

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
MĀORI 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: Ms Julia Steenson
Dr Anaru Erueti
Mr Paul Gibson
Judge Coral Shaw
Ali'imuumua
Sandra Alofivae

Counsel: Ms Julia Spelman, Mr Kingi Snelgar, Mr Wiremu Rikihana,
Mr Luke Claasen, Ms Maia Wikaira, Ms Alisha Castle,
Ms Tracey Norton, Ms Season-Mary Downs,
Ms Alana Thomas, Mr Winston McCarthy,
Mr Simon Mount QC,
Ms Kerry Beaton QC for the Royal Commission
Ms Melanie Baker, Ms Julia White and
Mr Max Clarke-Parker for the Crown
Mr James Meagher for the Catholic Church
Ms Fiona Guy Kidd for the Anglican Church
Ms Sonya Cooper,
Ms Amanda Hill as other counsel attending

Venue: Ngāti Whātua Ōrākei Tumutumuwhenua Marae
59b Kitemoana Road
Ōrākei
AUCKLAND

Date: 15 March 2022

TRANSCRIPT OF PROCEEDINGS

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1 [9.46 am]

2 **KAUMĀTUA TAIĀHA:** Ka tākina te kawa. Ko te kawa nui, ko te kawa roa, ko te kawa,
3 whakatiketike, ko te kawa i āhua mai nō Tikitiki o te rangi. I tipu ake ko te pū, te weu, te
4 rito, ko te take, ko te pūkenga, ko te wānanga, ko te taura, ko te tauira. Tēnei te awahi nuku,
5 te awahi rangi. Nō te orooro o Io Mātua i puia i te taketake. I ue ue nuku, i ue ue
6 rangi.(inaudible)tēnei ka hohou ki runga ki te pae, ki runga ki te tawhito, ki runga ki te
7 kāhui o ngā Ariki ki ngā rōpū purapura ora, te Kōmihana me Ngāti Whātua, ka puta ki te
8 wheiao ki te ao marama. Uhi, wero, tau mai ko te mauri. Haumi e, hui e, tāiki e.

9 [English: Recitement to remove tapu, done to the heavens above, calling upon all of above
10 and below. Coming from all corners of the world, from all four winds. From the ancient
11 times to the present, here with Ngāti Whātua, we affirm, secure and let it be.]

12
13 He aha te hau e wawara, e wawara. Nō reira, koutou rā, e ngā mana, e ngā reo, e ngā iwi.
14 Haramai nei i Tāmaki nui, haramai nei ki Tāmaki roa, haramai ki Tāmaki kaingia i ngā ika
15 me ngā wheua katoa. Haramai ki te kaupapa o te rā, ā, mauria mai te tika me te pono. Kia
16 (inaudible) tāua tahi ki runga i te whakaaro rangatira, i runga i te whakaaro o te aroha. Nō
17 reira, e koutou ngā iwi. Kua harikoa te ngākau kua whakaae mai koutou ki te haramai ki
18 tēnei hui, kei raro i te tuanui o tō mātou tūpuna whare a Tumutumuhenua. (inaudible)...
19 kia whārikihia ngā kōrero katoa. Heoi anō, kia mārama Aotearoa katoa ki tēnei kaupapa, ka
20 taea e tātou katoa te hanga tētahi whare rangatira i runga i ēnei o ngā kōrero, kia puta mai
21 he hua mā koutou, ā, mā rātou te Kōmihana, te Kāwanatanga, Ngāti Whātua, tātou katoa.
22 Nō reira, (inaudible)...i tēnei ata, mihi aroha nui tēnei ki a koutou Mā te Atua tātou katoa e
23 manaaki, e tiaki i a koutou, Tēnā koutou, tēnā koutou, Tēnā koutou katoa.

24 What is the wind that calls? To all the people of the nation, welcome to Auckland,
25 welcome to Tāmaki. Welcome Auckland where all is consumed. Bring forth your truth,
26 your fact. I'm pleased that you have come today on the same thought for this auspicious
27 occasion and coming under the shelter our house, Tumutumuhenua. Here to lay all the
28 thoughts, all the stories. So that New Zealand is aware, we can all create a space to share
29 and shelter these stories, so that a resolution is reached for you, the Comission,
30 Governemtn, Ngāti Whātua and all. Here we want to thank you, may God look after and
31 care for you all. Thank you, thank you, thrice thank you).

32 (Mōteatea: Ehara i te mea nō ināiane te aroha e. Nō ngā tūpuna tuku iho, tuku iho e.
33 Te whenua, te whenua, te orange o te iwi e. Nō ngā tūpuna tuku iho, tuku iho e. Tūmanako,
34 whakapono, te aroha te mea nui e. Nō ngā tūpuna tuku iho, tuku iho e.

1 [English: Not a thing of recent times, is love, but by the ancestors it has been passed
2 down, passed down. From the land, the land comes the wellbeing of the people; by the
3 ancestors it has been passed down, passed down. Faith, hope and love; by the ancestors
4 they have been passed down, passed down.]

5 Ko tērā kōrero i waihotia mai e ngā mātua, e ngā tūpuna. Āpiti hono, tātai hono.
6 Rātou ngā purapura whetū i te rangi ki a rātou. Āpiti hono, tātai hono. Tātou ngā
7 waihotanga mai o ngā mātua tūpuna kei raro i tēnā kupu whakaari o tō mātou tūpuna; A me
8 tuku i a wiwi, i a wawa, turia ki te wera, whiri ki te rito o te rengarenga me whakapakari ki
9 te hua o te kawariki e. Kei aku mana nui, kei aku tapu nui, Tēnā koutou, tēnā koutou, kei
10 raro.

11 (English: Those words left by our forebears. Connect and join those passed to them.
12 Connect and join the descendants of the ancestors on the prove; Do not disperse, but merge
13 with fire, and bind with flax, affirm and strengthen. To the my greta and noble. Thank you,
14 thank you, thank you).

15 (Waiata: Ka waiata ki a Maria. Hine i whakaae. Whakameatia mai, he whare
16 tangata. Hine pūrotu, hine ngākau, hine rangimārie. Ko te Whaea. Ko te Whaea o te ao.

17 [English: I sing to Mary, our mother, the one who heard God's call. The call to be
18 the mother of our Lord. Gentle woman, loving mother, our Lady Queen of Peace. I sing to
19 Mary, the mother of our Lord.]

20 **COMMISSIONER ERUETI:** E te kaikarakia, tēnā koe e kawea nei i te taha wairua. Ki te whare
21 Tumutumuhenua, tū tonu mai rā. Ka whakaaro atu ki a rātou kua mene ki te pō, e ngā
22 mate haere, moe mai rā, moe mai rā. Ko tātou anō ngā waihotanga o rātou, kia anō tātou te
23 kanohi ora. Ngāti Whātua ki Ōrākei, te mana, te wehi, te ihi, tēnā koutou me ngā
24 manaakitanga. E mihi ana ki a koutou ngā purapura ora, koutou i whakauru mai, koutou e
25 mātakitaki ana, tēnā koutou, tēnā koutou, tēnā koutou katoa.

26 [English: to our spritual leader, thank you for leading our prayer today,
27 Tumutumuhenua house, thank you. I think of those who have passed, to those who have
28 passed go, farewell. Those of us who remain, greetings and welcome to all. Ngāti Whātua
29 Ōrākei, thank you very much. I acknowledge the survivors who have come, that are
30 watching, thank you and greetings to you all).

31 Welcome everyone. Ngā mihi mahana ki a koutou (warm welcome to you all) and
32 welcome to today's hearing of the Māori hearing. I want to say a special thank you to my
33 colleague, Commissioner Steenson, who has been here by herself for the last week, thank

1 you and warm greetings. Now we're here together, the two Māori Commissioners at the
2 tēpu, so I'm very proud of that, very happy for that.

3 **COMMISSIONER STEENSON:** Tēnā koe.

4 **COMMISSIONER ERUETI:** So a priority for the Royal Commission, as you'll know by now, is
5 to ensure we have an accessible hearing. We have sign language interpreters, we also have
6 te reo Māori interpreters who are interpreting into English for the sign language interpreters
7 and for the stenographer who is writing closed captions and for the transcript of the hearing.
8 Tēnā koe Mr Snelgar, kei a koe te wā (the time is yours).

9 **MR SNELGAR:** Tēnā koe te Heamana. Nau mai hoki mai, (English: thank you chairman and
10 welcome back. It's good to see you again). Welcome back Mr Chair. We will start today
11 by passing over to counsel for the Anglican Church, Jeremy Johnson, will be announcing
12 his appearance.

13 **MR JOHNSON:** ... appearing as counsel for the Anglican Church. I will be here, with
14 Commissioners' permission, this afternoon to hear the experience of an Anglican survivor
15 together with Bishop Andrew Hedge of the Diocese of Waiapu.

16 **MR SNELGAR:** Thank you, Mr Johnson, announcing your appearance. Mr Chair, I'll make now
17 just a brief opening remark before we make a start on today.

18 **COMMISSIONER ERUETI:** Tēnā koe Mr Snelgar.

19 **MR SNELGAR:** Ka puta mai te whai ao ki te ao mārama, tīhei mauri ora. Tautoko ana ngā mihi
20 kua mihi ki te kaikarakia, matua Taiaha Hawke. Nāu i tīmata i tēnei huihuinga i runga i te
21 aroha. Nō reira, ka mihi tonu, ka mihi tonu. Te whare e tū nei, Tumutumuhenua, te marae
22 e takoto ana ki waho rā. Tēnā koe, tēnā kōrua. E ngā uri o Tuperiri kua tūwhera hei tiaki i
23 tēnei kaupapa, ka mihi tonu.

24 [English: Coming into the light, let it be. I want to acknowledge our spiritual leader Taiaha
25 Hawke who led our proceedings today in love and care. The house that stands here,
26 Tumutumuhenua, the courtyard, thank you both. To the descendants of Tuperiri, tēnā koe
27 hosting this auspicious occasion.]

28 Ki ngā mate kei runga i a tātou moe mai, moe mai, moe mai. Ka huri ōku whakaaro ki a
29 rātou mā, ngā whānau o te Mōhameta, ngā whānau i Ōtautahi i runga i tēnei rā. He nui o
30 rātou i tēnei te tau tuatoru, mai i tēnā mate. Ka mihi, as-salaam-alaikum.

31 [English: Those who care for the proceedings, thank you. All those who have passed,
32 farewell. Those of the Muslim faith, those in Christchurch on the third year of the
33 massacre, and we acknowledge assalamu alaikum.]

1 Kia koutou e mātakitaki mai ana mai runga i te ipurangi, ka mihi tonu ki a koutou. Kei te
2 mōhio pono tātou, te uauatanga te noho ki tō kāinga me te mātakitaki mā runga pouaka
3 whakaata, te rorohiko. Engari, kei reira te whakaaro, te aroha ki a koutou. Kei te mōhio
4 pono tātou ngā rerekētanga o tēnei ao me te mate korona. Kei te pupuri tonu ki tēnei
5 huihuinga, ka haere tonu te kaupapa.

6 [English: Acknowledging those who are watching online, we know the difficulties of
7 remaining home and watching online, but our thoughts and feelings are with you. We also
8 understand the effects of Covid, but hold strong and continue with our proceeding.]

