

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

**Under** The Inquiries Act 2013

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

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

**Counsel:** Mr Simon Mount QC, Ms Kerryn Beaton QC, Ms Ruth Thomas, Ms Lucy Leadbetter, Mr Michael Thomas and Ms Kathy Basire for the Royal Commission  
Mr Gregor Allan, Ms Sandra Moore and Mr Vaughan Dodd for the Crown

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

**Date:** 18 July 2022

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**TRANSCRIPT OF PROCEEDINGS**

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22 **Adjournment from 3.29 pm to 3.48 pm**

23 **COMMISSIONER GIBSON:** Mr Thomas.

24 **MR THOMAS:** Thank you Commissioners. We've got a brief scene setting video for Homai  
25 before we start with the next witness, Jonathan Mosen. Thank you.

26 **[Video played]**

27 **MR THOMAS:** Thank you Commissioners.

28 Jonathan, first of all, can you hear me okay?

29 A. Yes, I can.

30 **Q.** Great. Perhaps if we have the affirmation now from Commissioner Gibson.

31 **JONATHAN MOSEN (Affirmed)**

32 **MR THOMAS:** Thank you. Just to let the Commissioners know, Jonathan's very happy to take  
33 questions during his evidence.

1 I also wanted to acknowledge that he's supported today by his daughter, Heidi,  
2 who's here in the public gallery, and she's travelled here to support him, so I just wanted to  
3 acknowledge that.

4 **QUESTIONING BY MR THOMAS:** Jonathan, can you start off by telling us a bit about  
5 yourself and your background?

6 A. Yes, tēnā koutou katoa, my name is Jonathan Mosen, I'm 53 years old, currently I'm the  
7 Chief Executive of Workbridge, one of the few disabled chief executives at all let alone in  
8 our sector.

9 I went to Homai College from 1974. I'm married to Bonnie, I have four children,  
10 and I do want to acknowledge the Commission for its compassion and the care that it's  
11 taken throughout this process, it feels good to finally be heard.

12 I also want to acknowledge my family, and finally, I want to acknowledge the  
13 caring, teaching profession, many of whom set me up for success as a blind person. It's  
14 such a shame that a few bad apples spoil the legacy, but it doesn't change the fact that you  
15 made a difference and I'm sure that this evidence is as difficult to hear as it is for me to  
16 deliver.

17 **Q.** Thanks Jonathan. Do you want to tell us about what early home life was like for you?

18 A. I'm the youngest of five siblings and I have an older brother who's blind, so the  
19 combination of being the second blind child and number five meant that my parents really  
20 allowed me to be a kid. So I would zoom around on my scooter outside and I used a  
21 technique called echolocation so that I could whizz down this pathway in the house. If you  
22 went too far you smashed into the rose bushes, and if you didn't go far enough you hit the  
23 side of the house; you had to turn the corner at just the right time. And I got really good at  
24 echolocation, it's an amazing skill.

25 So I was well -loved, well protected and I think what was really amazing about my  
26 parents, who were not wealthy people, was that they bought a house close to the school for  
27 the blind so that I could go to school at night and come -home - go- to school during the  
28 day and go home at night just like my other siblings.

29 **Q.** Thanks Jonathan. I take it your parents, you acknowledge in your statement that they made  
30 a big sacrifice in order for you to be able to live near the school?

31 A. Yes, it was a huge deal for them to have done that, and I often wonder really what would  
32 have become of me if they had not done that, if I'd ended up boarding at Homai, I think the  
33 whole trajectory of my life would have been completely different.

34 **Q.** Are you able to tell us a bit about how blind children are mainstreamed these days?

1 A. Yes, these days blind children go to their local school, and in principle I think that's a very  
2 positive thing. Family relationships are so important, and if you're living at the other end of  
3 the country and you leave your parents and your family at the age of five and head off to  
4 Auckland, it's a huge wrench and I know that it caused all sorts of dysfunction among  
5 families, and so it's a big deal.

6 The challenge of course, and it really, I think, is quite similar, in some ways, from  
7 what Deaf survivors have been talking about; is that when you're a blind child, you're  
8 dealing in an alternative form of literacy, that is to say braille. And so your average  
9 classroom teacher is not braille literate. So if you're going to give blind children the same  
10 opportunities as sighted children, you've got to invest a lot to make sure that there are  
11 sufficient braille literate teachers getting sufficient access to those blind students.

12 And I often feel like, certainly in past years at least, braille has been rationed so that  
13 it's only available to the most capable, or the most blind of students and there's not been a  
14 lot of consideration of prognosis. In other words, a kid may have very good vision at the  
15 moment, but if the medical prognosis is clearly that they're not going to have that vision  
16 when they're adults, you're setting them up to fail, not teaching them the skills of blindness  
17 at the earliest possible opportunity.

18 Q. Thanks Jonathan, I'll just remind you just to try and keep your pace a little bit slower for the  
19 stenographers.

20 A. My apologies.

21 Q. That's okay, thank you. And thank you for that explanation. Can you tell us a bit more  
22 about Homai, how it was funded and what the classrooms were like there when you  
23 attended?

24 A. My understanding is that Homai was funded by the Department of Education, as I believe it  
25 was called then, and operated by the Royal New Zealand Foundation for the Blind, as it  
26 was when I was at Homai. The classrooms were small groups of blind people. There were  
27 probably usually six, seven, eight students to a class. And one of the reasons for that was,  
28 well, we're a low incidence population, but also the Perkins Braille machines that we used  
29 to use in those days were very noisy. So you don't want 20 or 30 blind kids brailleing away,  
30 the decibel level would have been through the roof. So the class sizes were small, and in  
31 that respect that may have been an advantage in terms of the quality of education that blind  
32 children received, if they were being taught by capable, safe teachers.

1 **Q.** Thank you. Although you weren't boarding at Homai yourself, other children, a lot of other  
2 children were. And you had friends who were boarding and so you have some  
3 understanding of what it was like for them. Do you want to mention that?

4 **A.** It was difficult, I think. We used to have some kids that I was friendly with home for a  
5 home cooked meal, and I know those students appreciated that. It was a difficult  
6 environment for many, and particularly as they got older. There were incidents that  
7 I became aware of as a child, and subsequently when people talk about the subject, perhaps  
8 in a safe place among one another, there were examples of rape, student against student;  
9 there was sexual abuse of the same gender at nights when the lights went out. And  
10 sometimes students, I have been told, sought to raise those issues and were not given  
11 adequate redress and they were not investigated appropriately.

12 **Q.** Yes, and we'll come to some of those a bit further on in your statement again. Before we  
13 do, for kids that boarded at Homai, you talk about letters they received from their families.  
14 Can you tell us about that?

15 **A.** Yes, it was an extraordinary thing. Some parents or extended family members would write  
16 letters to the children who were boarding and they would be read out in the classroom in  
17 front of all the other kids. And it was actually something that some of us really looked  
18 forward to, because it was almost like a soap opera, we got to know all the machinations of  
19 various families. And I can still remember the nicknames that certain kids at the school  
20 gave their grandparents and little details like that. I can remember all the siblings of a  
21 number of the kids at school that I went to school with, because those letters were read in  
22 front of the whole classroom, so again six to eight children. And I'm not aware that there  
23 was any seeking of permission to read those letters or anything like that. I do wonder why  
24 some of those letters weren't read in private by the hostel staff and maybe sometimes that  
25 happened. But in many cases it did not.

26 **Q.** Yes, so as far as you're aware, children weren't asked whether they'd like this to happen, it  
27 just happened?

