

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FOSTER CARE INQUIRY 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)
Ali'imua Sandra Alofivae
Dr Anaru Erueti

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

Venue: Level 2
Abuse in Care Royal Commission of Inquiry
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AUCKLAND

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Adjournment from 4.02 pm to 4.15 pm

CHAIR: Kia ora Dr Hall.

A. Kia ora.

Q. Nau mai haere mai, welcome to the Commission, I'm sorry we've kept you waiting, we've managed to get ourselves late as usual but for very good reason I hope you understand. So, I'm just going to ask you before you start answering any questions would you mind taking the affirmation?

DR ALAYNE HALL (Affirmed)

QUESTIONING BY DR COOKE: Dr Hall, you've provided us with a report. Helpfully that report is going to speak for itself, and it also sets out the questions that you were asked. And I know that in the preparation of your report you have had a few struggles with the dreaded Covid, so thank you for the work and the mahi you've done on that.

A. We have had our struggles with Covid, yes.

Q. And of course, the focus of your evidence today and your report, is to talk to the issues pertinent to the experience of Māori children in care and from a Te Ao Māori perspective.

A. [Nods].

Q. And I think you've told us in the report that in order to understand what has occurred from the past to date we need to understand the socio and political context over the years that have applied, that we've gone through, and it's that which has led to the removal of tamariki from whānau.

A. Mmm-hmm.

Q. Is there anything that you would want to add to that that isn't in the report or that you want to address now perhaps by way of clarification or emphasis?

A. I've started in that way because I think it provides the very important lead into how we've come to the set of circumstances that we find ourselves in in Aotearoa. And I also provide it so that people can understand what a healthy whānau, hapū, iwi arrangement looks like. So, we start from a healthy place, yeah.

Q. And when I read your report, and also when I – I've also read your Tūhono Māori –

A. Tūhono.

Q. – promoting secure attachments paper which was very helpful. When one reads those, one is left with the impression that we know there was a functional, good operating whānau that, for the reasons that you've outlined, there has been a destruction of that, to use that

1 word. But there is nonetheless the opportunity in the pathway for restoration. Would that
2 be a fair summation?

3 A. Yes, that's right, yeah.

4 Q. And in order for that to occur, would I be correct in saying that that has to be a pathway
5 that is led by Māori in the first instance?

6 A. In the first instance, yes. This is why I say that, because you do need to have insider
7 knowledge about whānau systems and how they operate. And I do believe, when I say you
8 have to have inside knowledge, I'm talking about lived experience, yeah, of how those
9 dynamics play out in a whānau system. So, and I have said to people in the past when
10 they've come to understand mahi Tūhono, which is what I refer to it as, it's about knowing
11 who leads in the work and who follows in the work. So, it's not there exclusively for
12 Māori, but it's about Māori being able to say actually here's some mātauranga, here's some
13 knowledge and how about you follow, yeah.

14 Q. And you would look to the work of this Commission in assisting in that process?

15 A. I would hope that would be an outcome, yes, definitely.

16 Q. This Commission from time to time has used the words "change" but have qualified that by
17 using the word "transformational"?

18 A. Yes.

19 Q. And is that a language that you would use as well?

20 A. Yes, we would – that's what we would be thinking about if we were doing repair work with
21 children, whānau, with tamariki. And I use those words interchangeably, like mokopuna,
22 tamariki, tamaiti, to be speaking about our most youngest and vulnerable members of a
23 whānau system and we want their lives to be transformed by what I see to be critical. So,
24 to me, attachment, or as I refer to it Tūhono, really is the survival medicine. I think about
25 that as survival, yeah.

26 Q. I believe you sat through the evidence of Dr Cargo.

27 A. Yes, sorry, I missed the first part of it, but I did come in for some of it, yes.

28 Q. And from what you heard, is there anything that you would depart from?

29 A. No, I wouldn't depart from anything that she said. I would perhaps add to it. And I would
30 add, I mean the title of this research project that I've been engaged with over the past three
31 to four years, Tūhono is about first we connect. And the medicine for disconnection is
32 connection. So, I guess one of the concerns that I have had about attachment theory and the
33 way in which it's being utilised in Aotearoa New Zealand, and especially within the system,
34 is that it's been used against us, it's been the argument for the removal of children.