9 Today's whakatauki, "mai te whai ao, ki te ao mārama" talks about moving from
10 darkness to light. But we know that "mai te whai ao ki te ao mārama" means much more
11 than that. It talks about moving from darkness, or a lack of understanding, to understanding
12 and enlightenment, and this has certainly been a key theme or idea that has been prevalent
13 throughout this hearing, is shining a light on the Māori experience in the care system, and
14 today's witnesses will continue to shine a light, tell their experiences about their time in
15 care.

16 E toru ngā kaikōrero mō te rā nei, (English: there are three speakers today). There
17 will be three witnesses today. The first is Harry Tutahi who will be joining us from video
18 link in Kirikiriroa. Mr Tutahi will be assisted by Tracey Norton, who is counsel to assist
19 the Royal Commission. Mr Tutahi will share how he was in care as a young child, spent
20 time at many State facilities, including Epuni Boys and Hokio Beach. He will share how
21 his experiences of abuse at these facilities led him to spending time in prison as a teenager
22 and as a young adult.

23 This first session will take us through to morning tea and following morning tea we
24 will hear from our next witness, Waiana Kotara, from AVL in Otautahi. She will share her
25 experiences of abuse before, during and after State care and the significant impact that had
26 on her life and how it impacted her pathway in life. She will be assisted by Ms Julia
27 Spelman who is Counsel Assisting the Royal Commission.

28 A muri ake te takawaenga o te rā ko Rev Dinah Lambert te kaikōrero mutunga. She
29 will be our final witness for the day, she will discuss placements, her placements and the
30 abuse that she suffered at the hands of those who were supposed to care for her and some
31 recommendations for the future. Reverend Lambert will also touch on her role as a
32 reverend in the Anglican Church. She will be assisted by Alisha Castle who is counsel to
33 assist the Royal Commission and will be giving evidence from Heretaunga via audio visual
34 link.

1 Nō reira, kia tātou katoa. Kia kaha, kia māia, kia manawanui.

2 [English: So to all, be strong, brave and steadfast, here I acknowledge and thank
3 you.] Commissioner Erueti.

4 **COMMISSIONER ERUETI:** Tēnā koe Mr Snelgar, I just wonder if we could, for those
5 watching at home, give a broad outline of the timing for today, so starting now with our
6 first witness and then I understand that will run until say 11.45am is that right?

7 **MR SNELGAR:** That's right.

8 **COMMISSIONER ERUETI:** Then we'll take a 15 minute break until noon, then return with our
9 second witness which will take us from noon to 1 pm, lunch.

10 **MR SNELGAR:** Yes.

11 **COMMISSIONER ERUETI:** And then normally we start at 2.15 and then continue from there,
12 but we'll let the viewers know if we are going to shorten that lunch break to accommodate
13 the witnesses.

14 **MR SNELGAR:** That's right, yes, depending on timing. It may be quite a tight day, given we
15 have three witnesses today, so starting again after lunch, probably around 2 o'clock and
16 then continuing until about 2.45.

17 **COMMISSIONER ERUETI:** Kapai Mr Snelgar, tēnā koe.

18 **MR SNELGAR:** So now I'll hand it back to you, Mr Chair, to take us through our first witness,
19 Harry Tutahi who is, as I said, giving evidence from Hamilton via AVL.

20 **COMMISSIONER ERUETI:** Ka huri mātou ki te kaiwhakaatu tuatahi o te ata, ko Harry Tutahi,
21 matua Tutahi (English: we'll turn to our first witness Harry Tutahi).

22 **MS NORTON:** Tēnā koutou katoa, nau mai piki mai kake mai ki tēnei wharekarakia kei
23 Kirikiriroa. Ko Tracey Norton ahau. (English: Greetings and welcome to this church in
24 Hamilton. I'm Tracy Norton). Waimirirangi and I are here with our next witness, Harry
25 Tutahi, and his wife Marie Tutahi and their whānau seated behind us. Harry has provided a
26 statement to the Royal Commission and that is to be taken as read. Harry's evidence has
27 been prerecorded, given the uncertainty with Covid, and will be played shortly.

28 When you watch the prerecording, please be aware that after Harry engaged with
29 the Royal Commission he became unwell and this has affected his hearing and his recall.
30 Therefore, from time to time I have had to adjust the volume of my voice so Harry could
31 hear, but also reference paragraphs or prompt Harry in terms of his evidence so that nothing
32 would be missed. Please play the recording now.

33 **HARRY TUTAHI**

34 (Video played).

GRO-C

1 **HARRY TUTAHI:** “My name is Harry Daniel Tutahi, I was born on -- -- in 1966. I'm a
2 Māori descendant and this is my beautiful wife Marie Tutahi and we have five children, and
3 14 mokopuna.

4 **MS NORTON:** Your kōrero today is one of being removed from your mother's care at the age of
5 8 years old and spending the next seven years in State care, which led you straight into the
6 prison system. In legal terms, we often refer to that as the trajectory from State care to
7 prison to gangs. However, you were able to break that trajectory for yourself in that you
8 did not become a gang member, but this came at a significant cost to you. Your kōrero has
9 a silver lining and there she is sitting right next to you. Although what we're about to hear
10 is incredibly difficult, incredibly sad, you have been able to rise because of the love of your
11 wahine and your whānau.

12 Your kōrero will be broken up into four parts today. We will start with the
13 circumstances of you going into care, then we will move on to your time in State care and
14 we will finish with you both having a kōrero about the impacts on you because of your time
15 in State care. But also your reflections, your whakaaro on what redress could look like for
16 Harry and others like him.

17 So if we start at the very beginning. Let's start with the circumstances of going into
18 care, and you detail that evidence at paragraphs 7 to 16 of your statement. Harry, can you
19 now share with us your -- the circumstances of your going into care?

20 **HARRY TUTAHI:** Well, I can remember when we went because my mum was quite sick, she
21 had mental health problems, and she was going into Porirua Hospital quite a few times, and
22 all I remember was me and my brother were at home and the Police come and picked us up,
23 and I was eight and I didn't know why we were going into care but I gathered because our
24 mother was quite sick, mmm. And that's the only thing I sort of remember. They didn't tell
25 us why we were going into care.

26 **MS NORTON:** You've tried to find out more information about why you were removed from
27 your mother's care. Were you able to find out any information around that?

28 **HARRY TUTAHI:** Why we went- no, the only -reason- the- only thing I could have thought is
29 because she wasn't well, and that was the only reason.

30 **MS NORTON:** And where were you taken?

31 **HARRY TUTAHI:** We were taken to Naenae family home.

32 **MS NORTON:** And you were removed at the age of eight. Can you tell us what happened when
33 you were removed and where were you taken?

- 1 **HARRY TUTAHI:** When we were removed the Police van just turned up and knocked on my
2 mother's door and they just walked in and said that we had to pack our bag. So my mum
3 did that and then we just left with the Police.
- 4 **MS NORTON:** Who's "we"?
- 5 **HARRY TUTAHI:** Me and my brother.
- 6 **MS NORTON:** What's his name.
- 7 **HARRY TUTAHI:**

GRO-B

- 8 **MS NORTON:** And then what happened?
- 9 **HARRY TUTAHI:** Then we were just taken to our Naenae family home.
- 10 **MS NORTON:** Can you tell us a little bit about Naenae family home?
- 11 **HARRY TUTAHI:** When we first went there they, when we got there, they sort of went through
12 our clothes and that, and they were quite big, the things weren't the right size, and then
13 they -- we were there and then they took us, I think, to the Social Welfare in the Hutt and
14 they got us new clothes and that. So it was all right at first and then things started to
15 change after a couple of months where they started - they- were quite fussy with the way
16 we used to have to do things, like we had to set the table and the guy would come along
17 with a ruler and he would measure to make sure we had those things all, mmm, because...
- 18 **MS NORTON:** So you were given lots of chores to do?
- 19 **HARRY TUTAHI:** Yeah.
- 20 **MS NORTON:** Tell us about that.
- 21 **HARRY TUTAHI:** The chores? Yeah, we had to -- we would go to school, come back and
22 straight away we'd have to go out the back and do the gardens and that, and then we had to
23 set the table up and that for tea, but it only had to be in a certain way.
- 24 **MS NORTON:** And you were punished at that family home?
- 25 **HARRY TUTAHI:** Oh, he used to just get angry, angry at us.
- 26 **MS NORTON:** Were there any other forms of punishment.
- 27 **HARRY TUTAHI:** I was -- I was -- I think I was there for about, with them for six months I
28 think, and then I went on a camping trip and I came back and then, with a couple of the
29 other boys, and then one of them come back with a jacket and they said that I had taken it,
30 and I said, "I never took the jacket", and then all I remember was I was taken to the sitting
31 room and they had a shovel where you pick up the coal, I just remember getting whacked
32 around the legs.
- 33 **MS NORTON:** You were living in a home?
- 34 **HARRY TUTAHI:** Yeah.

- 1 **MS NORTON:** And you made a complaint?
- 2 **HARRY TUTAHI:** Yeah.
- 3 **MS NORTON:** To the social worker?
- 4 **HARRY TUTAHI:** Yeah.
- 5 **MS NORTON:** How did you know, as an 8 year old, to do that?
- 6 **HARRY TUTAHI:** Because I just sort of brought it up to her, because I sort of knew it was
7 wrong.
- 8 **MS NORTON:** Nobody told you, you just knew it was wrong?
- 9 **HARRY TUTAHI:** No.
- 10 **MS NORTON:** And what happened as a result of the complaint that you made?
- 11 **HARRY TUTAHI:** What happened? Nothing. I think it was-- it seemed to get a lot worser for
12 me, they were always on my back and that, I was always doing the work, yeah.
- 13 **MS NORTON:** Were you placed back with your father?
- 14 **HARRY TUTAHI:** Yeah, then I was placed with my father.
- 15 **MS NORTON:** And how long were you with him?
- 16 **HARRY TUTAHI:** I only ended up being there a few days, because his partner didn't want to
17 take care of me.
- 18 **MS NORTON:** And where were you taken?
- 19 **HARRY TUTAHI:** I was taken to, I think I ended up at Epuni Boys' Home, or family home,
20 yeah.
- 21 **MS NORTON:** With **GRO-B**; correct?
- 22 **HARRY TUTAHI:** Yeah, with **GRO-B**.
- 23 **MS NORTON:** Now with your time at Naenae family home, you say that you learned a valuable
24 lesson. What was that lesson?
- 25 **HARRY TUTAHI:** If you say things, things will just get worser.
- 26 **MS NORTON:** And in your own words you said, "If I keep my head down and keep my mouth
27 shut".
- 28 **HARRY TUTAHI:** Yeah.
- 29 **MS NORTON:** Your time at the Epuni family home, you describe as a good experience, but you
30 stole a car and ended up in Epuni Boys' Home, is that right?
- 31 **HARRY TUTAHI:** Yeah.
- 32 **MS NORTON:** Over the next two years you were in and out of Epuni Boys' Home?
- 33 **HARRY TUTAHI:** Yeah.

1 **MS NORTON:** Let's talk about the first time that you went there. You were 10 years old.

2 **HARRY TUTAHI:** Yeah.

3 **MS NORTON:** And if you go to paragraph 37 of your statement, you were placed in the secure
4 unit?

5 **HARRY TUTAHI:** Yeah.

6 **MS NORTON:** Can you tell us about that?