28 **A.** Yes, I'm not aware of any permission being sought.

29 **Q.** You talk about deaths occurring at Homai. Are you happy to talk about that?

30 **A.** I'm willing to talk about it.

31 **Q.** Thank you.

32 **A.** We have a number of medical conditions that cause blindness that can sometimes also  
33 cause other medical complication, Retinol Blastoma is one, but there are a number of

1 others. And I can by name several people who died while I was at Homai, including my  
2 first best friend.

3 And it may have been that there were some sort of counselling offered to the  
4 students who were boarding, because the children who died, I remember, were all, I think,  
5 boarders. But as a, certainly as a day student I was not given any kind of consideration,  
6 even though teachers were well aware that this child I'm thinking of in particular and I used  
7 to hang out in the playground, do a lot of things together. I would go over to the hostel,  
8 sometimes the junior boys hostel where he was, he would come over to our house.

9 So we were very good friends and everybody knew it. But when he died there was  
10 just nothing for me. And it was just mysterious to me; sometimes kids take a while to  
11 understand what death actually is. One minute he was there, and then he was away sick,  
12 and then he died. And I missed him and there was just nothing, nothing at all in terms of  
13 helping to deal with that.

14 **Q.** Just to place this, how old would you have been around that time?

15 **A.** Maybe seven or eight.

16 **Q.** And there was no sort of recognition in the classroom or marking of the death?

17 **A.** He was in a different class from me, but there was certainly no wider school recognition  
18 that I recall.

19 **Q.** You talk about the attitude of teachers at Homai to echolocation, which you've already  
20 mentioned. Can you tell us what the attitudes were to that?

21 **A.** It wasn't customary in those days for children to be given a white cane early. And so a lot  
22 of us used to wander around the junior playground without any kind of cane and just play  
23 around, and I used echolocation because I've always used echolocation. And I remember  
24 being reprimanded severely for using echolocation, even though it was helping me  
25 understand my environment and my surroundings.

26 And I think what happened was that teachers believed echolocation to be a form of  
27 a blindism, in other words some people rock, some people stim. I guess you get so famous  
28 like Stevie Wonder they let you get away with anything, but not kids at Homai. They were  
29 trying to say "you can't do those things because if you want to succeed in the sighted world,  
30 people will think you're odd if you rock and stim", and I get that, but they included  
31 echolocation in that category.

32 And when we were reprimanded for using it, I felt like it was depriving me of  
33 legitimate access to information; because I could tell how close walls were, I could tell  
34 when I was coming to an open door, just by clicking my tongue and making little sounds or

1 clicking my fingers. And so it really felt like part of my cultural identity and functionality  
2 was being denied.

3 And what was extraordinary to me was that a couple of years after I recall being  
4 reprimanded for that, we had the Chairman of the board of the Foundation come out to  
5 Homai who was blind and he was using echolocation. And I kind of thought well, what's  
6 up with this? So it validated my view that echolocation was a legitimate tool. And sadly, I  
7 have heard so many people who have watched documentaries on TV about this amazing  
8 blind man in America who rides bikes and does all sorts of things with echolocation and  
9 "isn't that incredible". And I have to tell people yeah, that's the thing that we were punished  
10 for doing as a kid.

11 **CHAIR:** Could I just ask a question, Jonathan, you've used the word "stim".

12 A. Yes.

13 **Q.** I suspect that stands for something, I think I know what it means, but I think you should  
14 perhaps explain to the rest of us.

15 A. Stimulating, so you would, for example, people put their fingers in their eyes; rocking is  
16 also a form of stimming. They think because your visual cortex isn't very busy if you can't  
17 see, you create other sensations by doing these things, rocking, poking your eyes, that sort  
18 of thing.

19 **Q.** So it's short for "stimulation"?

20 A. Yes, my apologies, into the jargon.

21 **Q.** That's fine, thanks for explaining it.

22 **QUESTIONING BY MR THOMAS CONTINUED:** Thank you Madam Chair.

23 Jonathan, thanks for explaining that. I was going to move to the next part of your  
24 statement now, which is physical abuse you suffered at Homai, primarily by one of your  
25 teachers, Mrs Buist. Can you start by telling us about punishment for spelling?

26 A. I don't think that that was particularly extraordinary for the time, but it did make me fearful  
27 of her. When I started at Homai we had a wonderful teacher who was so kind and she  
28 would make up all kinds of songs, and just going to school was a joy and she taught us so  
29 much, and we would go on little trips and all sorts of things. And I loved school.

30 And then in 1977 I was moved from the junior classes to the senior classes and  
31 Mrs Buist was my teacher. And the first spelling test we had, it was clear that things were  
32 very different. We would be given a list of words, she would give the list of words, we  
33 would braille them down. She would then come and mark the list of words, and she would  
34 have a ruler, or if she didn't have a ruler there would be her bare hand. And if you got an



1 answer wrong, she would smack your hand at least once and often three times. I remember  
2 so clearly her saying "no, no, no", and a whack with every "no" for getting a spelling word  
3 wrong.

4 Some of us got on to the idea that maybe we could sort of sit on our hands or keep  
5 our hands under our desks when the spelling marking was going on, but if we did that she  
6 would actively seek to retrieve them and smack your hands anyway.

7 **Q.** What sort of impact did that have on you, I guess in relation to spelling first?

8 **A.** Well, I was just frightened witless of her really, in every respect. She was just -- it  
9 was -- school became a frightening experience. I'm not sure what's achieved by punishing  
10 somebody for not understanding how to spell a word.

11 **Q.** An incident happened following that in relation to swimming; are you able to talk to us  
12 about that?

13 **A.** Homai had a wonderful indoor swimming pool facility, and it was heated so you could use  
14 it a lot longer than most swimming pools. And our class would go swimming on a Monday  
15 and Friday, and we'd go in there. I was quite happy to do backstroke and things like that.  
16 But one thing that I really was fearful of, for some reason, was reluctant to do, was put my  
17 head completely under the water. And I've often wondered why and I think it might have  
18 been that my congenital blindness also comes with a built-in hearing impairment,  
19 absolutely free -- I'm waiting for the steak knives now. And I think that when I put my  
20 head underwater it probably was more difficult to clear my ears than for most people, so  
21 that may have been it. But whatever the reason, I was genuinely frightened of putting my  
22 head under the water.

23 And I was left alone really, and I enjoyed swimming as long as I didn't have to put  
24 my head under, and nobody seems to mind. Increasingly there was this gentle, I say,  
25 pressure to put my head under, "why won't you do it?" I just said "I'm frightened of doing  
26 it" and they kind of left me alone.

27 But one day Mrs Buist came into the swimming pool. That was unusual because  
28 she didn't usually, they had a teacher who would go into the pool, but she would usually sit  
29 on the side and observe, and I guess she would be in a position to leap in if there was any  
30 sort of difficulty. But at the beginning of the lesson she came in and spent a lot of time  
31 with me. And because of the way I felt about her yelling and abusing people, hitting all the  
32 time, I was really frightened by this. And then she started trying to persuade me to put my  
33 head under the water. Because it was her doing this, I really started to panic, and just got  
34 more and more upset.

1           And finally I guess something must have snapped because she said "if you don't put  
2 your head under the water, I'm going to throw you in", which I thought was a weird thing to  
3 say. But it's definitely what she said, because I was in and so was she; but that made me  
4 even more panicky. And then she grabbed my head in both hands and repeatedly  
5 submersed it in water for, you know, it felt like a long time, it may have been only been one  
6 to two seconds, when you are in a panic it's hard to know what time is.

