

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
DISABILITY, DEAF AND MENTAL HEALTH INSTITUTIONAL CARE
HEARING**

Under The Inquiries Act 2013

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

Royal Commission: Judge Coral Shaw (Chair)
Paul Gibson
Julia Steenson

Counsel: Mr Simon Mount QC, Ms Kerry Beaton QC, Ms Ruth Thomas, Ms Lucy Leadbetter, Mr Michael Thomas and Ms Kathy Basire for the Royal Commission

Mr Gregor Allan, Ms Sandra Moore and Mr Vaughan Dodd for the Crown

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

Date: 15 July 2022

TRANSCRIPT OF PROCEEDINGS

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21 **Lunch adjournment from 1.04 pm to 2.22 pm**

22 **KAUMATUA:** (Karakia). (Waiata Te Aroha)

23 **CHAIR:** That karakia and waiata marks the beginning of the evidence that we will be hearing
24 from the defendant community and we felt it appropriate that it be marked as a separate
25 acknowledgment of the special role of the Deaf community in this hearing.

26 To start this part of the hearing I'm going to call upon the organisation Ko Taku Reo
27 and Mr Coltman, you have already introduced yourselves, I now invite you to introduce
28 members of Ko Taku Reo who are going to make a submission.

29 **MR COLTMAN:** Thank you. Yes, my name's Rob Coltman, I'm here as counsel for Ko Taku
30 Reo. Our opening statement is going to be delivered by a combination of a board Chair,
31 Denise Powell, and the Executive Principal of Ko Taku Reo, James Le Marquand.

32 **OPENING STATEMENT BY KO TAKU REO**

1 **MS POWELL:** Tēnā koutou, tēnā koutou, tēnā koutou katoa. I acknowledge the mana whenua of
 2 this place, Ngāti Whātua, greetings. Ko Hereweka te maunga, ko Ōtākou Moana te awa, ko
 3 Oriana te waka, no Ōtepoti ahau. Ko Powell tōku whānau, ko Denise tōku ingoa.

4 My name is Denise Powell. I am the Board Chair person for Ko Taku Reo. I have
 5 travelled from Dunedin to be with you here today. With me is our Executive Principal,
 6 James Le Marquand and he will introduce himself and this is his sign name, James.

7 **MR LE MARQUAND:** E ngā mana, e ngā reo, e ngā rau rangatira mā, tēnā koutou. Ngā mihi
 8 mahana ki te mana whenua o Tāmaki Makaurau, ko Ngāti Whātua.

9 Ko Nihotupu te maunga, ko Nihotupu iti te awa, ko Nihotupu te wāhi o te whānau
 10 me te wāhi o tōku wairua, ko James Le Marquand tōku ingoa. He Tumuaki ahau ki Ko
 11 Taku Reo. Nō reira, tēnā koutou, tēnā koutou, tēnā tātou koutou katoa.

12 To the Commissioners all authorities and leaders here and the many voices here
 13 today, greetings to you all. We especially acknowledge the mana whenua of this place,
 14 Ngāti Whātua. My name is James Le Marquand and I am based here in Auckland. My
 15 spiritual and family home is Nihotupu area of the Waitakere ranges and it is my privilege to
 16 lead Ko Taku Reo as their first Executive Principal and to be with you all today along side
 17 our board Chair, Denise Powell. Tēnā koutou, tēnā koutou, tēnā rā tātou katoa.

18 **MS POWELL:** I want to begin by acknowledging the many hundreds of survivors of abuse in
 19 care who have shared their stories and experiences with this Royal Commission of Inquiry,
 20 and in particular, those who have experienced abuse while in our care, Deaf Education.
 21 I acknowledge your whānau, your friends, the many people who have supported and
 22 listened to you over the years when our institutions failed you.

23 **CHAIR:** Ms Powell, can I just stop you there for a moment, I'm really sorry. We seem to have a
 24 technical issue which I'm just going to find out, there's something going on that we need to
 25 sort out.

26 **MS THOMAS:** If we could pause briefly, we need to make sure the livestream is reaching
 27 everyone in the venue, so it is accessible to everyone.

28 **CHAIR:** We really want everybody to hear and see what you're saying, so if you give us a
 29 moment we'll rest assure that that is happening. I can tell you the issue is, some of our
 30 survivors are in a room, they're watching us, and we're just making sure they can also hear
 31 us, so that's what we're ascertaining.

32 **MR COLTMAN:** It may be, ma'am, that she needs to sit and speak and be closer to microphone
 33 that way.