7 **HARRY TUTAHI:** When I first went to Epuni Boys' Home I was met by the staff at the door and
8 they took me in and then they were telling me the rules and regulations of the place and
9 then I was taken down to the secure unit and, yeah, I was taken down to the secure unit and
10 it looked like a concrete little, like concrete cells, and I was - they made me have a shower
11 and that, and I remember now they put this white powder stuff on me, I don't know what it
12 was for, all over my body, and then I had to put a shorts and -t-shirt on and I was just
13 locked up in the secure unit, it looked like just a concrete cell. And then they used to just
14 leave me there and they hardly ever came down. And then sometimes the lights went on.
15 And -they - you'd- know when they come because you'd hear the door and then they'd just
16 flicked the light on and off. I was left down there for about a week before I come out into
17 the general population with the rest of the kids, first time I went there.

18 **MS NORTON:** You lived in darkness?

19 **HARRY TUTAHI:** When I first went to the secure it was just like a - it's like a metal door, when
20 you go in there it's like a square little room, probably about six by six, and it's all just
21 concrete and the bed's just a wooden thing on the side, and it just has a sink, and the floor's
22 concrete. And then when they shut the door they don't have the lights on, only when they
23 come down and check on you, and bring you your lunch, so they just
24 flick -on- otherwise- you're just left in the dark.

25 **MS NORTON:** And what about your bedding and food?

26 **HARRY TUTAHI:** The bedding and food, we used to get our bed late at night. Other than that
27 you're just lying on the concrete floor or just lying on the wooden bed.

28 **MS NORTON:** And when did you see anybody?

29 **HARRY TUTAHI:** Hardly ever, only when they probably bring your meals and maybe at night
30 time.

31 **MS NORTON:** In your first stint --

32 **HARRY TUTAHI:** Yeah.

33 **MS NORTON:** - at Epuni- Boys' Home you talk about hidings --

34 **HARRY TUTAHI:** Yeah.

- 1 **MS NORTON:** -- at paragraphs 41 to 45. Can you tell us about those?
- 2 **HARRY TUTAHI:** I remember I was repeatedly getting punched and kicked. That was my first
3 one. And - yeah-, I remember I rolled myself up on the first one, just to protect myself and
4 my head, I tried to thing up on the ground. And I recall my second -my second hiding
5 while I was outside playing on the field- I had done nothing to the bigger boy, I remember
6 that he came up and started just punching me. And the third hiding I was --one of the older
7 boys banged my head against the wall. And the fourth hiding was when I retaliated. But in
8 that fourth hiding I think that was the hiding where the staff member intervened and he
9 kicked me --was kicking me in the head and he took me down, back down to the secure
10 cells, I'm sure that was my fourth hiding one.
- 11 **MS NORTON:** Did you ever disclose the hidings to staff?
- 12 **HARRY TUTAHI:** No, because the staff members were around, but they didn't sort of intervene.
- 13 **MS NORTON:** How did that make you feel knowing you were getting hidings and staff weren't
14 doing anything?
- 15 **HARRY TUTAHI:** I learned, that's when I started to learn that I had to change and I learned not
16 to cry and all that, mmm.
- 17 **MS NORTON:** Because-- why?
- 18 **HARRY TUTAHI:** Because I learned not to show weakness because if you did you'd just carry
19 on getting bullied.
- 20 **MS NORTON:** You talk about not having any confidence that the staff would help you. Do you
21 remember that?
- 22 **HARRY TUTAHI:** Yeah. Yeah, because I knew that they wouldn't, I had no confidence in them
23 helping me.
- 24 **MS NORTON:** And were you worried about being labelled a "nark", can you talk about that?
- 25 **HARRY TUTAHI:** Yeah, I remember that because yeah, because if you talked to them things
26 just got worse and then you'll be labelled a "nark".
- 27 **MS NORTON:** And how did you cope with getting hidings? You learned to retaliate, right?
- 28 **HARRY TUTAHI:** Yeah, I learned to retaliate and I learned -I had to learn that, because if you
29 didn't- you're just going to get bullied, so I learned to retaliate back. How I retaliated with
30 that- I remember now. How I retaliated with that was we were having supper, we had
31 supper around about 7.30, and I was in the dining room, and there was this bigger boy and
32 all of a sudden he just started hitting me. So I had to jump up on the table and I used a
33 plastic cup and broke it on his arm, and so I made him bleed on his arm, and at the time the
34 staff -were- they- were in there, they didn't do nothing until the guy's arm started to bleed.

- 1 **MS NORTON:** And you got the blame for that, didn't you?
- 2 **HARRY TUTAHI:** Yeah.
- 3 **MS NORTON:** And what happened?
- 4 **HARRY TUTAHI:** I got -as far as I remember I got -kicked - I- think, I can't remember when
5 I got kicked, kicked by one of the staff in the head and that and I was taken back down
6 secure.
- 7 **MS NORTON:** Can you explain to us what he did to you?
- 8 **HARRY TUTAHI:** Ah, you see, I remember now because he had a - he- had quite a short wick
9 and he'd get angry. And all I remember I got into - I- got into an altercation with a boy and
10 then all I could remember was he grabbed me and I was chucked on the ground and he
11 started kicking me with his cowboy boots, he had hob nails, and he started kicking me all
12 the way down to secure. And then when I was taken down to secure I was just thrown in
13 there with the lights off.
- 14 **MS NORTON:** Did he drag you?
- 15 **HARRY TUTAHI:** Yeah, he dragged me all the way down, Kauri wing, it was Kauri wing,
16 kicking me all the way down to the secure room.
- 17 **MS NORTON:** So now starts your second time in the secure unit?
- 18 **HARRY TUTAHI:** Yeah.
- 19 **MS NORTON:** But it was different this time, wasn't it?
- 20 **HARRY TUTAHI:** It's different, yeah.
- 21 **MS NORTON:** Because GRO-B punished you more.
- 22 **HARRY TUTAHI:** Yeah.
- 23 **MS NORTON:** Didn't he?
- 24 **HARRY TUTAHI:** Yeah.
- 25 **MS NORTON:** What did he do?
- 26 **HARRY TUTAHI:** The difference was when I was put in there I was just left with the lights off
27 and then they hardly come down and what I used to do, I started banging my head on the
28 walls because I was left in the dark.
- 29 **MS NORTON:** And you talk about you had a mattress, but he deprived you of the basics, a
30 blanket and a pillow.
- 31 **HARRY TUTAHI:** Yeah, they'd just chuck the mattress at night time.
- 32 **MS NORTON:** Do you want to talk about GRO-B ? That's the time when you were
33 missing - GRO-B ?

- 1 **HARRY TUTAHI:** Yeah, yeah, I remember that, yeah, because I used to miss my brother,
2 because when we were in the family home we sort of -- we're together for a long while and
3 then they took him somewhere else, I didn't know where he went to.
- 4 **MS NORTON:** You were missing him?
- 5 **HARRY TUTAHI:** Yeah.
- 6 **MS NORTON:** And you also developed anxiety, why was that?
- 7 **HARRY TUTAHI:** Yeah. Probably from the treatment that I was receiving, and then I started to
8 develop - because- I started getting scared of being in the dark.
- 9 **MS NORTON:** And you went back to Epuni Boys' Home two more times after that, do you want
10 to talk to us about that? Was it a similar experience, was it better, or was it worse?
- 11 **HARRY TUTAHI:** More or less similar thing, just, you know, same routine.
- 12 **MS NORTON:** Which was secure unit, hidings?
- 13 **HARRY TUTAHI:** Yeah.
- 14 **MS NORTON:** At some point you went to a family home in Naenae and you say that the couple
15 who owned the house were Pākehā and Māori.
- 16 **HARRY TUTAHI:** Yeah.
- 17 **MS NORTON:** And you talk about that as being a safe place, is that right?
- 18 **HARRY TUTAHI:** Yeah.
- 19 **MS NORTON:** I want to talk about your third time in Epuni, because that was a little different.
- 20 **HARRY TUTAHI:** Yeah.
- 21 **MS NORTON:** Around about the third time that you were there you were 11 years old?
- 22 **HARRY TUTAHI:** Yeah.
- 23 **MS NORTON:** You ran away in the middle of the night to a hill nearby and the staff found you
24 and took you back to Epuni?
- 25 **HARRY TUTAHI:** Yeah.
- 26 **MS NORTON:** In your statement you talk about physical training. Can you tell us about that?
- 27 **HARRY TUTAHI:** Well, when I went back to Epuni I think it was the third time, there was
28 actually a few of us that run away at night time, around about 12, we were up on the hill,
29 and then when we come back down the hill we got caught and we got taken back and put in
30 secure with the lights off, same thing with the lights off and then each day they used to just
31 grab one of us at a time and take to us physical training in the gym. And it was quite hard
32 because you used to have those big medicine balls and you weren't allowed to drop them
33 because if you did they'd get really angry, so you were just holding out a medicine ball like

1 that for ages and your hands were shaking and that, and I knew not to drop it. Because I'd
2 probably get punished.

3 **MS NORTON:** Can I get you to look at paragraph 67. You say, "It felt like they were trying to
4 break us".

5 **HARRY TUTAHI:** Yeah.

6 **MS NORTON:** But?

7 **HARRY TUTAHI:** They were trying to break us, physically trying to break us.

8 **MS NORTON:** But it never broke you, why?

9 **HARRY TUTAHI:** The reason why they never broke me because I learned not to do that, if I do
10 that I knew what was going to happen, so I had trained myself that way, not to give in to
11 them, that's how I trained myself.

12 **MS NORTON:** After your last stint at Epuni, you went to Holdsworth Boys' Home. Can you talk
13 to us about that?

14 **HARRY TUTAHI:** Well, when I was placed in Holdsworth Boys' Home it was okay a little while
15 and then I got into another sort of -- I think why I ran away I got into a little bit of an
16 altercation with a boy so I ran off over the field then I was caught by one of the staff and I
17 was taken back and more or less the same thing that what happened to me at Epuni, what
18 happened there was I got taken in the bottom, it's like a secure unit down the bottom, and I
19 was taken in there and I was given another hiding, and I was just left in there for another
20 week.

21 **MS NORTON:** Can you describe those conditions?

22 **HARRY TUTAHI:** It was just like concrete walls and concrete floor and they had
23 like - they- actually had a window with wire mesh on it so you could sort of look out, it was
24 a square little window.

25 **MS NORTON:** And some of the boys would disappear?

26 **HARRY TUTAHI:** Yeah, I remember that, because sometimes there used to be a van and some
27 of the boys used to get on the van but I didn't know where they were going, and then I'd
28 never see them back again, some of them.

29 **MS NORTON:** Did the boys talk about that?

30 **HARRY TUTAHI:** No.

31 **MS NORTON:** Did the staff tell you what was going on, about the van and boys disappearing,
32 did the staff tell you about that?

33 **HARRY TUTAHI:** No, no, I just used to see them go in the van.

34 **MS NORTON:** Where did you think they were going?