7           But what I do remember is that that really sent me into a state of hyperventilating.  
8 You don't want your head being ducked into water repeatedly when you are  
9 hyperventilating, it's really frightening, and as a young kid I thought she was going to  
10 drown me. I knew that the way to try and stop it was to say "I'll try", but I couldn't get the  
11 words out for the first five or six because I was so upset and hyperventilating that I couldn't  
12 speak.

13           Finally I managed to blurt out "I'll try, I'll try" and she said "that's better", and she  
14 stopped at that point. And I don't remember much about the rest of that lesson, or the day,  
15 or what happened. But I still remember that swishing sound of having my head repeatedly  
16 submerged into water while I was rapidly breathing.

17 **Q.** What impact did that have on you, Jonathan, in terms of your next swimming classes?

18 **A.** That happened on a Friday. And on the Monday I woke up and I was having a major  
19 anxiety attack, I was shaking all over, I was having difficulty breathing in an even way.  
20 And I hadn't mentioned this to my parents, or anybody, and my mother, my dad had already  
21 gone to work, but my mum could see that I was clearly in a state of considerable distress,  
22 and finally managed to coax out of me what had happened. So she marched along with me  
23 to the Deputy Principal's office and confronted him about this. And they agreed that  
24 I wouldn't have to go swimming while they investigated this.

25           I believe that her response was that it didn't happen. And of course when you're in a  
26 swimming pool full of blind kids, who's going to vindicate your story? And I don't know  
27 whether the other teacher saw, she was probably tending to other children, I just don't  
28 know.

29           And so eventually they decided that I needed to go swimming again. I remember  
30 really clearly that Mrs Buist used to read to us in the afternoons just before swimming time.  
31 She was reading us the Lion, the Witch and the Wardrobe, and it was the part of the book  
32 where Aslan dies, the lion. And she finished the story, that chapter, and it was time for  
33 swimming, and I was sobbing. And she thought I was sobbing because Aslan the lion had

1 died. And I tried to explain that I was sobbing because I was scared of drowning and  
2 I didn't want to go swimming, but I couldn't bear to get the words out.

3 I think I went swimming that day, they -- the next time swimming was -- I can't  
4 remember whether that was a Monday or a Friday, but the next swimming time I was back  
5 to the way I was, panicking, having a major anxiety attack. My mother went down to the  
6 Deputy Principal's office again and said "we're back to square one again." And so they  
7 reinstated the exemption from me to go to swimming.

8 After that, it was quite sophisticated I suppose, in a way; she decided to use peer  
9 pressure and psychological abuse on top of the physical; and the next time she said to the  
10 whole class at swimming time, "it's swimming now but Jonathan doesn't have to go with us,  
11 but wouldn't it be wonderful if Jonathan could go with us, let's all plead with Jonathan  
12 to get him to go with us." And she led the class in this kind of child-like "please, Jonathan,  
13 come to swimming with us", and the whole class joined in.

14 Right in the class I had another anxiety attack and let out some sort of noise of  
15 distress which she said "is that a yes, is that a yes?" She was very excited, and I just sobbed  
16 even more. In the end she kind of gave up in disgust and the rest of the class went  
17 swimming, but several times after that she would say "it's time for swimming now but  
18 Jonathan doesn't have to do swimming because Jonathan's special." And I was teased  
19 mercilessly by some children for being a wimp and for not going swimming. And so it was  
20 a whole bunch of things piled up.

21 The other thing that happened too, was I didn't know that this had happened until  
22 I discussed it with my mother when I was an adult, but apparently they sent me to a child  
23 psychologist to find out why I was making up stories. And I don't remember much about  
24 that. I do remember being interviewed by a man I hadn't met before, and he asked me some  
25 peculiar questions, but in my mother's words he basically went back and said "there's  
26 absolutely nothing wrong with this kid."

27 So it made me a very unhappy child, because it felt like I had been subjected to this  
28 abuse by someone in authority and then everybody else in authority who was supposed to  
29 protect me was covering it up and protecting her, and it just -- I guess it sowed an  
30 incredible seed of injustice for me.

31 **Q.** Jonathan, just to be clear; Mrs Buist, she denied the original incident of ducking your head  
32 underwater and there were no consequences for her that you're aware of?

33 **A.** That is my understanding.

1 **Q.** Can you tell us about some other incidents involving Mrs Buist that you talk about in your  
2 statement, such as you mention an incident in relation to a TV advertisement?

3 **A.** Yeah. The Foundation used to use children quite a bit in what they then called the braille  
4 week advertisements. I was friends with a kid who was in one one year and he was -- he  
5 was on a skateboard, he was a really capable, you know, just getting around the place,  
6 doing things. And he was on a skateboard and the line at the end of it was "I did it,  
7 granddad." It was a pretty good ad, actually, because it wasn't a tug at the heart strings ad,  
8 it was this blind kid's being a blind kid thanks to your donations, kind of thing, one of the  
9 better ones.

10 This child also had issues with his bowels and I believe there had been surgery,  
11 various things attempted to deal with that. But one day he lost control of his bowels, and  
12 I remember she mentioned his name and said "your hands are filthy and you smell" and she  
13 yelled it at the top of her voice. And she berated this child in front of the whole class and  
14 then she said "I did it granddad, I messed my pants" in this most kind of sarcastic way.

15 And one of the children actually spoke up and said "he can't help this, Mrs Buist,  
16 he's got this problem" and she claimed "it's all been fixed now" and "don't interrupt" and  
17 she just humiliated him in front of the entire class. It was just extraordinary.

18 **Q.** How old would that child have been?

19 **A.** Eight, nine.

20 **Q.** You decided to write a letter to Mrs Buist following that. Can you tell us about that?

21 **A.** We were all pretty unhappy, well, many of us were pretty unhappy. There were some  
22 people who thought she was a good teacher to be fair, but many of us were unhappy. And  
23 so -- I guess not much has changed -- I suggested we write a letter. And when I look back  
24 on it, I think it was quite a mature approach for -- I think we were 10 by this stage, because  
25 I had Mrs Buist for three consecutive years, and I suggested why don't we write a letter  
26 respectfully requesting a different approach. I don't think I would have used that language  
27 but that's what I was after.

28 And so I believe that someone else wrote the letter, but I presented it to her on  
29 behalf of those who wrote it, including me. And although she was a fluent braille reader,  
30 she asked me to read it and I read it in front of the whole class, and her response was to tear  
31 it up in front of the class. I remember that she got me one on one, she took me into another  
32 classroom that wasn't occupied and said something about "why are you doing this, why are  
33 you behaving like that?" I said, my little 10 year old self said "I guess we were all just

1 feeling depressed" and she laughed and said "depressed? I'm the one who should be  
2 depressed having to teach a brat like you."

3 **Q.** Did writing that letter have any effect on her behaviour?

4 **A.** No, none whatsoever.

5 **Q.** How did you feel about, I guess, trust in authority figures at the school at this point?

6 **A.** I had absolutely none. No-one was protecting us.

7 **Q.** Your mother, I understand, went to the principal and asked for you to be assigned to a new  
8 teacher; is that right?

9 **A.** Yes, I have so much to thank my mum for, my parents for. And I realise I'm very  
10 privileged in that regard because I was a day student and because I had parents who were so  
11 engaged. They respect authority and, you know, if you -- they're the kind of people if you  
12 get a diagnosis from a doctor, it may as well be written on a stone tablet, for her to go up  
13 and say "if Jonathan isn't assigned to a different teacher next year I am going to take this  
14 further, I am going to the Department of Education," that took a lot of guts.

