ABUSE IN CARE ROYAL COMMISSION OF INQUIRY FOSTER CARE INQUIRY HEARING

TRANSCRIPT OF PROCEEDINGS		
Date:	13 June 2022	
Venue:	Level 2 Abuse in Care Royal Commission of Inquiry 414 Khyber Pass Road AUCKLAND	
Counsel:	Mr Simon Mount QC, Ms Kerryn Beaton QC, Dr Allan Cooke and Ms Aroha Fletcher for the Royal Commission Ms Rachael Schmidt-McCleave, Ms Julia White and Mr Max Clarke-Parker for the Crown	
Royal Commission:	Judge Coral Shaw (Chair) Ali'imuamua Sandra Alofivae Dr Anaru Erueti	
In the matter of	The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions	
Under	The Inquiries Act 2013	

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CHAIR: Kia ora Dr Cooke. Thank you. I now invite counsel for the Crown. Morning Ms Schmidt-McCleave.

OPENING SUBMISSIONS BY THE CROWN

MS SCHMIDT-McCLEAVE: Mōrena, kei aku nui, kei aku rahi, tēnā koutou katoa. Ko te mihi tuatahi ki te mana whenua o tēnei rohe, Ngāti Whātua ki Ōrākei, tēnā koutou. Ki ngā Kaikōmihana, tēnā koutou. Ki ngā mōrehu e tū kaha ana ki te kōrero, kei te mihi, kei te mihi, kei te mihi. Ko Ms Schmidt-McCleave tōku ingoa. Ko au te roia mō te Karauna.

To the Commissioners thank you. I salute you. To the survivors that stand strong to speak, I acknowledge you. I am the lawyer for the Crown. Thank you, Commissioners, for the opportunity to present this opening statement for the Crown. I would like to begin by recognising the courage and strength of the survivors who will be giving their korero to this hearing in the coming days. It is a profound step to come to this public place and retell your painful life stories. Your voices throughout this Inquiry and in this hearing are the very heart of the Commission's work. Without you, it cannot succeed, and the Crown thanks you for your bravery in coming forward.

The Crown also acknowledges your supporters, whānau and others who are watching or following this hearing. The Crown also wishes to acknowledge the mana of the technical and medical witnesses who will often be sharing what is a lifetime of work experience and expertise, including evidence on attachment and the impacts of disconnection from family and whānau, trauma, Te Ao Māori, Child Welfare and Social Welfare practises. These are valuable voices to which the Crown will also be listening closely.

The Crown particularly looks forward to the panels of both survivors and specialist advisors who will offer their suggestions on how the current foster care system needs to change and who will address contemporary issues.

As with all the Royal Commission's hearings, the Crown's role here is to continue to listen to the evidence and to learn from it. Some Crown agencies such as the Ministry of Education, Oranga Tamariki, the Ministry of Social Development and New Zealand Police are here attending the hearing. Where Crown agencies cannot be present in the hearing room, I can assure you they are keenly listening to the hearing on the livestream.

As I have stated, my name is Rachael Schmidt-McCleave, and I appear on behalf of the Crown. Appearing with me remotely via the livestream I acknowledge my co-counsel, Mr Max Clarke-Parker, also present in the hearing room is Ms Julia White from the Crown Response Unit. Later in the week Ms White will return to Wellington and I will be joined by Ms Sandra Moore from the Crown Response Unit.

As we've heard, this hearing is about survivors who were placed in foster care after being removed from their families, whānau, hapū and iwi. As the Commission has defined it, foster care is when the State has intervened and directed tamariki and rangatahi to be placed with caregivers who are not their parents or whānau for short-term or emergency care to long-term or permanent arrangements.

In line with its established practice at these hearings, the Crown will not seek to question survivor witnesses. Crown representatives look forward to hearing their korero about their experiences and to learn from them. The Crown may have some follow-up information in relation to the technical witnesses to provide clarity on some points for the Commission.

Later in the year key Crown agencies will be providing evidence to the Commission on the lessons they have learned, both over the decades and throughout the course of this Inquiry. They will be informing the Commission as to the policies and practises that are either in place or being formulated to ensure that the experiences we have heard and which have filled us with such sorrow never happen in Aotearoa again. Nō reira, tēnā rawa atu koutou katoa. Tēnā koutou.

CHAIR: Tēnā koe, Ms Schmidt-McCleave, tēnā koutou ki te Karauna. We are now going to take a short break while we prepare for the first witness, so we will adjourn for approximately 15 minutes. Thank you.

Adjournment from 10.11 am to 10.32 am