- 1 **HARRY TUTAHI:** Somewhere else, but I didn't know where.
- 2 **MS NORTON:** Were they normally naughty boys who were being taken away or could it be
3 anyone?
- 4 **HARRY TUTAHI:** I think - yeah-, I think, yes, because one of them I seen, he was hard quite
5 to - yeah-, naughty, you might say naughty, he was hard to keep control of and I think that
6 may have been the ones that were going on the van, the ones that they couldn't...
- 7 **MS NORTON:** Then you were 12 years old and then you went to Hokio Beach Training School.
8 Can you tell us about that?
- 9 **HARRY TUTAHI:** When I first went to Hokio Training School, the first day I got there they told
10 me the rules and that and then a few of the boys, they got me to come with them over
11 the -- walk over the bridge to the sand hills and then what happened, I think that's what they
12 call initiation, they started beating me up over there and I just sort of covered up, and then
13 I started retaliating and then one of them threw sand in my eyes and then they just carried
14 on beating me up for a while and then after that we were all right, more or less.
- 15 **MS NORTON:** Did you get any education?
- 16 **HARRY TUTAHI:** At Hokio?
- 17 **MS NORTON:** Yes.
- 18 **HARRY TUTAHI:** I think a little bit, but more or less it stopped, because I think why it stopped
19 because I wasn't educated anyway, so, like the other boys, mmm.
- 20 **MS NORTON:** Did the physical abuse continue?
- 21 **HARRY TUTAHI:** Just the normal things, you get the bigger ones that pick on you. But then
22 one day I had an altercation with another boy, another bully, might as well say, and then
23 I ran away over the sand hills and then I came back and I thought, oh, I'll be all right, but
24 then I was taken into the office by the head staff and then he just pulled out this big leather
25 strap, it was about this long, about this thick, and I had to hold my hands out like that and
26 he just kept whacking them, but I think he got worser because I wouldn't cry or drop them,
27 but that's what I've learned, not to show weakness, yeah, it just got quite hard.
- 28 **MS NORTON:** How did he react?
- 29 **HARRY TUTAHI:** He was just getting angry.
- 30 **MS NORTON:** What did he do?
- 31 **HARRY TUTAHI:** He just kept going, kept strapping me.
- 32 **MS NORTON:** When you left Hokio you went home?
- 33 **HARRY TUTAHI:** Yeah.

1 **MS NORTON:** You were 15 years old, you'd spent seven years in institutions. What was it like
2 for you going home?

3 **HARRY TUTAHI:** Well after spending seven years in institutions, because I never used to get
4 any visits or letters and that, and never used to hear from whānau and that, and everyone
5 else was getting letters and that, so most of the time within that seven years I was just doing
6 that thing on my own, being alone, and then when I got home, I left Hokio and they sent me
7 home, it was sort of okay, but I had to end up still looking after my mum because she still
8 wasn't well. And then - the- way I used to do that is to go out and go and pinch stuff to
9 look after my mum. And then after that I think I ended up back in the courts.

10 **MS NORTON:** I want to pick up on something that you said. In seven years you had no visits
11 from whānau, no phone calls or letters.

12 **HARRY TUTAHI:** Yes, I had nothing.

13 **MS NORTON:** Do you know why that was?

14 **HARRY TUTAHI:** No, I don't know why that was.

15 **MS NORTON:** Did you ask your whānau why didn't they do that?

16 **HARRY TUTAHI:** Eh?

17 **MS NORTON:** Did you ask your whānau, "Why didn't you visit me, why didn't you ring me, why
18 didn't you write me?"

19 **HARRY TUTAHI:** I never asked my whānau because they were like strangers to me after a
20 while because I never had any visits from them or nothing.

21 **MS NORTON:** Have you thought about why that didn't happen? Do you think that was because
22 of the State, the State didn't encourage that, they didn't want that, or do you think it was
23 because your whānau didn't care?

24 **HARRY TUTAHI:** I think because, I think it was the State. They only put me in - because- what
25 was happening, I think what was happening, what I was doing was I was just getting put
26 back into the same situation.

27 **MS NORTON:** So you're 16 years old and you get taken to Mt Crawford on remand.

28 **HARRY TUTAHI:** Yeah.

29 **MS NORTON:** Tell us about that.

30 **HARRY TUTAHI:** When I went to court I was remanded to - I remember I was remanded to
31 Mt Crawford for my next court case, -so - the other reason I think because the youth homes
32 were full and that, back then, so I was taken to Mt Crawford- and I was put into a remand
33 block and that and we put on prison clothes and that. No, no, I still had my own clothes but
34 then I was taken to a yard, I remember being taken to a yard but it wasn't in the youth yard,

1 I was put into the adults yard because I think the youth yard was full. So when I first went
2 in there I sat in the corner and there was about, I remember there was about six or seven
3 other adults in there and I was just sitting in the corner and they were playing a game,
4 I remember they were playing a game of crash and then one of them come up to me and
5 said, "Do you want to play the game?" And I said - and- then I thought to myself I better
6 not say no, show weakness, so I said, "Yeah, I'll play the game."

7 So I got on to one team, and we were sort of playing and then the other side threw
8 the ball, and then I had this funny feeling I was going to get the ball chucking to me, so I
9 got the ball, and in the game of crash the ball is put in the middle and you have two teams
10 each side and the first team that gets to that, they grab the ball and you've got to try and
11 physically get them down I suppose, but then our side got the ball and one of the inmates
12 chucked me the ball and when you get it you have to run straight at them, so I did, I ran
13 straight at them and this big guy, adult guy, all I remember is I ran straight at him and I was
14 picked straight up in my shoulders and I was brought down to the concrete ground, but
15 when I sort of landed my three fingers hit there and then I remember, all I remember is they
16 were in a circle and I looked up and the one thing I didn't do was show weakness because
17 I knew if I did start to cry, I was just in for a worser time and then all I can remember was
18 the prison officer come running in and then they took me out of there. And they had a look
19 at my fingers and they just took me to Wellington Hospital and I had dislocated three
20 fingers. When I got back they put me into secure unit away from the other prisoners, which
21 was my time when I was in there.

22 **MS NORTON:** And why did they put you in the secure unit? Why did they put you in the secure
23 unit?

24 **HARRY TUTAHI:** Keep me away from the other ones, I think, yeah.

25 **MS NORTON:** It was protection?

26 **HARRY TUTAHI:** Protection, yeah.

27 **MS NORTON:** You were in secure unit for a couple of weeks.

28 **HARRY TUTAHI:** Yeah.

29 **MS NORTON:** And then you were taken to court. Tell me about that.

30 **HARRY TUTAHI:** When I was taken to court, for sentencing, I didn't have any social worker, no
31 whānau, so I was more or less there by myself and so they just sentenced me to corrective
32 training. I went to Rangipo CTI.

1 **MS NORTON:** You were at Rangipo for 12 weeks. Tell us about your time there and

2 Mr GRO-B.

3 **HARRY TUTAHI:** I was sentenced to CTI which is called corrective training in Rangipo and
4 then when I first got there they take you off the - I- was taken there by the Police. When I
5 first got there they take you straight in the room and you get a haircut and that. And then
6 they change you into their clothing issue and then while you're there part of the corrective
7 training is that, you know, you've got to march and then you go to work up in the forestry
8 and you do PT training every morning. I was there for, I think, 12 weeks, 12 to 13 weeks,
9 but within - I- was there for - I- was there for a little while and then I sort of got
10 into - one- of the staff members got angry with me and then I don't know what happened,
11 I went over by the fence line and all I can remember was him kicking me behind my legs
12 and then I just jumped the fence and I ran off through the paddock. And then I remember
13 him chasing me through the paddock and then I also know they were going to ring the
14 Police anyway.

15 And then I jumped into the Tongariro River and I swam the Tongariro River almost
16 to Tūrangi, and it's quite black that water. And then I got up and I went into the forest and
17 I come out on to the main road and I was picked up, then I was taken to the police station
18 and then the Policeman was angry with me and they just threw me under the table and then
19 I was taken back to corrective training and put into the secure area, and then in the wee
20 early hours of the morning, GRO-B, the ward staff came in early in the morning and
21 they just swung open the cell door and all I remember was him jumping on top of me
22 beating me and I had to roll up, roll myself up while he was beating on me. And
23 I remember that.

24 **MS NORTON:** What did he do to you? What did he do to you?

25 **HARRY TUTAHI:** What he was doing was punching me in the head, kicking me with his knees,
26 and just kept swearing at me and punching me, but all I did was just roll up, just to protect
27 myself again in a ball.

28 **MS NORTON:** Did anyone stop him? Did anyone stop him?

29 **HARRY TUTAHI:** No, no one stopped him. But I think it's the same thing. They get angry
30 because I don't show weakness, but I know not to, that's the way I learned.

31 **MS NORTON:** You have been bullied, you have been beaten, you would have received injuries.
32 Did anybody give you medical treatment during your time in State care, do you remember
33 that?

- 1 **HARRY TUTAHI:** No, I don't remember getting treatment.
- 2 **MS NORTON:** Let's go to Tongariro. Can you tell us about your time there?
- 3 **HARRY TUTAHI:** When I got out I was sent back to my mum and I didn't last long because I
4 was still doing the same thing for her, looking after her, and then I was taken to court and
5 then --
- 6 **MS NORTON:** What for?
- 7 **HARRY TUTAHI:** In Lower Hutt and they sentenced me to Tongariro.
- 8 **MS NORTON:** Why were you taken to court though, what did you do?
- 9 **HARRY TUTAHI:** Burglaries and that again. And when I got to Tongariro, when I got
10 to - before- I got to Tongariro they stopped off at Tūrangi corrective training and then they
11 opened the door and they showed the staff me and they go, "Oh, that bugger." That's how
12 I ended up down Tongariro, they said, "We don't want him." So I ended up down in
13 Tongariro. And I only lasted there the night because I ran away again. Me and another
14 guy.
- 15 **MS NORTON:** And who found you?
- 16 **HARRY TUTAHI:** The Police, we were almost to Hastings.
- 17 **MS NORTON:** Where did they take you?
- 18 **HARRY TUTAHI:** When they first -- a friend -- his -- one of his mates lived down towards the
19 main road in Hastings, there's like a hills and paddocks and that, he had a caravan up there
20 and the Police turned up in the early hours of the morning and then they dragged us out, put
21 us on the ground and then one of the cops had their head on my head and my mate's head
22 and then they put us in the -- in those days they used to have the Police paddy wagons for
23 the dogs, like utes, and they threw us in there and then they took us to, I think we went to
24 Rotorua police station.
- 25 **MS NORTON:** Waikeria.
- 26 **HARRY TUTAHI:** And then I was sentenced, that's when I was sentenced to prison.
- 27 **MS NORTON:** And that's when you ended up at Waikeria Borstal?
- 28 **HARRY TUTAHI:** Yeah, Waikeria Borstal.
- 29 **MS NORTON:** Harry, I'll get you to talk about your time in Waikeria prison.
- 30 **HARRY TUTAHI:** Ah, well, after running away from Tongariro corrective training, and then I
31 was sentenced to Borstal for 18 months, so I was sentenced there and after a little while, I
32 was okay for the first few weeks, but then when you're in those places you do corrective
33 training for the first month anyway before they send you out with the rest of them. I done
34 that and then I was slowly starting to get intimidated and bullied by the gangs. Because

1 I used to have none of these, no tattoos and that, and they noticed too because I was alone,
2 always alone, because I learned that to be alone most of the places I went to I was on my
3 own. And it just started from there, and I used to just get bullied. And I remember one
4 night one time in the shower they came in and one of them started hitting me and I just
5 usual crunched up, took my hiding and carried on like usual.

6 **MS NORTON:** You deliberately misbehaved to end up in the secure unit, eh?