15 **Q.** What happened following that?

16 **A.** I did get a new teacher and he was fantastic. He was a teacher who taught in New Zealand  
17 for another 40 odd years. We would go camping, he reinstated my faith in authority, he  
18 was kind, he would still obviously discipline you because, you know, I was no angel, but he  
19 was a great teacher, a truly great teacher.

20 **Q.** You mentioned your parents had been very supportive and you wonder what would have  
21 happened if they hadn't been?

22 **A.** Yeah. You know, if I had had those panic attacks in the hostel, I don't know -- I simply  
23 don't know whether there would have been staff there who would have said this is  
24 appalling, we have to do something about this. Maybe they would have said you know, this  
25 kid is mentally unstable, and really terrible things could have happened. Because there was  
26 just such trust in authority, and there was no independent redress, nothing that my family  
27 was aware of in terms of seeking some sort of external investigation. So if I didn't have my  
28 parents, and I was relying on those who were also part of the system, I just don't know what  
29 would have happened, and I don't know whether things would have worked out for me like  
30 they have.

31 **Q.** Jonathan, moving to the next part of your statement, you talk about educational neglect and  
32 can you tell us about, I guess, how your thinking on education for low vision children has  
33 changed over time?

1 A. Yeah, there've been lots of theories about how you best educate children with low vision,  
2 and I'm really grateful that I squarely have a foot in the blindness camp. But for those who  
3 have low vision, there was a theory for a long time during the period that the Commission  
4 is investigating where they had these sight savers classes, where essentially they said if you  
5 didn't use your sight you might lose it, it was kind of like a muscle. And medical theories  
6 change over time, that's fine, I guess. But there are people who perhaps have had their  
7 vocational opportunities limited as adults, because the prognosis was clearly that they  
8 would lose further vision and they weren't taught the skills of blindness. So that affects  
9 everything from just getting about safely and confidently in the world, to reading a bedtime  
10 story to your kids, to being able to use the technology that will allow you to succeed in the  
11 workplace, so it has enormous ramifications.

12 Q. And did that thinking at the time around sight savers, did that have specific impacts on  
13 those children?

14 A. Yes, I don't know whether the sight savers concept was alive and well by the time I was at  
15 school. It's interesting that we had blind people and we had partials, meaning partially  
16 sighted, and sometimes there wasn't a lot of mixing between the blind people and the  
17 partials. So it would be good for those who have low vision and have that lived experience  
18 to come forward and share their stories. But I have seen over time people who really have  
19 struggled because they weren't given access to those tools of blindness.

20 Q. You also did take some positives out of your time at Homai. Do you want to touch on that  
21 before we move to the next section?

22 A. Yeah, it wasn't all hell. I got a great grounding in braille. Braille is so important.  
23 I wouldn't have been able to do a lot of the things I've done in broadcasting, just giving a  
24 public speech, processing information, without that grounding that I got in braille, various  
25 other skills of blindness.

26 So that's why I wanted to start my statement by expressing genuine gratitude and  
27 thanks for those professionals who did set me up. I had two wonderful teachers during my  
28 time at Homai and one for three years who made my life a living hell.

29 Q. You, through friends or people you knew at Homai, you became aware of some sexual  
30 abuse that happened which you've touched on earlier in your evidence. Can you talk a bit  
31 about that?

32 A. Obviously this is second hand knowledge, but over the years, you know, it's interesting,  
33 sometimes if you go to these blindness conferences and people have a beer or two or wine  
34 or two these stories of abuse come out; but also over the years people have confided in me

1 because of different roles that I've held. And I know that in the hostels there was abuse  
2 going on of a same sex nature during the evening and night hours, which has had a  
3 profound effect on those on whom it was perpetrated.

4 There was also one particular child who was totally out of control and totally unruly  
5 who raped at least one student. My understanding was that that student sought to complain  
6 about that behaviour and was told by the staff that she should make sure that she wasn't  
7 putting herself in any kind of situation where that could happen and to tell him no ,  
8 essentially, almost as if she was somehow responsible for the rape by not saying the right  
9 things or doing the right things.

10 **Q.** I'm going to move on to the next topic now, Jonathan, your time at Manurewa Intermediate  
11 School. You were mainstreamed at intermediate, and you talk about classmates of yours  
12 who would volunteer to read to you, and there's a particular incident you mention; if you're  
13 able to talk about that?

14 **A.** Yeah, it's the first time I really became aware of being denied an accommodation, although  
15 I didn't have the vocabulary to articulate it that way. I have really fond memories of some  
16 of the kids who kindly agreed to sit next to me and read the blackboard, kind of an early  
17 form of audio description, or maybe read some other printed material to me, and I formed  
18 some great friendships with those kids who kindly agreed to do that.

19 But one time we'd obviously pushed too many buttons for the teacher, the classroom  
20 teacher, this was in Form One. And the next time we had to go into the class, we had to  
21 line up outside and go into the class without talking. And I did that with everybody else.  
22 When I got to my desk, there was a piece of printed paper. So to explain that, in those  
23 days, blind children would use a standard typewriter to type out work that they would give  
24 to the mainstream classroom teacher to mark. It was an interesting practice, because as a  
25 blind child you couldn't read what you were writing. So you'd touch type. Sometimes  
26 you'd write the great magnum opus and find out later that the ribbon had run out, various  
27 things like that, but you would do your best to type out your work and hand it to the teacher  
28 so that the teacher could mark it, because the teacher wasn't braille literate. So when I got  
29 this piece of paper back, I didn't know what it was, it was just a blank piece of paper as far  
30 as a blind kid was concerned.

31 So I thought that it was appropriate, so I could put it in the right folder, was it  
32 science, was it English, what was it? And I simply asked my friend next to me "what is  
33 this?" And he said "it's your English work" or whatever it was. The teacher then said  
34 "were you talking?" And I tried to explain I was just trying to find out what this paper was,

1 and she sent me off to the principal for a strapping, which I did not get, I think they backed  
2 down from the strapping bit. But it was a reprimand and it struck me as fundamentally  
3 unfair that I wasn't kind of passing the time of day with this kid, I was simply trying to  
4 identify what this piece of paper was. And he was there to be my eyes, essentially, and I  
5 was being punished for seeking an accommodation.

6 **Q.** Do you feel that you were being discriminated against in that situation because of your  
7 blindness?

8 **A.** Absolutely.

9 **Q.** Why is that?

10 **A.** Because if I had been able to see the piece of paper, I would have glanced at it, put it in the  
11 right folder, and moved on. The only way that I could find out what the piece of paper was  
12 to ask the question, so it is a very specific act of blindness discrimination.

13 **Q.** You then went on to attend Manurewa High School. What support did you have there?

14 **A.** A lot of support, because this was also the high school that the children, or the young  
15 people from Homai went to. It happened to be my local high school anyway, because my  
16 parents chose to buy the house by the school for the blind. So if I was mainstreamed that  
17 would have been my high school anyway.

18 But because the blind children from Homai were going there, there was a resource  
19 room that had two staff members in it, it was a place you could store books, they might do a  
20 bit of transcribing for you, and it was a kind of homing point, if you like, for the blind kids,  
21 many of whom had known each other overall their lives since school anyway to go and meet and  
22 socialise and congregate.

23 **Q.** At that high school there were some distressing incidents that you talk about in your  
24 statement. Can you tell us about what some other children did there?