1 **MS THOMAS:** I think it might be useful if we just take a five -minute adjournment to work out
2 this issue.

3 **CHAIR:** And yeah, you're a tall person, Ms Powell, maybe if you could rearrange yourself with
4 the microphone so that we can hear you too. All right, we'll take a break.

5 **Adjournment from 2.29 pm to 2.33 pm**

6 **CHAIR:** So, I'm happy to hear matters have been resolved, Mr Coltman.

7 **MR COLTMAN:** Yes indeed. Ms Powell's going to commence at beginning of her spoken piece
8 in order to ensure that that's been properly received.

9 **CHAIR:** Excellent. I see you've got a lectern which will help you enormously I'm sure. You just
10 start from where you would like to.

11 **MS POWELL:** I want to begin by acknowledging the many hundreds of survivors of abuse in
12 care who have shared their stories and experiences with this Royal Commission of Inquiry.
13 And in particular, those who have experienced abuse while in our care, Deaf Education.

14 I acknowledge your whānau, your friends, the many people who have supported and
15 listened to you over the years when our institutions failed you. I acknowledge our staff and
16 students, their whānau, our wider school community, and all those joining us today in
17 person and via livestream.

18 For those who are not familiar with who we are, Ko Taku Reo is New Zealand's
19 provider of education services for Deaf and Hard of Hearing children and young people.
20 Our aspirations have always been for Deaf children to participate actively in society.
21 However, our history shows that these were predominantly expressed in a way that was to
22 them and for them.

23 We trace our whakapapa back to 1880 when Deaf Education was born in
24 New Zealand with the Sumner School for the Deaf in Christchurch on the site where some
25 of our staff are still based. Later that year, resolutions passed at the Milan conference
26 marked the beginning of global language deprivation for the Deaf community.
27 Emboldened by these resolutions, New Zealand sadly became a world leader in oralism, a
28 method that prevailed here for over 100 years.

29 At the same time Māori communities were experiencing similar loss of language,
30 identity, and mana through rapid colonisation and loss of land and resources. For those of
31 us who are hearing and Pākehā, it's difficult to imagine the effects of this double
32 marginalisation on Turi/Deaf Māori.

1 Kelston School for the Deaf was established on our present site in Archibald Road
2 in Auckland in 1958. In 2020 the two Deaf Education centres became one and Ko Taku
3 Reo Deaf Education New Zealand was established.

4 While the names of our schools have changed, it is the combined history of the two
5 Deaf Education centres that creates this whakapapa. This is the foundation that we learn
6 and grow from.

7 I want to acknowledge the survivors who we'll hear from this afternoon and on
8 Monday. Mr EX, Whiti Ronaki and Mr EV. We're grateful for your courage and your
9 honesty. We acknowledge and accept the many times you were failed by people in
10 authority who were there to guide, teach and care for you.

11 As the kaitiaki of Deaf Education in New Zealand, today we say we are sorry. We
12 are sorry that you were not given a language, your birth right to learn and use and own as
13 part of your identity. We are sorry for the physical violence and harm that you endured.
14 We are sorry for the sexual abuse that you endured. We are sorry for the emotional and
15 psychological damage and trauma that you endured.

16 We acknowledge the tremendous pain and loss that each of you carry. We may
17 never fully appreciate the long-term consequences of the abuse that you experienced while
18 in our care. We accept that what is shared through this hearing is a representative fraction
19 of stories that are sometimes known to survivors alone.

20 We want to assure you today that we are determined to learn from these dark
21 chapters in our past. We know that it's not enough simply to be sorry. Our sorrow must be
22 accompanied by restorative action. We have much still to learn and there is much to
23 restore. We have committed to the reclamation and restoration of mana of survivors. We
24 are committed to doing this step by step, and we're committed to ensuring this is done with
25 you and by you, not to you or for you.

26 I encourage any members of the Deaf community who are survivors of any kind of
27 abuse and who have not yet come forward to share their experiences with the Royal
28 Commission to do so in your own time, to enrich and inform this vital work.

29 Thank you for the privilege of being here today, to see and hear this evidence being
30 shared. Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa.

31 **CHAIR:** Thank you very much, Ms Powell. Thank you, Mr Le Marquand, as well. We recognise
32 Ko Taku Reo as a core participant in our proceedings and we are grateful for the
33 submission that you have given and it is an appropriate introduction, I believe, to the
34 evidence of the survivors that we'll be hearing over the next few days.