7 **HARRY TUTAHI:** Yeah, what I used to do was get myself put in secure because it was
8 like - I- got so used to being locked up in those places were like my safe place. The most
9 important thing that being in Waikeria was that I never got drawn into a gang and I learned
10 to stand on my own two feet. But that's probably why I was getting bullied. They were
11 looking for a breaking point. That's why most of the time I used to be a loner because
12 I knew, because I used to watch some of the younger ones, they used to
13 always - they -knew - they- were looking for a weak point.

14 **MS NORTON:** You were released, you went back to live with your mother?

15 **HARRY TUTAHI:** Yeah.

16 **MS NORTON:** And you reoffended?

17 **HARRY TUTAHI:** [Nods].

18 **MS NORTON:** You went back into Waikeria. Can you talk about that?

19 **HARRY TUTAHI:** Yeah, well, the same thing happened again. I got out, I got - I- actually got
20 out on early release, I think I was called out, so I got out just before my 18 months, I think,
21 on good behaviour. And then same thing, I started looking after my another again, so
22 I started burgling again and then I didn't last long and I was taken back to Waikeria and
23 then when I first got there I actually ended up in high security there where they put you in
24 the pants and they've got a stripe up here, I ended up in high security when I first got there.
25 Probably because of the time when I was there. And the same thing happened again, it was
26 a constant thing by the gangs, the pressure, because I knew they were recruiting and I just
27 did the same thing, I used to just go back down to secure, get myself locked up again.

28 **MS NORTON:** And you were released and you reoffended and then you did your last lag at
29 Rimutaka Prison, do you remember that?

30 **HARRY TUTAHI:** Yeah.

31 **MS NORTON:** Harry, now I'll get you to talk about your final period of time, which was in
32 Rimutaka Prison. You were there for almost six months?

33 **HARRY TUTAHI:** Yeah.

34 **MS NORTON:** Can you tell us about that?

1 **HARRY TUTAHI:** When I was released from Waikeria after I finished my time I went home
2 again and I - same- thing, I didn't last long at home, still doing the same thing. So then
3 I went back to court and I was sentenced to Rimutaka Prison and the second day I was
4 there, because they were mostly adults, I was amongst a lot of adults. So what I did was
5 did the same thing, played up a bit, and got myself locked in secure. And the reason why
6 I did it this time, it was like my thinking place as well as my safe place. I had to work out
7 how I was going to do this lag. And I figured out how I was going to do it was come out
8 and be a loner. So that's what I used to start doing.

9 When I came out of the secure area, I started, used to walk the yard every day, every
10 day on my own and then I think it was a couple of months later while I was doing that there
11 was a prison officer who come out to see me and he said, come up to me and stopped me in
12 the yard and he goes, "There's something about you but I just don't know what it is, I watch
13 you every day, there's just something about you." What I was really doing, I knew in
14 myself I was just trying to do my own lag. Because I seen what was happening in there.
15 Because they were still recruiting.

16 And then I didn't know what happened, after I got to about three months, all of a
17 sudden I got -- no, there was one other incident, that's right, there was one other incident
18 after, I think, it may have been before the guard come out, one day I was in the -- I went
19 into the dining room, there was a pool area there, and I was playing pool with a guy and a
20 couple of times this guy, I think he was a gang member, he had come in and sort of yelled
21 at me outside when I first got in there, but he came in and he started to yell at me, he'd yell
22 at me, so I was playing pool and I stopped and I knew I had to do something, because the
23 rest of them were in there. And I know not to back down so I picked up the ball, pool ball
24 and I threw it and it hit the wall and then what I did I dropped the stick and I went straight
25 up to him and I went face -to -face and I knew not to back down, that's a 45-year-old guy or
26 something, and I just looked at him straight in the eye and it got really tense and he backed
27 off. He showed weakness before me. That's actually what sort of helped me to sort of get
28 around and do that time.

29 **MS NORTON:** You talk about a prison officer showing you kindness. How did he show you
30 kindness?

31 **HARRY TUTAHI:** Yeah, well, when that prison officer came up and said that to me and then a
32 couple of weeks later, I don't know what happened, I sort of ended up getting work parole
33 and that, and then they put me on a course, it was a course at the CTI, how to - and- they

1 give me life skills for when I got out. I don't know how I got that but I slowly got that, and
2 then, yeah, what happened?

3 **MS NORTON:** What difference--

4 **HARRY TUTAHI:** And I think - the only reason I think I got that was because of the prison
5 officer. I think he had a feeling that I wasn't going to come back. And then, so yeah,
6 I done that and then when I got released there was somebody supposed to come and pick
7 me up, but then there was -no one- so I just walked to the train station.

8 **MS NORTON:** You caught a train to town?

9 **HARRY TUTAHI:** Yeah.

10 **MS NORTON:** And then what happened?

11 **HARRY TUTAHI:** I caught the train to town and then I went to the Social Welfare and picked up
12 my Steps to Freedom which was just about a week's dole and then basically I was left on
13 my own, so I just learned to myself what to do. But what I would have really liked is
14 housing and a job and some more tooling on how to survive I suppose.

15 **MS NORTON:** You felt isolated, why?

16 **HARRY TUTAHI:** I felt isolated because I had lost connection with my whānau, my family and I
17 was like still alone. I just didn't know what to do and I sort of had to think for myself other
18 than that.

19 **MS NORTON:** And you had a choice, didn't you, you were either going to make it or not?

20 **HARRY TUTAHI:** Yeah, and I did. I had a choice whether I'm going to make it
21 or - make- something of myself and I decided I would just with the little tools I've got just
22 make something of myself.

23 **MS NORTON:** You got a fulltime job?

24 **HARRY TUTAHI:** So I went off and got my - got- a job and started from there.

25 **MS NORTON:** Yeah. Where was that?

26 **HARRY TUTAHI:** Okay then, yeah, I got a job and that's where I met Marie.

27 **MS NORTON:** Thank you. So let's start with his parents.

28 **MARIE TUTAHI:** So when I met Harry, his mother had already passed away. She'd died two
29 years earlier and when I asked him what had happened, he said, oh, she was sick, I found
30 her, she had already died in the lounge, and I asked him, "Did you get any help?" And he
31 said, "Oh no, I just stayed there with her for a little while and then I went next door and
32 used the neighbour's phone to phone my sister." And at that point I thought how strange
33 that was because if that were my parent I would have been - I- would have straight away
34 gone and tried to find somebody to help, but that wasn't his first reaction. His first reaction

1 was to keep it close to himself and to have that time with his mum. I asked him about his
 2 father and where was he through all of that and he didn't really have a lot to say about his
 3 father, only that he had separated from their mother when he was quite young. He was
 4 violent towards their mother and to the children, and he had made another life for himself
 5 with another wife.

6 Over the time that Harry and I were together while his father was still alive we only
 7 saw him about three times. One of those times was when Harry and I had the two children
 8 that we share together and we took them to meet their koro and he wasn't really interested.
 9 So, for me, who comes from a family of, well, we're pretty good whānau, you know, we're
 10 close. So when we bring a new baby or new mokopuna into the whānau it's celebrated.
 11 Not so for Harry's whānau. And I would say that was the disconnection between himself
 12 and his family. Most likely his sister had a closer relationship with her parents than her
 13 brothers did.

14 **MS NORTON:** So Harry, for 11 years, you did not have the love and care of your parents
 15 because you were in State care. How did that affect you?

16 **HARRY TUTAHI:** It affected me in a lot of ways because I didn't have a parent to communicate
 17 with, someone to love me and that, and also I didn't have birthdays or Christmas time or,
 18 you know, that time with my own parents. I was quite depressed and very - I- didn't used to
 19 show it, eh, never used to show it. Yeah.

20 **MS NORTON:** I want to now ask you both, Harry was removed at the age of 8, he had six

21 siblings, he spent one year with GRO-B so actually, in that 11 years he had no contact
 22 with his siblings. What has been the effect of that on Harry and I'll start with you, Marie?

23 **MARIE TUTAHI:** So his relationships with his whānau are only at his behest really. So even if
 24 they were to reach out he might not agree to see them. He feels distant from them, even
 25 though they try to make that connection with him. And that I guess is through his own, he
 26 has his own safety mechanisms of looking after himself and in looking after himself, it
 27 doesn't include people who he feels he doesn't know and he doesn't know them because he's
 28 never had a relationship with them. So he's, yeah, it's a self-protective mode.

29 **MS NORTON:** Has that had a flow on effect for your tamariki and your mokopuna?

30 **MARIE TUTAHI:** Kāo, kāo. Our tamariki and our mokopuna are all over Harry's whānau. His
 31 sister is helping to raise two of our mokopuna. Our daughters are constantly there at her
 32 place with her. So they keep that connection alive, on their behalf and for their children but
 33 also for their father.

- 1 **MS NORTON:** So the impact of the loss of whānau has really only impacted Harry.
- 2 **MARIE TUTAHI:** Yeah.
- 3 **MS NORTON:** I want to now move on to the impacts of State care on Harry and there were a
4 number of impacts. I want to start with the issue of anger. And Harry talks about that in
5 his statement at paragraph 131. Can you talk about the impact of anger on you, Harry, and
6 how you've dealt with that?
- 7 **HARRY TUTAHI:** The impact of anger, yeah, ah well, when I used to get really angry, I never
8 used to take it out on Marie or the kids and that, I used to - most- of the time when I got
9 angry I used to isolate myself, I'd stay in the room, I'd just stay there for hours or days, I
10 used to hide away. But Marie knew when I was angry sometimes because I never used to
11 talk, I'd just shut down, go into my own little corner.
- 12 **MS NORTON:** Why were you angry?
- 13 **HARRY TUTAHI:** Eh?
- 14 **MS NORTON:** Why were you -- what would make you angry?
- 15 **HARRY TUTAHI:** I don't know. I think it was hard things, things that I can't cope with. That's
16 what I was - and- that's the only way I knew, I thought if I get angry, I'll just isolate myself.
- 17 **MS NORTON:** Were you worried about what your anger might do --
- 18 **HARRY TUTAHI:** Yeah.
- 19 **MS NORTON:** -- to Marie and the children?
- 20 **HARRY TUTAHI:** Yeah, that's what I - managed to sort -of - that's- why I managed to do that, I
21 was doing that because I knew it was wrong to take my anger out on them.
- 22 **MS NORTON:** Have you ever had therapy to deal with your anger?
- 23 **HARRY TUTAHI:** No.
- 24 **MS NORTON:** Is there a reason for that? Is there a reason that you've never been to therapy?
- 25 **HARRY TUTAHI:** I don't know, I don't think I got asked.
- 26 **MS NORTON:** You didn't ever think that you needed it or you should go and get therapy?
- 27 **HARRY TUTAHI:** One time I did, but I didn't go there, eh, one time.
- 28 **MS NORTON:** How's your anger today?
- 29 **HARRY TUTAHI:** My anger?
- 30 **MS NORTON:** Maybe I should ask Marie that.
- 31 **HARRY TUTAHI:** Yeah, ask Marie.
- 32 **MS NORTON:** How's Harry's anger today?
- 33 **MARIE TUTAHI:** It's - he's telling the truth, he's not violent towards me or the children, and
34 I know we push his buttons a lot. He's learned how to manage himself, as he said, he

1 would -self-isolate-, take himself away and he still does that. He just takes himself away
2 and closes the door and we know, you know, to leave him there and when he's ready he will
3 come out. So yeah, he's still managing.

4 **MS NORTON:** One of the other impacts has been anxiety and depression. Harry talks about that,
5 he talks about being medicated, but he also talks about self-healing. Can you comment on
6 that as an impact on him and what that looked like and what that looks like today?