1 And I want to make it really, really clear that it's not there for the removal of
2 children, it's about supporting the whānau system to be able to attach in healthy ways. And
3 if we can learn and recognise the quality of that attachment relationship, then we can work
4 out how we can best intervene, and how we can best support the whānau.

5 **Q.** You specifically referred to that in your paper. And I should add that it's a concern that's
6 been spread across the three experts to date who have all stated in their papers, but we
7 haven't questioned them about it, other than you, about the use of attachment and
8 particularly the misclassification of attachment, using disorganised attachment, for
9 example, as a vehicle to remove tamariki from whānau?

10 **A.** That's right. And it concerns me, it worries me, that it's being used in that way. I prefer to
11 think about it in other ways, and the other ways that I think about it is that if you're
12 undertaking good assessments, those assessments are always there to inform your treatment
13 plan – sorry, I'll slow down. A good assessment is always there to inform your treatment
14 plan. So, if it is determined that we are dealing with disorganised attachments, then we use
15 that knowledge to repair those relationships.

16 **Q.** So I was going to ask you that question that although attachment, as we've just spoken
17 about, has been used in a way that is wrong, there are nonetheless – it is a process, or
18 there's a benefit in terms of attachment theory and attachment work that can be done about
19 addressing attachment trauma that children have suffered from in order to make their lives
20 and their introduction back into whānau work better?

21 **A.** Yes, I think we could engage with the theory in much better ways. And I think Māori can
22 contribute to that – to the way in which we do that work. And so, this is the importance of
23 mahi Tūhono is to be able to work out what is the terminology that we would use. But
24 I just want to take it back a step, and I want to take it back to how research is conducted and
25 the methodology. So, the methodology used in the 1950s when they were doing, starting to
26 do this work around attachment theories, wasn't based on, I guess, a kaupapa Māori
27 approach, not at all. It was really based around the nuclear family; it was really based
28 around an understanding that there's a hierarchy of attachments.

29 What I say in the Tūhono study is that our attachment relationships are much more
30 horizontal in their characteristics, meaning that, one, tamariki mokopuna have the
31 propensity to develop a number of secure attachment relationships and it's not necessarily
32 hierarchical. The problem is when we start to think about hierarchical structures or
33 relationships, we consider that there was one at the top.

1 What I'm saying in this study here is that a child can be securely attached to mum
2 and dad or mum, but not necessarily go to that person when they need that emotional
3 support. And Tania provided an example of that. And in my research study, that's what we
4 saw. We see it numerous times where we have mokopuna who are crying to jump in the
5 car with nana or pāpā and quite happy waving goodbye to mum and dad. That's not to say
6 that's a negative relationship between the parents. It just suggests to us that this baby or
7 these children have that propensity to develop bonds that are equally important, not one
8 being more important than the other. And that's the problem I see with attachment theory,
9 it starts from a hierarchy of attachments.

10 **Q.** And I can think back to affidavits of social workers that I've read over the years, and
11 possibly reports from psychologists, where it would, in the example you describe, they
12 would say that child doesn't have a secure relationship with mum because that child has
13 gone without any apparent concern to grandma, aunty, uncle or whoever it may be. Now
14 that's – that would be an incorrect analysis, isn't it?

15 **A.** That's why it's really important to undertake good assessments. And what does a good
16 assessment look like if we were doing that from a Māori perspective? A Māori perspective
17 would be more inclusive or would want to search out who those other members of the
18 whānau system are.

19 **Q.** Yes. But the people who are making the assessments will have to be trained –

20 **A.** That's right.

21 **Q.** – and understand –

22 **A.** That's right.

23 **Q.** – not only – about attachment, and not only in terms of what it historically was or that
24 Eurocentric perspective, but also know how to say well that doesn't apply in this situation
25 because this is quite different. They'd have to have an understanding of the both, wouldn't
26 they?

27 **A.** They would have to have an understanding, that's right, yeah. They have to know how to
28 be discerning about what they're seeing and the information that's coming through to them,
29 yes.

30 **Q.** Given that concern around the way in which the system, the social work system has
31 operated in removing children and ostensibly for the wrong reasons arising out of
32 attachment, presumably the decision-making, based on assessments, has been made, one
33 imagines, primarily by social workers, and/or possibly from people who work in clinical
34 services. Would that be your understanding?