25 **A.** Yeah. We went through a phase where there were kids who decided that it was fun to  
26 touch the genitals of the blind kids and run away, knowing full well that the blind kids  
27 didn't know who was doing it. I sought to raise my concern and distress about this and was  
28 basically told "just ignore them, they'll get bored and stop soon." They didn't actually, so in  
29 the end I did a bit of vigilante blind justice, you might call it, and I worked out that if I was  
30 quick enough with my reflexes I could whack them with my white cane before they had a  
31 chance to disappear, and that actually did stop it.

32 **Q.** You talk about accommodation issues at the high school, in 4th Form in particular there  
33 was an incident relating to maths?



1 A. Mmm, so this was an interesting accommodation. To put this in perspective, hard copy  
2 braille is a very bulky medium. The Pocket Oxford Dictionary is in about, I don't know,  
3 26, 36 braille volumes; you'd have to have a pretty big pocket. And the encyclopaedia, we  
4 used to have a world book encyclopaedia at the library at Homai and that took up a whole  
5 room.

6 So we had a maths teacher in 4th Form who would move about the maths book, as  
7 many teachers will, so they would not do it in sequence. And so chapter one, I think, in  
8 those books is always set, it seems to be set. So we did that, and then I think the teacher  
9 went, say, from chapter one to chapter 10, or something like that.

10 So I did the only thing I could think of to do, which was to bring the next volume of  
11 the book, which had chapter two, because I had no advanced knowledge of where the  
12 teacher was going. And it turned out I had brought the wrong volume, because the teacher  
13 had gone somewhere that I wasn't expecting. And so I explained I just need to nip back to  
14 the resource room and get the volume you're working with.

15 The teacher then told me I had to write 100 lines that said "I must remember to  
16 bring the right textbook to class." And I said that I had brought the right textbook but I just  
17 brought the wrong volume because I did the best I could. But the teacher was insistent that  
18 I had to write these 100 lines.

19 So I went to the resource room teachers, who I was sure understood the  
20 predicament, that I was genuinely trying to do the right thing and that I would be let off  
21 these 100 lines, that someone would intervene on my behalf and explain how braille  
22 worked. But again, you know, for me it was like a pattern repeating itself. Those in  
23 authority stuck together and I was told I had to write the 100 lines even though I had not  
24 done a thing wrong.

25 **Q.** There was another incident in relation to a music examination. Can you tell us about that?

26 A. Yes, I was a music student, and we were doing an oral comprehension exam. So the way  
27 that works is that somebody will play something on the piano and you have to write it  
28 down. The way that we typically did this was separately, separately from the other  
29 students, and the reason for that is that again, the Perkins Braille machines that we were  
30 using then are noisy, and if somebody -- if a group of sighted children are trying to  
31 concentrate on writing down a piece of music and you are hammering away on your  
32 Perkins Braille machine, it's not exactly a recipe for how to win friends and influence  
33 people.

1           So I explained to a resource room teacher, who had been away parenting but had  
2 come back, that that's how we do it. The teacher insisted that I had to do it in front of the  
3 classroom with everybody else, and I would not do it, and I said "how about we ask the  
4 music teacher at Homai?" -- who was a great music teacher by the way. And for the first  
5 time that I can recall I actually had one authority figure overrule another, and that music  
6 teacher at Homai said "Jonathan's absolutely right, there's no way you can expect him to do  
7 this in the classroom with all the other students", and the resource room teacher had to back  
8 down.

9           But again, you know, it was such a lottery, if that teacher hadn't chosen to do the  
10 right thing, and side with authority, it would have been another example where proper  
11 accommodations were not provided.

12 **Q.** And you had to advocate for that solution, what do you think about that?

13 **A.** I think I've had an instinct for advocacy since I was very young, as is exemplified by the  
14 letter that we bravely wrote for and about Mrs Buist. So I kind of think it's par for the  
15 course. But the thing that troubles me is that not everybody has those instincts. Some  
16 people find it very daunting, and it shouldn't have to be that way, you know, you shouldn't  
17 have to have that kind of tenacity and willingness to stand up to authority just to get a  
18 decent education.

19 **Q.** You talk about the othering of Homai pupils at Manurewa High. Can you tell us what you  
20 mean by that?

21 **A.** Whenever the blind kids were referred to at assembly or generally by high school staff, they  
22 were called the "Homai pupils", which struck me as very strange, because, you know, I was  
23 a Manurewa High School pupil and I would have been regardless, this is the school I was  
24 zoned in. And so I don't know whether they were just afraid to use the dreaded "blind"  
25 word or whatever, but we were referred to as "Homai pupils". Of course, when I topped the  
26 country in school certificate history and got in the paper, I was a Manurewa High School  
27 student then. But it was a strange thing just to be called a "Homai pupil" all the time, very  
28 peculiar.

29 **Q.** What did you take from that, I guess, as to why it was happening?

30 **A.** I felt like I was not truly one of the high school students, that somehow I was different.  
31 And being different matters, especially at that age. You know, there's a lot going on.  
32 When you're a teenager, for a lot of disabled kids it's a big deal, because kids are doing  
33 things that maybe your impairment precludes you from doing. It could be, like in my case,  
34 driving a car; it could be that, for you, having a relationship is more difficult than for

1 others. You start to think about what career might I have, what will become of me in the  
 2 world, all those things. And then so to have this constantly being referred to as "Homai  
 3 pupils", like we were somehow lesser, was difficult.

4 **Q.** You also were required to do coaching at high school and you resented that. Can you talk  
 5 to us about that?

6 **A.** I think this was an attempt to be helpful. I think this might have been organised by the  
 7 resource room, but I'm not sure. But in each subject you were given this so called - option  
 8 to do coaching where you would have an hour of time on that subject per week,  
 9 one -on -one, with a teacher. And sometimes that teacher was the same teacher that you  
 10 had teaching the subject at Manurewa High, not always though. And I did feel that it was  
 11 an encroachment into our need to get a balance in life, our chance to just be a kid. You  
 12 know, you're at school all day, suddenly you've got these coaching sessions that were held  
 13 at Homai in the classrooms that the kids were doing during the day for an hour, and, you  
 14 know, often I kind of found it - I- found it difficult to stay awake, focus, because I had been  
 15 in school and my mind wasn't really on it.

16 So it was difficult and also I was one of the few children, maybe the only one that  
 17 I know of, who got an after school job. I was working as a DJ in a skating rink, I wanted to  
 18 earn some money and just do things that kids were ordinarily doing, but there was a strong  
 19 expectation that you would do that coaching.

20 **Q.** And that was regardless of your academic ability in a particular subject?

21 **A.** Yes.

22 **Q.** You had to do the coaching?

23 **A.** Yes, and when I was in what we called 6th Form then, I was doing six subjects because I  
 24 was reasonably academic, so that meant six additional hours of schooling essentially a  
 25 week.

26 **CHAIR:** Could I ask a question there, Jonathan. Was that requirement, the pressure on you to do  
 27 the coaching, was that something just for blind students, was it just you, did other people  
 28 get the joy of having coaching as well?

29 **A.** It was the blind students, I believe it was instigated by the resource room for the blind at  
 30 Manurewa High.

31 **Q.** So if you were blind you got extra coaching whether you needed it or not; is that what  
 32 you're saying?

33 **A.** Yes, that's right.

34 **Q.** Okay, thank you.

1 **QUESTIONING BY MR THOMAS CONTINUED:** Why did they have that coaching  
2 requirement, Jonathan?