7 **MARIE TUTAHI:** So there were several things that would trigger Harry's behaviour when he
8 was in a downward spiral. So - and- we noticed them, or I noticed them. He would have
9 little "isms" I guess you'd call them, and actions, and when he would make a particular
10 action I knew that he was starting to go in a downward way. So, when that would happen
11 we'd try to distract him, make him be a little bit more upbeat, include him into, you know,
12 more family things, get him busy.

13 But I guess the big thing too was to help him through the healing of that. He wasn't
14 a good communicator. And communication is the best way to get, or to offload things, you
15 know, things that run around in your head, and as you've probably noticed he likes to talk
16 and he talks and that's his way of helping himself to clear the decks, you might say. But to
17 also voice what he's feeling and how he's feeling, and that in itself, communication in itself,
18 just being able to show love and accept love from those around him, from his children,
19 from his mokopuna, to be accepted as Harry, who he is, you know, by people, you know,
20 anyone, by, well, by my -- our crews, you know, through the church, through the people of
21 the church, they just know him as Harry, you know, and they accept Harry as he is, as we
22 all do, and so for him, you know, I think that is a big step forward for his Wairua, for his
23 hinengaro.

24 **MS NORTON:** We have heard some significant events that happened in the various secure units
25 that Harry was placed in. We've heard some fairly compelling things that happened to him
26 within those secure units. Do you want to comment on whether or not he's been impacted
27 by his time in those secure units?

28 **MARIE TUTAHI:** Yeah, for sure, when I first met Harry he had to have a light on in the house
29 and I thought that was pretty strange because everybody in our house sleeps with the lights
30 off but he always had to have a safety light on in the house. And when I asked him about
31 it, it was - it- was some time before he told me he was afraid of the dark. And I didn't
32 understand it then because I didn't know what his journey had been before I came along and
33 it wasn't until I knew that that I understood that, you know, these things, he's been carrying
34 on his shoulders for a long, long time and yeah, so the lights, being in an enclosed space so

1 he doesn't - he gets claustrophobic, if there's too many people in a room- he becomes really
2 uncomfortable and anxious. If people ask him direct questions he has to, you know, he
3 takes a step back and you have to repeat yourself because he's not sure if you're accusing
4 him of something or if you're actually just asking a question.

5 And those types of things I believe are what has come from him being in State care,
6 being in prisons, being incarcerated. Because you don't get the opportunity to be spoken to
7 like you and I might have a conversation. You're directed, you're ordered, you're
8 questioned, you're told that you've done something wrong and, yeah, so all of those are the
9 things that have come out of him being in prison.

10 **MS NORTON:** Are you two aware of the historical claims process for survivors?

11 **MARIE TUTAHI:** Yes.

12 **MS NORTON:** Has Harry ever made a claim against the State?

13 **MARIE TUTAHI:** He has made a statement, yes.

14 **MS NORTON:** Is that the statement to the Inquiry?

15 **MARIE TUTAHI:** Is that the one done by the Social Welfare or Department of --

16 **MS NORTON:** They were paying compensation to survivors --

17 **MARIE TUTAHI:** Oh, no, he's never--

18 **MS NORTON:** -- of State care.

19 **MARIE TUTAHI:** He's never received any compensation.

20 **MS NORTON:** Is there a reason for that?

21 **MARIE TUTAHI:** Well, we went through the process of having the interviews and we haven't
22 heard anything back.

23 **MS NORTON:** You filed an application under the historical claims process --

24 **MARIE TUTAHI:** Yeah.

25 **MS NORTON:** -- to get compensation --

26 **MARIE TUTAHI:** Mmm.

27 **MS NORTON:** -- but you've never heard anything back?

28 **MARIE TUTAHI:** No.

29 **MS NORTON:** When did you file?

30 **MARIE TUTAHI:** About the same time we started to see you.

31 **MS NORTON:** What took you so long to make a claim?

32 **HARRY TUTAHI:** What took me so long is I didn't know back then, but what happened
33 was - actually-, what really happened was I was actually looking on Facebook one day and
34 I started seeing things about the Royal Commission and I started, because some of them

1 were putting their stories up and I thought, oh, yeah, something like that happened to me, so
2 then I started talking to Marie about it and then it went from there. And then I think I
3 had -- when I had my first interview with the Royal Commission, they put us - sort- of said
4 something about us, I said, okay, then, and went through that way. I think that's what
5 happened, yeah.

6 **MS NORTON:** How long ago was that?

7 **HARRY TUTAHI:** A few years, eh?

8 **MARIE TUTAHI:** Three years.

9 **MS NORTON:** You put in your claim three years ago, have you had any contact from anybody at
10 the Ministry of Social Development?

11 **HARRY TUTAHI:** Not me, not me, not me.

12 **MS NORTON:** Nobody's got back to you in three years.

13 **MARIE TUTAHI:** Oh yeah, we got -- we've probably had an e-mail once a year.

14 **HARRY TUTAHI:** Oh, did you?

15 **MARIE TUTAHI:** Yeah, but they don't say anything in it, it's that the Inquiry was ongoing and
16 they haven't formalised a decision or anything.

17 **MS NORTON:** Do you think that's an acceptable amount of time, three years?

18 **MARIE TUTAHI:** Too long.

19 **HARRY TUTAHI:** They must be ringing your phone.

20 **MARIE TUTAHI:** No, they didn't ring, they wrote, yeah.

21 **MS NORTON:** I want to talk about an incident in 1998, and that was a time when money was
22 tight, you were both struggling and actually, Marie, you left him, you took the kids and you
23 left Harry, and Harry had a breakdown. Can you talk to us about that and do you think his
24 time in care had any impact on him having a breakdown.

25 **MARIE TUTAHI:** Yeah, I definitely think that his time in care had a big impact on his
26 breakdown. We were working and living in Petone then, and Harry wasn't able to hold a
27 job for long. He would get jobs, but then he would stop going or, you know, he'd feel like
28 the boss is picking on him or stuff like that. So he was no longer working. I was the only
29 income coming into the house and it was maybe the third or fourth time that this had
30 happened and quite frankly I was over it and I didn't want to have to put the kids through
31 that again.

32 So I packed up the kids and we left. Harry didn't know that, Harry was not at home
33 at the time. So when he came home he came home to an empty nest, we had gone. And we
34 hadn't gone far, we'd gone to stay with other whānau. And yeah, everything fell apart for

1 him from there on. His sister stepped in and, because I spoke to her about it. So she went
2 and helped Harry move out of the house. She moved him - in- with him because he was
3 unable to survive without anybody else there. He needed other people to be in his life then.

4 **MS NORTON:** He needed you?

5 **MARIE TUTAHI:** Yeah, he needed support.

6 **MS NORTON:** So do you think that Harry is dependent on you? Actually, I'm going to qualify
7 that question because I am going to take it back a little. What we've heard Harry say is that
8 he's had a traumatic time in care, that he's never considered going into therapy, he's never
9 considered doing anger management or counselling to help him process that. So do you
10 think that you've been his rongoā.

11 **MARIE TUTAHI:** Yeah. In a good and a bad way, yeah. I hope that I teach him to be more
12 independent, to stand up for himself, to be able to do things and to get out there and be him.
13 But in some ways it's quite the opposite, so he depends on me to make decisions, life
14 decisions, decisions about where we might live, who, you know, how we might make an
15 income, how to pay the bills, all of that is still on my shoulders, he still depends on me to
16 do that, all the details, yeah.

17 **MS NORTON:** And we've heard Harry say that he never had a relationship with his father. And
18 as a consequence he didn't know how to be a father. Do you want to comment on Harry as
19 a father and what the difference has made on him having children.

20 **MARIE TUTAHI:** Yeah, he didn't have that person to show him how to be a -- what dads do, this
21 is what dads do. The only - his- father, the only thing that he learned from that is that when
22 you get paid on pay day you go out and you get drunk, you spend all the money and then
23 you come home on Monday when you've got nothing else. That's what you do. And so
24 that was how he was living his life. But when he became a father, that changed quite
25 dramatically, because he wanted his children to have everything that he didn't have and so
26 that was his goal in life I guess, was to give his children all the attention, all the love, all the
27 practical things that they could ever want. That's what he wanted for them. So yeah, it was
28 quite the opposite of his own upbringing.

29 **MS NORTON:** And do you think he succeeded in that?

30 **MARIE TUTAHI:** Oh yeah, yeah, he's successive(sic), yeah.

31 **MS NORTON:** Is there anything else that you want to comment on in terms of impacts on Harry
32 because of his time in State care.

33 **MARIE TUTAHI:** Yeah, there's nothing anybody could do or say to take that time back, to give
34 back what State care took from Harry, nothing could do that. He never got to experience

1 the love and the awhi of whānau, of his own whānau, of other whānau, other whānau, you
2 know, the State care whānau, but not from his own and that shouldn't have happened. The
3 Government shouldn't have been able to move in and take that away. It's a loss of a
4 generation, you know?

5 So moving forward I hope that it looks a lot better for people who are in State care.
6 I hope that they don't lose touch with who they are, with their culture, with their whānau,
7 with their whakapapa, because those are the essential things that you need, those are the
8 essential things that you need to be able to move through life.

9 **MS NORTON:** When Harry came to you, he did not have whakapapa, he did not have culture, he
10 had none of that. What was the -- what do you think the impact of that was on Harry and
11 you as a couple?

12 **MARIE TUTAHI:** It was strange for me because I wasn't brought up in that way, so whakapapa
13 is always something that is shared amongst whānau. We know each other, we live on each
14 other's doorsteps. We're the "have you got 20 bucks" kind of whānau, you know? We're
15 like that. We have good relationships with our children and with our mokopuna. But for
16 Harry, he's like - a- huge gap, you know, he's missed that whole thing. But yeah, that was
17 then, this is now.

18 **MS NORTON:** You've always had that, what's been the effect on Harry of having that in his life
19 because of you?

20 **MARIE TUTAHI:** Richer, I would have to say. He knows all my whānau, he knows my whānau,
21 he knows my Ruatoki side, he knows my Taranaki side, he knows these whānau because
22 I made him live with them, you know? And that's the only way to learn is to be amongst
23 them, live with them, find out how they tick, you know? But with his own whānau, yeah,
24 his - we're- trying to get that back now. So he's having a closer relationship with his
25 mother's whānau who are from Ruatoria from Tuparoa. So that connection through our
26 daughters actually, our babies, who have formed a close relationship with them is bringing
27 us together, and we still have Harry's other side, his Tauranga Moana side. So yeah, those
28 things are coming together slowly but surely.

29 **MS NORTON:** Kia ora."

30 (Second video).

31 **MS NORTON:** "In this section we talk about redress and what redress looks like to you both. A
32 lot of the kōrero that has come from survivors is that perhaps one of the greatest impacts of
33 their time in care is the disconnect from whānau, culture and whakapapa. So that leads me

1 to my first question to you both. How can the State reconnect survivors back to whānau,
2 culture, whakapapa?

3 **MARIE TUTAHI:** I don't believe that they can. I think that it's better if it's done with the iwis,
4 that power is given back to the people, to the Māori people to help those people who were
5 in care to connect with their whānau. I don't believe the Government can do that. They
6 might provide the means or the pūtea (the funding) in order for it to happen but I don't think
7 there's any way that the Government will be able to fix that. They need to use, you know,
8 they need to use the resources that are there, which are Māori for Māori.