1 A. That's what I understand has been happening. And that concerns me as well, because
2 I worry about the level of training that people have had prior to them undertaking these
3 assessments. So, I'm aware that, you know, lots of – not lots, but people that are working
4 with children, like therapists, psychologists probably start in the same place when they're
5 undertaking those assessments.

6 Q. Often, we read in reports that social workers prepare for the court, they may use
7 attachment, and then they may use it interchangeably with bonding. I wonder whether
8 they're in fact doing no more than observing what appears to be to be a somewhat
9 superficial relationship between the child and a person who is interacting with the child?

10 A. That's an interesting question, because I think there are a couple of parts to that, okay. One
11 of the parts is the way in which we get educated, or the training that's provided to us around
12 the various theories that we're taught as social workers or practitioners. The other thing is
13 around the language. So, the language doesn't always translate from, you know, English to
14 Māori. And so one of the important things about the Tūhono study was to get the language
15 right, it was about getting the language right.

16 So, the measuring stick with attachment theory when it's being applied here always
17 measures up to what Pākehā or western views of theory and attachment and emotional
18 bonds look like. So, for example, if you were speaking to Māori, they might perhaps say
19 aroha, you know, that aro is about being direct, the ha is about that lifegiving energy and
20 force. So, there's a whole set of language that doesn't always translate well enough across
21 cultures. And when that occurs, we miss opportunities to undertake really important work
22 with whānau. And I think that's part of the difficulty that occurs.

23 Q. Okay. I wanted to go back and talk about the 1989 Act, but to do so through the lens of
24 Pūao.

25 A. Pūao-t-e-Ā-ta-t-ū.

26 Q. Yes.

27 A. Yes.

28 Q. Forgive my pronunciation, but I think we know the same document.

29 A. Yes.

30 Q. Because in that at page seven, and it's a fairly – it's a quote that's been referred to a lot,
31 which is at the heart of the issue is a profound misunderstanding or ignorance of the place
32 of the child in Māori society and its relationship with whānau, hapū, iwi structures.
33 I wonder whether that then and now, even now, still lies at the heart of what, which is at the

1 core of the problem for the way in which this system operates; that there's a fundamental
2 lack of understanding.

3 A. Yes, and.

4 Q. And?

5 A. Yes, and.

6 Q. You tell us the "and".

7 A. The "and" part is to have a fuller appreciation of whakapapa and the utilisation of
8 whakapapa. Okay, so whakapapa, yes, is about genealogy, it is about those relationships,
9 but it's also a system, it's a system of recording events, circumstances over time. So,
10 whakapapa, as Cleve Barlow would say, is about layering, it's layers, it's about being able
11 to count those layers. So, when we think about counting layers, we have to think about
12 time, and how events occur through time over time, yeah. So, I do agree with that, I do
13 agree with the statement, and again, it comes back to the language. Because I don't think
14 we in practice, for non-Māori particularly, have enough depth of understanding of what
15 te reo fully encompasses.

16 So, I know a lot of indigenous theorists around the world are talking about historical
17 trauma and it's showing real promise here in Aotearoa. For me, I think about it similarly
18 and yet differently. And so, when I think about historical trauma, and again this is that
19 layering over time through generations, intergenerational, disconnections that have
20 occurred, for me I talk about trauma has a whakapapa. So, when I talk about trauma has a
21 whakapapa, I'm acknowledging what happens to the physiology, I'm acknowledging all
22 those things, and also the lived and continued stories of trauma which remains embedded in
23 that whānau system, because it's never been resolved.

24 So, when we start to think about our assessments and attachment theory, for some
25 people, I don't want to over-generalise, but my concern is that people are working more in
26 the immediate set of circumstances without giving due consideration to the history, and
27 how we've arrived at this point.

28 So that's when we really start to engage with whakapapa. So, we start to understand
29 it as a system, we start to understand it as a system of whānau relationships, and we start to
30 look at this attachment theory, or I look at this attachment theory, and, for example, if it's a
31 secure attachment relationship, or if it's a disorganised attachment relationship, that
32 immediately tells me something about this baby or this tamaiti's whānau. So, the work that
33 is needed with the child is critically important to the work that we do with whānau.

1 Because they themselves have not had those opportunities to resolve the trauma that is
2 embedded in the whānau system.