3 A. I think because they just wanted to make sure that blind kids were succeeding and that it  
4 was an extra opportunity to explain concepts perhaps. There was a feeling that maybe we  
5 were missing some of the nuances that might be being put up on the blackboard or various  
6 other things. I'm sure that the intention was absolutely honourable, but I just found it really  
7 onerous. And I think it is important for young people to have that balance in their lives,  
8 you know, obviously work hard at school, but have some balance. And let's not forget that  
9 in addition to that six hours of coaching that I had in 6th Form, I still had all my homework  
10 to do.

11 **Q.** You talk about cultural neglect in terms of blind culture at high school, teachers trying to  
12 split up blind children. Can you explain that?

13 A. The resource room at Manurewa High was in C block and just outside C block was this sort  
14 of retaining wall, and a lot of blind people liked to sit out on that wall at interval and  
15 lunchtime and hang out together; because we'd been friends a long time, but also because I  
16 think there are blind culture elements that we're only really starting to come to terms with.  
17 You get a bunch of blind people together, you will find many are interested in the sounds  
18 that things make, or they can tell you the pitch of things that other people don't think about.  
19 There are some cultural things I believe about blindness that are now being increasingly  
20 understood.

21 So we liked hanging out with each other, because we always have, you know, it was  
22 our peer group. But there was a phase when I was in maybe 3rd Form, 3rd or 4th Form,  
23 where they were encouraging the blind students not to sit with each other. And not all did,  
24 and so some of the blind students would be held out as these great role models, and the  
25 resource room teachers would say "look at so and so, he's got sighted friends, why haven't  
26 you got sighted friends?" It almost sent the signal that having a sighted person as a friend  
27 was superior to having a blind person as a friend. It almost -- it made me feel like as a  
28 blind person you are lesser and you will -- maybe if you befriend some more sighted people  
29 that will rub off on you and you will have more mystique.

30 **Q.** You spoke out against that, what did you say?

31 A. I was a stropky teenager by then, so I just said "look this is my interval, my lunchtime and  
32 I'll hang out with who I like."

33 **Q.** If it's possible to summarise, Jonathan, what impact all of these experiences have had on  
34 you, can you do so?

1 A. Some of it's been positive. I have been very privileged to have been elected to various roles  
2 where I have spoken on behalf of blind people. I was President of Blind Citizens  
3 New Zealand for two terms. I don't give anything to bullying. But, you know, there are  
4 times when I -- I had an incident -- if you'd have told me two or three years ago that I had  
5 somehow got scars from this I would have said no, I absolutely haven't. You know, I've  
6 done things, talking to people, like writing a letter to my younger self and all those sorts of  
7 things, it's been very helpful. So it doesn't haunt me every day.

8 But I had an experience, you know, and I've got on fine in my working life for the  
9 most part, but I had an experience in my current role where I was bullied by a public  
10 servant, senior enough to be writing advice to a Minister of the Crown. And I took on that  
11 bullying, including writing a letter to the Chief Executive of the Ministry concerned and  
12 taking other action, including potentially seeking redress for defamation.

13 Now I got wonderful support from our Board Chair and Deputy Chair for taking  
14 that action, but there was a little bit of pushback in two respects. One, that, you know,  
15 maybe somehow I was to blame because other people had worked with this person and they  
16 hadn't had any problem, it was kind of like "oh well, we think Mrs Buist is a great teacher  
17 because she's never done anything to us." And the other thing was, you know, if you rock  
18 the boat too much, maybe funding will be in jeopardy.

19 And so what I found, that was deeply hurtful. And at the time I couldn't really get  
20 to the bottom of why it was so hurtful, why it was so important to be believed, and why it  
21 was so important to get redress for that bullying. And I suspect that there are a lot of  
22 non-governmental organisations whose chief executives suffer the same thing, that there's a  
23 power imbalance there.

24 And so if somebody goes rogue in a funding ministry and bullies you, do you call it  
25 out, because you could be risking the valuable work that your organisation does? And  
26 because of what happened to me, I chose to call it out. I'm proud that I chose to call it out.  
27 But one thing that it did was cause a lot of mental distress, because when I wasn't believed  
28 or when I was doubted by one or two people who I thought should believe me and should  
29 be supporting me, it was incredibly triggering.

30 And I realised, and I thank the Commission so much for this process, because it's  
31 helped me to make it all fall into place. I realised that the reason for that was that inside  
32 this Chief Executive is a little blind kid who still needs to be believed.

33 Q. You wanted to talk --

1 **CHAIR:** And you need to breathe, Jonathan, and you need to breathe as well as be believed. Take  
2 a moment.

3 **QUESTIONING BY MR THOMAS CONTINUED:** Thanks for sharing that, Jonathan. Do you  
4 need a moment, do you want to take a little break?

5 A. I'm fine if you'd like to keep going, I'm happy to do that.

6 **Q.** Thank you. I wanted to talk now about your time as Chairman of the board of the Blind  
7 Foundation and what you wanted to achieve in that role.

8 A. I was very fortunate to become the Chair of the Blind Foundation during an amazing time.  
9 We have been -- blind people have been advocating for many years for, well, essentially  
10 tino rangatiratanga, greater control over our own destinies. And that took place in various,  
11 I guess I'd call them skirmishes over many years. Ultimately we got to the point where the  
12 entire constitutional structure of the Blind Foundation was altered, and blind people now  
13 elect the board of the Blind Foundation. That was an incredibly complex business to get  
14 done and it took about seven or eight years of complex work.

15 So I was the last Chair of the old structure and the first Chair of the new one. And  
16 having become the Chair and in this moment of such significant and positive change, I felt  
17 that the time had come for the foundation to come to terms with and acknowledge that  
18 while it had done enormous good work over the years, it has also left some people with  
19 significant psychological scars. And for some who didn't have the family support that I  
20 had, or the tenacity that I had, the ramifications are lifelong.

21 And I really felt that I wanted to get up at the AGM and apologise for the abuse, for  
22 the neglect. And when I raised this, I was really disappointed by the response, which was  
23 essentially that there are a number of facets to it. One was that we don't know what we're  
24 opening ourselves up for. There could be significant financial repercussions for the  
25 organisation. One was that you can't judge yesterday's practises by today's standards, and  
26 that we've all moved on.

27 And it was almost -- in some ways I wish I hadn't done it because it made me feel  
28 like I was in the wrong for feeling the way I do about the abuse that people have suffered  
29 and it was almost the classic "I was strapped as a kid and it never did me any harm" kind of  
30 thing.

31 So in the end all I really was able to do was to make some sort of really ridiculous  
32 "mistakes were made" kind of thing in this address to the AGM. I don't have it, and that's  
33 curious to me, but I -- it was just some mealy-mouthed thing about some things that  
34 happened in the past would not be considered acceptable by today's standards or something

1 like that. And there was a little bit of me that thought, you know, I'm up here now, who's  
2 going to stop me. But for whatever reason I read what was agreed.

3 I deeply regret that, because over the years I've made some significant change as an  
4 advocate, I've looked after government relations for about six years and we've got a lot of  
5 things done. And I think that when I became Chair there were people who thought yay, it's  
6 great that Jonathan's in the Chair, he'll get things moving, and I think we did in some  
7 respects.

8 But not making progress on getting the redress that so many people need, the  
9 acknowledgment, the being heard, the apology; it is the greatest single regret, not just of my  
10 professional life, but of my life, and I'm sorry that I couldn't get it done.

11 **Q.** Jonathan, you read about some more recent abuse of a blind child. How did you feel about  
12 that?