9 **MS NORTON:** And Harry, how do you think that iwi can help survivors? Do you have any ideas
10 about that?

11 **HARRY TUTAHI:** Iwi, how can they help survivors? Try to help to reconnect them with their
12 whānau and show them their culture, where they're from.

13 **MS NORTON:** Well, I'm thinking of Marie for you, how she was able to help you with your
14 culture, finding your culture, do you think that iwi could do a similar thing for survivors?

15 **HARRY TUTAHI:** Yeah, yeah, yeah.

16 **MS NORTON:** I want to share an experience with you, Harry, and you talk about it in your
17 statement. It's at paragraphs 142 to 143. When you went to Christchurch you were
18 drinking with your sister and she hit you and your daughter called the Police and you ended
19 up in the Police cells.

20 **HARRY TUTAHI:** Yeah.

21 **MS NORTON:** What happened next, can you talk about that?

22 **HARRY TUTAHI:** From the beginning?

23 **MS NORTON:** Yeah, start from the beginning if you want.

24 **HARRY TUTAHI:** My wife Marie, we got a job, she got a job relocation to Christchurch, so we
25 moved down there, on that same weekend, when we got there we unpacked and my sister
26 and I and one of my friends we had a couple of drinks, and then I got into an argument with
27 my sister and then she hit me and then my daughter called the Police and then the Police
28 turned up, and instead of taking her away, they took me away. They took me into custody.

29 I went to court and I thought -- they took me into custody for the whole week and
30 I went to court and I got bail and when I had to reappear in court that day Marie and the
31 kids come along and I was going up for sentencing, and when I went into the dock, he
32 started talking to me at first, the judge, he started talking to me and then he says, "I'm really
33 impressed with you", and then I sort of looked around and looked around, I was looking at
34 people in the thing, and I thought, "What's he going on about?" And he goes, "I'm really

1 impressed with you from where you've come from to where you've got to now", and he said
2 that he had gone through my files and I said, "Oh, okay", and I was just looking around and
3 he goes, he goes, he just goes to me what he was going to do was just give me a 12 months
4 suspension if I didn't come back and it wouldn't be on record. Yeah.

5 **MS NORTON:** And how did that make you feel?

6 **HARRY TUTAHI:** Me, I got the biggest shock because that's never happened to me before.

7 When I've come up against court, I've always been put away. And that's what more or less
8 he was saying, that's what was happening to me, and just looking at my record and not even
9 really reading it, he just put it back. I was just really impressed with that.

10 **MS NORTON:** What sort of effect did that have on you?

11 **HARRY TUTAHI:** Pardon? Oh, and I never appeared in court again.

12 **MS NORTON:** It had a profound --

13 **HARRY TUTAHI:** Because he gave me that one chance. Because really I should have just gone
14 straight back because of my history, doesn't matter what, and that's why I worry about
15 getting in trouble because I know that's where I'm going to go.

16 **MS NORTON:** Every other court appearance had been a bad experience, but this was the first
17 time that it had actually been a good one.

18 **HARRY TUTAHI:** Yeah.

19 **MS NORTON:** Is that what you're saying?

20 **HARRY TUTAHI:** Yeah, it was the first time I've actually ever come up against a judge that ever
21 bothered to even look at my record and go through my history. And I think he could see
22 the patterns within my record, what was really happening to me, yeah. And that's the first
23 time it's ever happened to me.

24 **MS NORTON:** And can you read the first line at 143, can you read the first line of your statement
25 at 143?

26 **HARRY TUTAHI:** "This was the first time in my entire life that I've ever been treated with
27 dignity, respect from someone in authority. I felt the judge had read my life, - my- files and
28 he understood me without judging me because of my past. The way I was treated that day
29 had a profound effect on me. I have never appeared in court again."

30 **MS NORTON:** Is that the attitude that would be helpful to all survivors?

31 **HARRY TUTAHI:** I think that would be, because to me a lot of people that have been through
32 that it's probably the same scenario as me, more or less, you're just in and out, in and out,
33 and that's what, back in those times, was - that's- all they did was put you in there, let you
34 out, put you in.

1 **MS NORTON:** Is there anything that you want to add to that whakaaro (to that thought).

2 **MARIE TUTAHI:** Yeah, I think, you know the old saying: Don't judge a book by its cover. And
3 in this case it was true for Harry. His files hadn't been read or, you know, they just take one
4 look at him and think, "Oh no, he's a bad egg, we'll put him back where he belongs."
5 I remember a policeman saying - Harry- hadn't been in trouble for maybe 20 years and the
6 policeman's answer to that was, "Oh, he probably just hasn't been caught."

7 So it's those kind of stereotypes, those kind of comments that make you think, you
8 know, are they - are- these people really the right people to be in those positions, because
9 they're there to protect everyone, even Harry. So why do you look at him and see
10 somebody else, you know?

11 **MS NORTON:** Harry, you have described serious abuse, serious punishments, and belittling,
12 derogatory remarks, put downs, all of that during your time in care. You have described
13 one police officer, a Mr Nuku who, in your words, you said, "He made me turn my life
14 around." How important was Mr Nuku to you in terms of your time in care?

15 **HARRY TUTAHI:** Mr Nuku? He was important because he was the one that helped me gain
16 some experience and give me some little tools to help me not to come back inside and he
17 saw something in me, that's what he said to me, he said to me, "There's something
18 about" -- when he stopped me, "There's something about you" but he couldn't work it out.
19 But I think he worked it out in the end.

20 **MS NORTON:** Mr Nuku?

21 **HARRY TUTAHI:** Yeah.

22 **MS NORTON:** Can you say, in your own words, what it was about Mr Nuku that was good, what
23 was good about him to you?

24 **HARRY TUTAHI:** What was good about him to me was I think he recognised something in me
25 and it was him that I think got me to get off - to- do all those things, like work experience
26 and that, yeah.

27 **MS NORTON:** You tell a tale of being released from prison and having no supports at all.

28 **HARRY TUTAHI:** Yeah.

29 **MS NORTON:** No one who met you at the prison gate, no one who showed you what to do.
30 How can the State make that different for people in prison coming out into society?

31 **HARRY TUTAHI:** I think the way they can make that better is bring in training things within the
32 prison to help skill them to adapt to life, especially ones that have been going in and out,
33 sometimes I think they forget about the ones that have been going in and out, they work on
34 the ones that only go there -- but the ones that have been going in and out for years are still

1 in the same cycle and to me they haven't had that training, given those tools to survive, so
2 that's the only thing they know. And it's trying to change up here in them. And that's a lot
3 of work. But that's the kind of training I reckon they should do before they get out. Not
4 just a couple of months, maybe half a year or a year, because some of them in that cycle
5 have been doing it for years and that's a hard cycle to break.

6 **MS NORTON:** You say that during your 11 years in State care --

7 **HARRY TUTAHI:** Yeah.

8 **MS NORTON:** -- that you did not see whānau, you did not get a letter, you did not get a phone
9 call, and you said earlier that you think that was the State's fault.

10 **HARRY TUTAHI:** Yeah.

11 **MS NORTON:** What role should the state play in ensuring that children in care maintain those
12 relationships?

13 **HARRY TUTAHI:** The main thing I reckon in that with children in care is keep them with their
14 whānau, keep the connection with their whānau from day one they're in there, because from
15 my experience and being there, I did go to one foster home but they're not your whānau.
16 So there's no connection there, but I reckon with kids in that sort of care they should be
17 with their whānau, no matter who it was, so some connection with their whānau all the
18 time.

19 **MS NORTON:** Who's better to do that, is the State better to do that or iwi, hapū?

20 **HARRY TUTAHI:** Iwi and hapū, because they understand Māori children, and their values and
21 that.

22 **MS NORTON:** Do you want to finish a comment on that, Marie?

23 **MARIE TUTAHI:** Yeah, I'm much the same way thinking as Harry. Pākehā cannot understand
24 Māori because they're not Māori, so I believe that Māori are in a better space to understand
25 their own and their own culture. Yeah, that's all I have to say.

26 **MS NORTON:** Okay, at this point there's only one more question that I have and that was the one
27 that we spoke about earlier. What's coming out of the redress whakaaro is that the
28 Government should apologise and that the Government should compensate survivors. Do
29 both of you have a comment on those forms of redress?

30 **MARIE TUTAHI:** The apology, I think they need to accept that they did something wrong.

31 **HARRY TUTAHI:** That's right.

32 **MARIE TUTAHI:** That they are - they- were wrong in their decisions that they made back then,
33 and I think they're not going to be able to move forward until they take responsibility for
34 their action. An apology, yeah, that's kind of a soft touch, but, yeah, an apology.

1 **HARRY TUTAHI:** Yeah, but those two things, what about treatment for the long-term ones like
2 me and others? It's all right giving compensation and that but we're still not going to
3 change, nothing's going to change us unless we get the right treatment. It's just I'm one of
4 the lucky ones that have, but there's others out there that need that ongoing counselling and
5 all that. I don't know whether they get it.

6 **MS NORTON:** Well, I mean, I'm going to use one of your terms, wraparound services. So do
7 you think that the Government has a responsibility to provide wraparound services for
8 survivors?

9 **HARRY TUTAHI:** Yeah.

10 **MS NORTON:** What would those wraparound services look like?

11 **MARIE TUTAHI:** They'd be accessible, they'd be in places that didn't make the survivors feel
12 less, you know, or belittled. You need to shift the - you- need to shift the power, it needs to
13 be in the hands of the survivor and not in the person who's going to, you know, give you
14 the -- whatever the counselling or whatever, it needs to be in the other seat. I think that
15 the - yeah-, that's all I can think of.

16 **COMMISSIONER ERUETI:** Tēnā koe matua, kei te mihi atu ki a koe me o kōrero mai i takoha
17 mai, tēnā koe, e mihi ana ki a koe hoki Marie. (English: Thank you, matua, I want to thank
18 you for what you have shared and to Marie, thank you). We're just going to take a quick 5
19 minute break here to give everybody the opportunity to get a glass of water or make a quick
20 cup of tea and then come back, because I understand, matua, that your daughters there want
21 to provide some comment as well to tautoko your kōrero (to support what you've said). So
22 we'll be back in 5 minutes, kia ora koutou (thank you).

23 **Adjournment from 11.30 am to 11.39 am**

24 **COMMISSIONER ERUETI:** Tēnā koe e te whānau. Nau mai haere mai. We've just discovered
25 we have a technical issue at the other end for our witness, so we're just going to take
26 another 10 more minutes, another 10 more minutes here to make yourself a cup of tea then
27 we'll be right back, fingers crossed, ngā mihi mahana.

28 **Adjournment from 11.39 am to 11.57 am**

29 **COMMISSIONER ERUETI:** Nau mai hoki mai (welcome back) we're back with Matua Tutahi.
30 I'm going to hand it back to Ms Norton, counsel for Mr Tutahi. I understand there are some
31 questions there or comments to be made by Mr Tutahi's whānau. Tēnā koe, Ms Norton
32 (thank you, Ms Norton).

33 **MS NORTON:** To whakakapi (conclude) the kōrero this morning, Marie Tutahi will make some
34 closing comments. Before Marie does, I want to acknowledge their daughters who have

1 travelled from a distance to awahi their father today (to support their father). It's important
2 that you all know Harry has not shared any of his experiences in care with his tamariki, so
3 they have heard this kōrero for the very first time today and they have had to process this
4 themselves.