3 So, I hope I'm making my point clear about why whakapapa and understanding
4 whakapapa is more than just saying actually whose mum, whose dad and whose aunty, it's
5 more than that.

6 **Q.** I understand, I get that. I'm going to ask you a question which might be naive, but I'm
7 going to. And that is, in order to – if we're looking at what is to come, and we go back to
8 the discussion at the beginning, but if we look at what is to come, and we think of, I'm
9 going to call it the historical legacy, for want of a better word, to encapsulate what you've
10 kind of been saying, does that mean the change that has to come is going to be in stages, is
11 that an inevitability? Because there's going to ultimately be an end outcome, but in order to
12 get to that end outcome, the ultimate transformational change, we're also going to have to
13 address the well-being of whānau, individuals within the whānau, and the wider groupings
14 as well?

15 **A.** I think, yes, and I do yes, and a lot. There's the immediate need to, you know, address
16 what's currently happening, okay. And then looking to design a system that is going to
17 carry us into the future in, hopefully without doing damage along the way. So, you know,
18 obviously we have children in care right now, yeah.

19 **Q.** Yes, and that's one of the realities that we have to work through, isn't it, is how do we
20 address –

21 **A.** Yes.

22 **Q.** – the issue for those children in care. You heard –

23 **A.** The other thing I would add is the investment in time to enable the trauma work to occur,
24 you know.

25 **Q.** And enabling the trauma work to occur, that's going to be across generations?

26 **A.** It stands to reason if we're talking about intergenerational trauma, then we would take an
27 intergenerational approach, and that's why I'm supportive of a whānau approach. Every
28 child, you know, wants to know where they came from, you know, they want to know who
29 they belong to. So even when foster care goes well, there's always that yearning, you
30 know, that yearning, that longing for belonging is what I talk about, yeah.

31 **Q.** From a practical point of view, where we have a child who's been in a Pākehā permanent
32 home, and there may be a degree of connection that social workers know of, they may
33 know that the child's from Rotorua, say, or up north, one of the questions that arises in a

1 practical sense is how do you impart that knowledge, that whakapapa, that right of the
2 child, how do you impart that to that child within that Pākehā home?

3 A. There's got to be a willingness and understanding on the part of the foster parents to engage
4 in that process. I worry that there might be some concerns or, you know, people feel
5 resistant to engaging in that important work. But that's got to be the starting point. If you
6 are putting your hand up to take in Māori children, then you need to take that on board as
7 well.

8 **CHAIR:** And you need to understand why it's important, don't you.

9 A. Yes.

10 **Q.** The first thing is that they, – foster parents must understand this is a vital part of the rearing
11 of this child.

12 A. That's right.

13 **Q.** So, it's almost, it's non-negotiable.

14 A. It's a non-negotiable, that's right.

15 **Q.** And then comes, having accepted that –

16 A. Yes.

17 **Q.** – the how to follows, doesn't it?

18 A. That's exactly right. First, we connect.

19 **Q.** First, we connect, yes.

20 **QUESTIONING BY DR COOKE CONTINUED:** In a practical sense that requires making sure
21 that a placement isn't one that occurs because it's a Friday night and we've uplifted this little
22 child and we have to put him somewhere, or that we've got some caregivers and they say
23 they can take this child for a period of time and then we get the drift in care issue arising. It
24 becomes a question, doesn't it, of making sure that there's proper investigation, selection
25 vetting of those caregivers in that situation where we have Māori children who are in –

26 A. That's absolutely important, and I want to take that back a step and the process of removal,
27 not just the decision around removal, but the process of removal, and from some of the
28 experiences that I have had, that is really damaging. So, there's a trauma that happens at
29 the point of removal, and that's not okay.

30 **Q.** But you would also agree, wouldn't you, that even if the process of removal isn't as abrupt
31 as an after school on a Wednesday or after school on a Friday, but is, – follows a family
32 group conference and/or people know about it, because that can occur, that is nonetheless
33 still incredibly traumatic for all of those involved, isn't it?

34 A. Yes.

1 **Q.** It goes without saying.

2 **A.** It's the severing of not just the biological links but the attachment relationship. Even when
3 attachment doesn't go well it's still a severing of that relationship.