13 **A.** Well, it made me feel even worse. I had to resign the chairmanship pretty early on in the  
14 new structure because I got a job where I was doing a lot of international travel, but also  
15 there could potentially be a little bit of conflict of interest there. So I think that was at  
16 about June or July of 2003 that I resigned, and then towards the end of that year there was  
17 an article in The Herald about a child who had been abused at Homai, physically abused.  
18 And it made me realise that this is not -- at least then, at least then, it was not a historic  
19 thing, that this thing was still going on.

20 And because I hadn't been able to take the board along with me on the idea of some  
21 sort of apology, I felt that the least I could do was -- I had no obligations other than to me at  
22 that point. So I wrote a blog post chronicling some of the abuse that I had experienced, and  
23 I shared that with a journalist at The Herald who wrote the original piece to say, you know,  
24 there's something systemic here that for all the good that the organisation does, it really  
25 needs to be addressed, it needs to be acknowledged and it needs to be apologised for.

26 **Q.** And that's still something you'd like to see, is that right?

27 **A.** Yes. We are temporary custodians of a legacy. When we lead an organisation we're the  
28 temporary custodians of the legacy, good and bad; but we are also the makers of the  
29 ongoing legacy. So I know that there's a school of thought that says these people are long  
30 gone from the organisation now, what possible good can it serve?

31 The good that it can serve is that the entity that is the Royal New Zealand  
32 Foundation of the Blind needs to own up and apologise for the harm that it has done. And  
33 it just so happens that the people there now are those temporary custodians, they're  
34 inherited it for now, they own it and they need to apologise for it.

1 **Q.** You've also got some thoughts in the final part of your statement, Jonathan, about what  
2 you'd like to see in terms of funding and technology. Can you discuss those?

3 **A.** Yes, I think in terms of where to from here, there are a couple of things. One thing  
4 I haven't commented on that I believe I did also in my statement is that I think that access to  
5 blind adult mentors is absolutely critical. I understand the terrible social damage that a  
6 single school for the blind has done. I acknowledge that. But there were some benefits,  
7 including access to peers and also, to some degree, access to blind adult role models.

8 There was one blind teacher for a short time in the school for the blind, he had a  
9 tremendous impact on those that he taught. Just parents who - every parent wants the -so  
10 called- perfect child, whatever that is; and to be able to network with blind adults and be  
11 told it's going to be okay; with the right support, if you give them the right opportunity, if  
12 you just let them be a kid, it will be okay.

13 And similarly, the technology access is so important now, because technology is not  
14 just a nice thing to have. I mean for me it's the difference between being able to read my  
15 bank statement independently and not, it's being able to shop by myself or not, it's access to  
16 information, being able to read a newspaper for myself. I can't tell you how often I used to  
17 pester my older sighted siblings to read newspapers to me when I was a kid, and now I have  
18 access to all this information. Also because offices are largely paperless now.

19 If we can get technology in the hands of blind people, even before there is a  
20 vocational aspiration, then we can equip them for success. Because the trouble we've got  
21 with the current system is that there is funding available if you land a job to get the  
22 technology that you need to get the job done, but the trouble is, it's hard to land the job  
23 because you can't get the technology in advance to learn the skills that make you  
24 employable. So the current public policy framework sets blind people up to fail.

25 **Q.** You talk about the unemployment rate or estimations of that amongst the blind community.  
26 Can you touch on that?

27 **A.** There are estimates of 70% unemployment in the blind community. That's a figure that's  
28 been bandied about for a long time. I think it is fair to say that there are a lot of surveys  
29 that have been done over the years where employers have been asked what impairment  
30 type, or what medical condition would you least be inclined to employ. Blindness is right  
31 up there.

32 There are also surveys that indicate that, for some, blindness is more feared than  
33 AIDS or even cancer. So, you know, people can't imagine how it's possible to succeed if



1 you don't have sight. So in my own life, one of the biggest barriers that I have faced is  
2 other people's perceptions, not so much my abilities, but other people's perceptions of them.

3 **Q.** Thank you so much for your evidence, Jonathan. Is there anything you wanted to say in  
4 closing before I pass you to the Commissioners for questions?

5 **A.** If I could just reiterate my thanks for the opportunity to be heard. Many of us, I think, have  
6 buried a lot of the stuff away and in some ways it's been a difficult process, but in others it's  
7 really given me faith that eventually if you can just hang on long enough, justice wins out  
8 in the end and you will get a hearing. And I am incredibly grateful. This Commission isn't  
9 just an entity, it's made up of individuals who are having to sift through some very serious  
10 things, and I thank you for what you're doing, for your mahi, for the personal toll it must  
11 take. I'm just incredibly grateful, so thank you for the opportunity.

12 **Q.** Thank you Jonathan. Madam Chair, Commissioners.

13 **COMMISSIONER GIBSON:** Thank you, Jonathan, so much of what you say resonates with me  
14 and I'll have some questions after; but first I'll go to Commissioner Steenson, do you have  
15 any questions?

16 **COMMISSIONER STEENSON:** Thank you, I don't have any questions for you, Jonathan, I just  
17 wanted to say ngā mihi nui ki a koe, thank you for your statement today, your honesty and  
18 your bravery and speaking to us.

19 **A.** Kia ora, thank you.

20 **Q.** Tēnā koe.

21 **COMMISSIONER GIBSON:** Commissioner Shaw, do you have any questions?

22 **CHAIR:** Jonathan, it's getting late in the day and I hope I'm not going to exercise you too much,  
23 but you started really at the beginning by saying that how incredibly grateful you are for the  
24 education you received, for what you got, the positives that came out of Homai, and that  
25 there were lots of good things, but there were some bad apples and some bad things that  
26 happened, and that you didn't think that it was systemic. And my question mark went up at  
27 that point.

28 **A.** Mmm-hmm.

29 **Q.** And I was going to then slightly interrogate you, but in the nicest possible way, about that  
30 concept of what constitutes systemic abuse rather than individual unrelated people. But at  
31 the end you then turned around and started to talk about the systematic things that you  
32 recognise have gone -- that haven't been right, that have led to some of the abuses that have  
33 occurred.

1           So it's a long statement. I suppose I'm just going to ask you to think about the awful  
2 treatment you received at the hands of Mrs Buist. And I know she was a single individual  
3 and I know she was followed by a really good teacher, but what was going on that allowed  
4 a person like that to create what was a terrible anti-learning environment, at least for you, if  
5 not for other children. There must have been something that allowed that to happen and for  
6 you to be unable to get any redress or relief from this.

7 A. Yes, you're right. Yes. I think what I was seeking to do was to acknowledge the gift, the  
8 taonga that a number of people I've engaged with at Homai gave me, especially with music  
9 and other things. But you're right the use of the term, it wasn't systemic, is perhaps not the  
10 best choice. Because I see what you're saying; if the system was working appropriately  
11 then somebody would have intervened and she should have been removed immediately  
12 really.

13 Q. Yes, and you shouldn't have had to be the advocate of course that you're cutting your teeth  
14 on, your profession, but, you know, for a small child in that very vulnerable position, you  
15 shouldn't have had to do your own fighting, should you, and your mother as well?

16 A. You're right, you're absolutely right.

17 Q. I don't want to be told I'm right, but I just wanted to feel that -- because I think at the end in  
18 a way you redeemed yourself by recognising the systemic nature of some of this stuff, that  
19 the organisations allow it to happen.