5 The closing comments are a korowai of aroha (cloak of wellbeing) of Marie and
6 their daughters to Harry.

7 **MARIE TUTAHI:** Kia ora. We have heard Harry's story, a compelling and true story of
8 extraordinary courage and extraordinary resilience. We have heard the circumstances of
9 his childhood, the separation of his parents, his mother's struggle with the stress and strain
10 of raising seven children alone and the eventual decline of her mental health. We also hear
11 the circumstances of Harry's admission into State care, a place that his family were not part
12 of, a place where his culture and identity were of no consequence, a place that was strange,
13 where nothing and nobody was familiar, a place where he would time and time again be
14 abused physically, mentally, emotionally and racially.

15 As a four year old child he would become a ward of the State which would give
16 licence to those in power, those administering the so called care to act, do and treat him as
17 they saw fit. He had no rights, he had no identity, he was little more than a statistic in this
18 world that he was so rudely dropped into. The expectation was that he would be a much
19 better person for it.

20 Well, I can say as his wife and partner of more than 30 years that this expectation
21 was no more than a farce, a lie that you as the State were willing to believe and you were
22 prepared to support those lies for the next 13 years of his life. Help has not been
23 forthcoming for Harry, not in the way that it should have been. You could count on one
24 hand the amount of people who were willing to see past his self-erected walls. He built
25 those to protect what little of himself he had left. You put him into these situations
26 knowing that he would fail. You punished under a system that should never have
27 been -in - that- he should never have been in and then you sit back and you say, "We did
28 the best we could." That's total and utter bullshit. There was never going to be a good
29 outcome for him unless he created it himself.

30 Fast forward to the time after care, after the boys' homes, after jail, what we have
31 now is a man who has been institutionalised for 11 years of his life. He has suffered
32 horrendous physical, emotional, verbal and racial abuse in every institution he has been in.
33 He had been unfairly labelled and marginalised as crazy and a troublemaker. He suffers
34 from undiagnosed anxiety, obsessive compulsive behaviours, autism spectrum disorder,

1 PTSD, manic depressive tendencies. He felt rejection that you and I would never know.
2 He felt unlovable and unable to show love and he doesn't trust easily, which means he
3 doesn't have many friends. He is unable to hold down any meaningful employment and
4 lacks the self-confidence he needs to get through the interview. He is afraid of failure,
5 rejection, and separatism, aided by his anxiety.

6 Where was the help he needed for these things? Who was assessing his true needs?
7 Where are the reports that say: Actually, this young boy doesn't need to be punished, this
8 young boy is suffering from the effects that this system has thrown at him. Where are they,
9 I ask you? I will not call him a victim, he is a survivor in every sense of the word. Our
10 marriage and our children have had to weather the many, many faces of Harry. Suffice to
11 say, he isn't perfect in any way, nor is he perfect in their eyes. I ask you to bear with me
12 and bear witness to what they have to share today.

13 From Hayley: "I've always known my dad to be my greatest protector and my worst
14 nightmare. When he was mad all in the same breath. I don't blame dad for it though.
15 I accepted the fact that he didn't have the life that he and mum worked hard to give us.
16 I also have a fear that when he passes it will be a free for all on my baby sister Hepa and I
17 by the people he protected us from. Dad does struggle with being alone and I can't help but
18 want to be by him when he is. He worries a lot, stresses and barely sleeps. That isn't good
19 for any of his mental health. I'm unsure if it was because of his past trauma, but it most
20 likely is. I know dad would never tell me he loves me, but I can feel it. I see it when he
21 looks at me, he still sees me as his baby. I see the love he has for my own children and
22 I know he would go to the ends of the earth to protect them. That will never go unnoticed."

23 From our baby Hōhepa. "I see myself as a reflection of his younger self and that he
24 hated seeing that history repeating itself by me, e.g. alcohol abuse. He's grown to love me
25 more and more over the years, but he does struggle being alone. He's very open now to
26 speaking his feelings, which is quite different to see, and I'm always here for him to make
27 sure he's good, even if he sends me a novel that I have to decipher. He shows his love
28 through my kids and has made a better koro than a dad and I think that's beautiful to see.
29 He drops everything for his mokos, even his strong stance."

30 Before I read the last story, I feel the need to give you some information. The two
31 stories you have heard come from Harry and my biological children. This last account is
32 from my child who was brought up by Harry and I.

33 "Looking back on my childhood I can see the effects of what his childhood did to
34 him and how that influenced my treatment as a child growing up. Suffice to say I was not

1 treated the same as my younger siblings. As I got older, Harry's attitude towards me
 2 changed. I pushed myself to succeed at whatever I put my heart into which gained me my
 3 independence. Harry started acknowledging me as a person and revelled in my success and
 4 became proud of how far I had come considering how poorly our relationship started out.
 5 He has apologised numerous times over my adult life for his poor lack of judgment and his
 6 treatment of me.

7 I had it hard, yes, but I don't hate Harry and never have. The man he was is no
 8 longer in his eyes anymore. I know he struggles still, but he is nothing like he was when I
 9 was growing up. Harry has come a long way from who he was and has a positive
 10 relationship with my son. He has also earned my trust enough that I feel comfortable
 11 leaving him in his care. There are not many people that I do trust with my son, so that's
 12 saying something. Through no spoken words, Harry has worked hard at building a bridge
 13 in our relationship."

14 To end, you cannot minimise the abuse and trauma that Harry has had to endure his
 15 whole life and the many lives that he could have lived. If he had stayed in his home
 16 environment he may have known who he is, known his identity, been a positive role model
 17 in society, a thriving educator, a doctor, a lawyer, a brain surgeon. The sky's the limit.
 18 Only the reality is who you have heard about today, the person you see before you.

19 My question to you is, how do you give someone back their life? The one you
 20 stole, the one you discarded without a second thought, the one he so desperately tries to
 21 claw back one painful step at a time? Simply put, you can't. But what you can do is lessen
 22 the anxiety, the feeling of failure and the hopelessness. Lessen the pain for him.

23 What I would like to see for him and for all the claimants is that you make available
 24 ongoing monetary support for them, that you pick up the bill for ongoing trauma therapy
 25 and counselling sessions of their choosing, that you address this negative issue that you
 26 created. That is the resolution.

27 To end, Harry has a quote that he has borrowed and he wants to share it with you. It
 28 is: "To truly understand the abuse and the trauma that I suffered, you have to have walked
 29 in my shoes." Nō reira, tēnā koutou tēnā koutou, tēnā koutou katoa (thank you very much).

30 (Waiata: He kākano āhau i ruia mai i Rangīātea and I will never be lost I am a seed,
 31 born of greatnes. Descended from a line of chiefs, he kākano āhau. Ki hea rā āu e hītekiteki
 32 ana ka mau tonu i āhau ōku tikanga. Tōku reo, tōku oho-oho, tōku reo, tōku māpihi maure,
 33 tōku whakakai marihi. My language is my strength an ornament of grace. Ka tū ana āhau,

1 ka ūhia au e ōku tīpuna. My pride I will showt that you may know who I am. I am a
2 warrior, a survivor, he mōrehu āhau).

3 [English: I am a seed scattered from Rangiātea and I can never be lost I am a seed,
4 born of greatness. Descended from a line of chiefs, I am a seed. Wherever I may roam I
5 will hold fast to my traditions My language is my cherished possession. My language is the
6 object of my affection. My precious adornment. My language is my strength an ornament
7 of grace. Whenever I stand I am clothed by my ancestors. My pride I will show that you
8 may know who I am. I am a warrior, a survivor. I am a remnant.]

9
10 **COMMISSIONER ERUETI:** Tēnā koe, whaea. E mihi ana ki a koe, whaea, i tō kōrero i tēnei rā.
11 Tēnā koe, matua. Kei te mōhio he pāmamae ki te kōrero i mua i te aroaro o te Kōmihana, o
12 te tokomaha. Te hoki mahara ki ngā wā o te wā pouri.

13 [English: Thank you very much, thank you whaea, for what you have shared. Thank you,
14 matua, and I know it is painful to share with the Commission, and thinking back to that
15 painful time.]

16 Now on behalf of the Commission I'm going to turn to the Chair of the Inquiry,
17 Commissioner Shaw, to extend her thanks to your whānau on our behalf.

18 **COMMISSIONER SHAW:** Kia ora te whānau Tutahi. It was a great privilege to meet you,
19 Harry, and Marie in 2000 and that privilege is repeated today as we have listened to your
20 extraordinary account, both from you, Harry, and from you in support, Marie. Tēnei te
21 mihi tautoko ki a kōrua mō tō kōrero kaha (I want to support you both in what you have
22 shared today). I will not attempt to summarise what you have said because Marie has just
23 done it and, Marie, you've done a superb job in bringing together the threads that have
24 marked Harry's tragic start and leading to a triumphant end. So thank you for doing that.

25 Harry, we know that your early life with the State caused you and your whānau
26 great and lasting trauma, impacts and damage, which as yet has not been acknowledged by
27 the state, and for which there has yet been no accountability.

28 It is true and you recognise that there is so much healing to be done, and you are
29 right, Marie, that the responsibility for that must lie with the people who caused the
30 damage, and I hope that your attempts at redress finally bear some fruit.

31 But in spite of all of that, Harry, and in spite of the impacts, the crippling impacts on
32 your life of those 11 years of hell that you've endured, you've had extraordinary strength
33 and courage to come along and share. You told me in 2000 that you had told nobody your
34 story, except for Marie, until 2000 and now you've stood here, not only in front of the

1 Royal Commission, not only in front of the whole of Aotearoa New Zealand, but also your
2 close family, and I'm sure it's been a moving and difficult experience for them to listen to,
3 but so important and the fact that you've done that today just shows how courageous you
4 are. Indeed, as the waiata has said, you have come from a line of chiefs and you have
5 demonstrated that.

6 Ngā mihi aroha ki a koe ki to whānau ki a koutou katoa. Tēnei te mihi, tēnei te
7 mihi, tēnei te mihi mahana ki a koutou. (My sympathy and compassion to you, your family
8 and to you all).

9 **COMMISSIONER ERUETI:** Ngā mihi mahana Commissioner Shaw (thank you, Commissioner
10 Shaw). Matua, on behalf of the Inquiry, again, to thank you for your courageous testimony
11 today. So many fundamental themes in your kōrero about, in particular, of great interest to
12 us is the secure, the use of secure, the amount of time tamariki spend in secure and the
13 impact, the longterm impact it has on their lives and their whānau lives. Counselling,
14 access to counselling, proper support for anxiety and anger management and, of course,
15 support for those who are making claims for redress against the State to ensure there's
16 proper advice and support provided. So ngā mihi nui ki a koe me to whānau (thank you
17 very much to you and your family).

18 Ms Norton, ka mutu kapa? (Ms Norton, are we concluded?) Kapa, okay. Kua tae
19 tātou ki te mutunga i tēnei wahanga. Ko te kaiwhakaatu e whai ake nei, ka tīmata ake - he
20 aha te taima (we have reached the end of this part. The next witness will- -) We've got 15
21 more minutes before our next witness, so we'll- take a 15minute break now and then
22 resume with our first witness, Ms Whaea Kotara-. Tēnā koe (Thank you).

23 **Adjournment from 12.17 pm 12.33 pm**