4 **Q.** I wanted to ask you a question, because you refer to it on page five, about Maatua Whāngai,
5 about whāngai placements. Did you hear Tania's evidence on that?

6 **A.** Yes.

7 **Q.** Do you agree with that, that whāngai placements are alive and well in Aotearoa?

8 **A.** Definitely, they're alive and well in my whānau.

9 **Q.** And would you agree with the, well, the reasons why Tania gave whāngai placements are
10 there, there's a whole range of reasons. Do you want to add to them or...

11 **A.** Sure. You know, the whāngai system is a buffering system. It adds that additional layer.
12 It's there to support perhaps parents when parents are perhaps unwell and can't provide the
13 day-to-day care, and it's not necessarily when parents are unwell, you know, in
14 contemporary times we've got working parents and we need to rely on other whānau
15 members to, you know, help with the delivery of day-to-day care, in a way that's not
16 mechanical, but enables those important attachment bonds to occur.

17 **Q.** Right.

18 **A.** So, I talk about Tūhonotanga, so that connectedness is really important, the connectedness
19 between relationships. I'm not sure I answered your question actually, you were going back
20 to Maatua Whāngai.

21 **Q.** It was just really asking you the question about whether you wanted to take Tania's
22 statement any further around the reasons why it's occurring?

23 **A.** I think probably today it's occurring much more because of hardship, financial hardship,
24 and I think whānau will pull on their own resources before they pull on anybody else's
25 resources. And again, I want to go back to language. When we talk about care, or a care
26 system, I perhaps, like other Māori, are inclined to think about that in terms of
27 manaakitanga. So, mana ki te tangata. So being able to extend that to others.

28 Now one of the things that is occurring in Aotearoa, and for, you know, like
29 poverty, hardship, those sorts of things, is whakamā. Now whakamā in terms of this sort of
30 circumstances is the inability to be able to reciprocate the mana, which is manaakitanga, the
31 inability to do that and what that then does for us as whānau.

32 So manaakitanga is a really, really important concept of giving and receiving, and
33 back and forth. But if you're in a position where you can't deliver that, then it brings up a

1 whole lot of issues around whakamā, shame. So whakamā, whakamana, all those concepts
2 because really, really important.

3 **Q.** Okay. I'm mindful of the time and I'm going to finish with this last question, which is right
4 at the very end of your report on page 14 you say it's not necessary to reiterate the long-
5 held concerns Māori have had about the state of Child Welfare, there are only so many
6 recommendations that Māori can make before there comes a time for serious change?

7 **A.** Mmm-hmm.

8 **Q.** Is that a summation of your position, that –

9 **A.** Well, yes, it is, otherwise I'm here just to – I feel like I'd be just here, you know, delivering
10 rhetoric. And I don't think that's okay for Māori to be put in that position time and time
11 again, hence the reason why I say what I say.

12 **Q.** Okay, thank you. The Commissioners may have some questions that they want to ask you.

13 **A.** Sure, kia ora, thank you.

14 **COMMISSIONER ALOFIVAE:** Not straight off the back, Dr Hall, but I am interested in the
15 perspective going forward.

16 **A.** Yes.

17 **Q.** So, understanding a lot of our tamariki now live in urban centres, concrete jungles?

18 **A.** Mmm-hmm.

19 **Q.** The level of disconnect that actually goes on, the number of attempts, and the question of
20 quality is one, is a subjective question. But going forward, how,- do you have an ideal of
21 what you actually think a good transition, how should that look-? So, we know what
22 happens when there's poor removal, but we have a reality where kids are in care, what does
23 a good transition actually look like? To get children back to their whānau, or even just to
24 remove placements.

25 **A.** I think part of it is to be able to understand where the blocks are, because I do believe that
26 whānau are blocked. You know, I can give examples of when I have had to be in a position
27 to be of support to the whānau, to the tamariki when a removal has taken place. And my
28 primary concern in those situations is to ensure that we don't retraumatise or traumatise
29 those children through that experience. It's a very difficult process to hold and there are a
30 number of people to hold, including the social workers.

31 So, one of the things that I've done in the past is talk to the children if they're old
32 enough to understand, because they have to try and make sense of what this departure is.
33 And so, to work with them first of all, to do things for them so that they perhaps have a
34 little goody bag or something like that, some treasures from home that are important to

1 them. So, there's a whole lot of work I think that could be improved around that particular
2 area there.

