though they don't work in that space, they have a part to play in it, given the
33 interactions that they do have.

34 I'm conscious of your desire to move on.

1 **CHAIR:** Yes. We want to give as much to your witnesses as possible without pushing them. So
2 anything else that's absolutely burning that you'd like to say now that you can't say later?
3 And you will make those submissions available to us I expect.

4 **MS SMITH:** I will.

5 **CHAIR:** They'll go on the website so that everyone can read them.

6 **MS SMITH:** Perhaps if I can just do this, because it has been really important to Mr Asghar and
7 Mr Waite, and particularly PSC as a whole, how humbled they have been by the learnings
8 that they have obtained and the relationships that they have developed with survivors. And
9 one of those survivors, David Crichton, who has given his permission for his name to be
10 used in this hearing, he's explained to them the importance of continuing on those
11 relationships and so on, and he's also offered to come and speak to PSC about his
12 experience dealing with agencies. And I just wanted to really emphasise that, for PSC's
13 purposes, this is really just one part of their learning opportunity.

14 **CHAIR:** We're conscious that David is watching proceedings today too, so we acknowledge him,
15 his presence, at least through the screen.

16 **MS SMITH:** Yes. And one final point before I will sit down, is that there are dedicated page(sic)
17 on the website and ways that survivors can get in contact.

18 **CHAIR:** Whose website?

19 **MS SMITH:** PSC's, so this is just leading into PSC's website, I will talk about PSO's shortly, but
20 that of course has similar information.

21 But for those listening today, PSC wants to extend a further invitation to speak with
22 survivors if they would like to discuss their experiences or if they would like to make a
23 complaint about their time in PSC's care. It has a dedicated webpage, but Mr Asghar and
24 Mr Waite would welcome any form of contact that the survivors would prefer, so anything
25 that works for them, phone calls, letters, whatever.

26 So with that said I might let my friend Ms Kuper introduce you to the witnesses and
27 get into that process.

28 **MS KUPER:** Mōrena, Madam Chair and Commissioners, tēnā koutou katoa. Ko Sarah Kuper
29 ahau. I am Sarah Kuper and I'm preparing on behalf of Presbyterian Support Central with
30 Ms Smith.

31 **COMMISSIONER ERUETI:** Tēnā koe.

32 **MS KUPER:** As Ms Smith did I'll refer to them as PSC throughout your questioning. I am a
33 Pākehā woman with blonde hair, average height and today I'm wearing black jacket and
34 trousers with a colourful flowery shirt.

1 Today we have Naseem Joe Asghar, who would like to be referred to as Joe,
2 appearing via AVL on the television and with us in person today is Patrick David Waite
3 who would like to be referred to as Pat.

4 **CHAIR:** Thank you.

5 **MS KUPER:** Would you like to take the affirmation?

6 **CHAIR:** Yes. Welcome to both of you today, I don't think we've seen you before and I'm grateful
7 to you for coming forward, Pat. And Joe a particular greeting to you. We admire your
8 fortitude and your determination to appear in spite of what has happened to you and we
9 really respect that, and if at any time you feel you need to take a break or anything, either of
10 you, of course, please feel free to do that, won't you, we will not be offended in the
11 slightest.

12 So I'll start with an affirmation for both of you.