3 What I'm working to do in those moments is to ensure that we're not traumatising,
4 because there's a lot of stuff going on with the birth parents and that's another area that
5 needs to be held, because you can imagine it brings out, you know, everyone's emotions
6 and there's a lot to hold there, so disgruntled, unhappy, broken-hearted people. That's
7 essentially – and it's not the work of individuals, I believe. I think we need to take a
8 collective approach in doing that. That's where I think we can learn from mātauranga
9 Māori, Māori knowledge, is about how we can hold whānau much better when occurrences
10 like this happen, when children are being removed.

11 So, there's not one answer to your question. I think we have to unpack it, really
12 look at it, and scrutinise it and say well actually how can we best improve practice, how can
13 we improve our responses, and how can we have, if children do have to go into care, that's
14 not my preferred, – I don't think that's anybody's preferred option, but if we are in those set
15 of circumstances, how do we keep those relationships going in a way that whānau aren't
16 hindered by the system to be able to continue that relationship. Because what I said earlier
17 on, even when foster care or out of kin placements go well, there's still that yearning to
18 know where we come from. A child will get to a certain age, five, six, seven years old,
19 they learn that they look different, they want to know where their nose comes from, they
20 want to know where their eyes come from, they're in search of the people that look like
21 them, yeah.

22 **Q.** Kia ora, thank you, fa'afetai.

23 **CHAIR:** Thank you for your evidence. Just one thing that strikes me, and that is that everything
24 that you and your colleagues have advocated for needs time and I was struck, I think it was
25 you who said about the meetings, or maybe it was Dr Cargo, you know, you have a whānau
26 hui and it should last until it's over, until it's been resolved, and I think we all know from
27 experience that can happen, and it can take a long time. But in the confines of a
28 bureaucracy, people have to go home at four or five o'clock in the afternoon, or they've
29 only got three hours, you know, these – all of the ideas that you're advocating for feel as
30 though they are antithetical to a bureaucratic system.

31 **A.** Mmm, they are, they are. It is about transforming the system.

32 **Q.** So, it's about transforming the system. So, it's not just good enough to say oh well, we'll
33 only do this if we've had a whānau hui, we've got to give the whānau hui the time and the
34 space?

- 1 A. Yes, absolutely. I would say give it the mana it deserves.
- 2 Q. And give it the mana.
- 3 A. Give it the mana it deserves, give the children the mana that they deserve, don't take it off
4 them.
- 5 Q. Square pegs in round holes seem to be jumping into my brain at the moment?
- 6 A. Yes, yes.
- 7 **COMMISSIONER ERUETI:** Lots of metaphors. Tēnā koe Doctor.
- 8 A. Tēnā koe.
- 9 Q. Can I ask you, so as with Dr Cargo it seems that you're an advocate for moving beyond
10 traditional ways of thinking about attachment theory to multiple attachments. Would you
11 also believe that OT, Oranga Tamariki presently is still stuck in the traditional mode of
12 thinking about attachment theory?
- 13 A. I think they still think about it from, definitely from a western perspective of what
14 attachment looks like. But I will say, John Bowlby, the father of attachment theory,
15 recognised that children had the propensity to develop multiple relationships.
- 16 Q. Yeah, okay.
- 17 A. In my view, that area wasn't invested in. I would like us to invest in research here in
18 Aotearoa that can look at it. We need a cultural lens on that theory. I think it's a very
19 helpful theory, but it can be misplaced if it's not thought well enough, you know, in context,
20 it's in context.
- 21 Q. Yeah, right, so that's the question in my head is, if that's the – if we're going to shift in
22 perspective in application then how do you do that, how do you translate that into action in
23 terms of OT policy and practise?
- 24 A. Yeah. I think I address that, well I don't address it, but I make a statement about that in my
25 report, and that is that's not the – that's not something that I can, you know, suggest to you
26 from my personal opinion. That's a conversation, that's a dialogue that has to happen with
27 Māori, you know, we have to be respectful that we come from different whānau, hapū and
28 iwi and while that might add another layer of complexity, we have to start having those
29 conversations. And I think there's some general agreement out there, you know, between
30 iwi about, yeah, well we think we can do this our way, we can – you know, so there's – I
31 don't think iwi disagree on that point at all, they want the ability to exercise their authority.
- 32 Q. What would you think would push it along, do you think there's discussion currently, or
33 does it need to be properly resourced, should it be the –
- 34 A. It's going to take a combination –

- 1 **Q.** Academics as well?
- 2 **A.** That's right.
- 3 **Q.** Or pracidemics as well, the pracidemics as my colleague likes to say.
- 4 **A.** Yes, yes, he waka eke noa, we're all in this together, and we really are. So, it's not going to
5 take – it's not about privileging either, I want to say, about disciplines that so Pākehā or
6 western thought space would privilege, because there's a hierarchy that happens there. It's
7 about getting the outcomes that we want and who are the best people to deliver the sort of
8 outcomes that we want to see. And having much greater investment in the potentiality that
9 is already there. We know that there are Māori doing and whānau services that are doing
10 really good work. I also think we have to have our own accountability systems in place, so
11 this isn't about having, I guess, whānau just practising in any old way, that there have to be
12 those safeguards in place, yeah. And Māori need to determine what they are.
- 13 **Q.** So even in a whāngai system below the radar, as we've been calling it, there still needs to
14 be those checks and balances and accountability and monitoring, vetting.
- 15 **A.** You know, I think that happens anyway. I think in what I've found, one of the findings in
16 my study was that – I talk about whānau constellations, I talk about whānau constellations
17 because whānau know who whānau are. My concern is a child can have everyone and yet
18 no one. So, it's really, really important to get that kōrero, those discussions right at the very
19 beginning with whānau. Whānau know who safe whānau are and they know who is unsafe
20 in that system.
- 21 **A.** Unfortunately, whānau can't always step up and intervene because of the LAWS,
22 the laws that are in place. So, to illustrate that a bit more, if I had a concern about a nephew
23 or a niece, for example, if my brother or sibling doesn't see eye to eye with me then my
24 ability to go and take that child I'm actually, you know, I can't, I'm not legally allowed to do
25 that.
- 26 **Q.** Yeah.
- 27 **A.** But in a Māori system I would be allowed to do that, and I would hold the parents to
28 account with the support of the rest of the whānau. So, it's a very disabling –
- 29 **Q.** That would work if there was no resistance, though, but if there was some resistance you
30 would need to have some form of resolving that dispute, right, to take the child back?
- 31 **A.** I think whānau know, they know which whānau are doing the right things that are being
32 tika that are being pono. Whānau know, yeah.
- 33 **Q.** Okay, kia ora.
- 34 **A.** And so that's about us also trusting in, you know, those significant caregivers.

1 **Q.** Tēnā koe, tēnā koe.

2 **A.** Kia ora.

3 **Q.** Kei te mihi atu ki a koe mō ō kōrero, mō ō whakaaro nui. On behalf of us all here, the
4 Commissioners, we'd like to thank you, Dr Hall, for coming in and bringing your expertise
5 here among us. We've had three doctors in one day, and I think we've all kind of
6 super-charged our brain and – but it's been really stimulating today, we've learned
7 truckloads and, you know, hearing survivor evidence as well as talking to those working in
8 the field who, you know, want change as well as the survivors, and have ideas about how to
9 do that, engaging with the theory is critical to the work that we're doing, so we're most
10 appreciative.

11 **A.** Can I just add one more thing?

12 **Q.** Yeah, nau mai, yeah.

13 **A.** You know, mahi Tūhono is about working with unwanted inheritance. That's what that
14 work is about. That is the trauma work that we need to invest in, and we need to engage in.
15 And we need to build the capacity. When I say "we", in our own Māori, you know, with
16 our own Māori practitioners, you know, building that capacity is really, really important.

17 **Q.** Kia ora, ka pai, tēnā koe.

18 **A.** Thank you.

19 **CHAIR:** Kia ora. That brings us to the end of the day, I think with some relief, it's been a very
20 long but, as my colleague says, extremely important and stimulating day. So, thank you.
21 And I'm going to invite our kaumātua to come forward and close our day with karakia and
22 waiata.

23 **Hearing closes with karakia mutunga and waiata Ka Waiata by Ngāti Whātua Ōrākei**

24 **Hearing adjourned at 5.02 pm to Wednesday, 15 June 2022 at 9.30 am**

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