20 A. Yes.

21 Q. Let's say we are agreed that probably your most recent statement was probably realistic.

22 A. Yes.

23 Q. The only other point that you made in your, if I might say, courageous acknowledgment of  
24 the inadequacy of an apology, a lost opportunity that you, for good reason, didn't do; you  
25 said that entities need to own up and apologise for what's happened in the past, because  
26 that's the legacy of the organisation. So that's for the good of the organisation. Would you  
27 also accept that from your own personal experience that doing such a thing is also really  
28 important for survivors?

29 A. Oh, yes, yes.

30 Q. A healing process, validation?

31 A. Yes. And I think that's one of the things that I have struggled with with the bullying  
32 episode I referred to in recent times from government, that it really -- it is important that  
33 you are -- that the bullying, that the abuse is actually acknowledged and apologised for. So  
34 this is the first step for me, actually being given the opportunity to tell what happened to

1 me. It's a very important first step. But there won't -- I really dislike the word "closure", it  
2 sounds very cliché, but I can't think of a better one right now. There won't be closure until  
3 we have an apology.

4 **Q.** Well, it's been a very rich experience to sit and listen carefully to your evidence, and I'm  
5 grateful to you. I'm now going to hand you over to somebody who I think you already  
6 know.

7 **COMMISSIONER GIBSON:** Yes, thank you. Kia ora Jonathan. I'll start with some general  
8 questions. The phrase "survivor", I'll say our community, the disability community, the  
9 blind community, it's not a word which is used very often. We see much of what happens  
10 ourselves and I think, to some extent, accept it. What's your experience about your journey,  
11 if you like? And I think you've used that word "survivor" yourself.

12 **A.** I have never been called a survivor before until I engaged with the Commission. And when  
13 it first happened, I did a double-take and I thought, who me? Then I thought, you know  
14 what? God I am, I have survived this. It's affected me in some interesting ways that  
15 I hadn't realised until recently, but I have survived. And so that in itself was, oh, validating,  
16 really validating.

17 **Q.** Many disabled people have specific needs, specific rights because of their impairment.  
18 You talked about echolocation and linked to the culture of blindness, but also more  
19 generally on mobility issues, whether it's orientation mobility, guide dogs. Is there a  
20 neglect of people's mobility needs? If so, who's responsible? Is it a provider responsibility,  
21 government funding responsibility?

22 **A.** Well, I think we need to have a kōrero in this country about how we fund disability services  
23 and why we fund them. Because what's happened over a long period is that the disability  
24 sector is this incredible mishmash, spaghetti labyrinth that has emerged through no logic  
25 but basically some people got in early and had philanthropic organisations set up for them.  
26 Some people got government funding because there was no such organisation. It's a mess,  
27 and there's no consistency about what receives government funding and what receives  
28 charitable funding.

29 So guide dogs get charitable funding because dogs are cute and it's easy to get  
30 charitable funding, but there's no discussion about well, what are the core services that  
31 government ought to be funding? Because there is some indignity that comes with being  
32 the target of fund-raising. I think we can all remember some pretty awful demeaning ads  
33 that the Foundation has run over the years, and I've been very vocal about those, probably  
34 the epitome of them was the "daddy's eyes are dying" ad which was just awful.

1           So yeah, I think that those fundamental tasks, getting an education, getting about, in  
2 the case of blind people, getting access to information, they should be fully Government  
3 funded; and to me that would include access to any assistance dog for any impairment, if  
4 that's considered a way of levelling the playing field.

5 **Q.** You're a passionate advocate for braille, and I've been the beneficiary of that, there's some  
6 sheets of braille behind me and they've aided me on my professional journey, because I was  
7 one of those low vision people that otherwise would have missed out if it wasn't for the  
8 connection with people such as yourself.

9           What else can we do to increase that pool of people who have access to braille, to  
10 other technologies, and to the understanding of the potential -- talked about things like the  
11 70% unemployment rate, which has been set for quite a while; how can we combine some  
12 of that knowledge that we have in the community to make a difference?

13 **A.** Well, we need a public education campaign on employing disabled people, we've been  
14 calling for it for years. I noted the discussion that was on Q&A two or three weeks ago,  
15 although if we are talking about systemic things, I do note that we had a non-disabled  
16 interviewer talking to a non-disabled minister about disabled people without a single  
17 disabled person in sight. And I actually wrote to Q&A to say I thought that was  
18 extraordinary and it wouldn't happen with any other group. But public education is  
19 important.

20           I also think it's important that we modify the built environment. If we have braille  
21 in more places, if we have more braille signage, if you can get your bill in braille, if braille  
22 is a norm, then it will incentivise more people to use it; we're kind of in this catch 22  
23 situation at the moment.

24           And a lot of people believe that electronic technology has made braille obsolete. In  
25 fact what has happened such as with the device in front of me here, electronic devices that  
26 circumvent the problem of braille being a bulky medium have caused a braille renaissance.  
27 So I think we really need to advocate for braille. You know, if I go to the United States, for  
28 example, in most hotels I can walk independently from reception to get to my room because  
29 every hotel door has braille in most hotels. We don't have that here.

30 **Q.** A final question, and I'm sure you could write a book on this, but we'll go for the high point  
31 of it. We're about half a kilometre from the place where the temporary custodians of the  
32 legacy, the people that have made the decisions over the years which have governed yours  
33 and my life. You are critical in that journey towards the quest for equity, self  
34 determination, tino rangatiratanga, rights.

1           What are the high level lessons from the blind community you think about that  
2 journey towards self determination and how can they be applied more broadly across the  
3 disability community, particularly around the elimination of abuse and neglect?

4   A.   I think we mustn't settle for anything less than disabled people truly controlling our own  
5 destinies. You know, maybe they are about to rectify things in a positive way, but let's not  
6 forget, that after a process where several capable, disabled people applied, they appointed a  
7 non-disabled, establishment director of the Ministry and fobbed disabled people off on to a  
8 steering group.

9           Let's not forget that despite capable, acting CEs potentially being available, they  
10 appointed a nondisabled acting CE (Chief Executive) while the new one gets ready to take  
11 office. Let's not forget that we have no disabled members of parliament, we have a non  
12 disabled Minister For Disability Issues, and at this point it seems unlikely to change any  
13 time soon. We have very few disabled people at CE level; it's a pretty lonely place.

14           So we're not going to get the tino rangatiratanga until we stand up and say no, we're  
15 not going to be fobbed off with just being put on a steering group, we're not going to have  
16 non-disabled people determining how we run our own lives, and we want the mechanisms  
17 that will put disabled people in what I call those institutions of change. We need disabled  
18 MPs, we also need disabled people in the media, on our TV screens and radio to, quote,  
19 "normalise", unquote, disability.

20           If you have more disabled people on our screens, on our radios, that will make an  
21 immense difference. You look at the difference even one, very wonderful, capable disabled  
22 reporter at Stuff is making, particularly with respect to coverage of this hearing. We need  
23 more of that. We should be done with being in the shadows and we're not going to get that  
24 change unless we're all determined to advocate for it and say what we have now, where  
25 we're kind of on the side lines giving advice, often free advice, is not good enough.

26   Q.   Thanks so much, Jonathan. It's up to me to thank you and first thanks for the -- there's a  
27 generosity and an intelligence to your staunchness. There's such a courage which comes in  
28 coming forward for every survivor, but also for those in positions of authority as well who  
29 have to go and negotiate with governments as well.

30           Thank you for your instinct for advocacy and your tenacity over many issues over  
31 the years; and recognising, I think in yourself and in many of us, that there is that little  
32 blind kid that still needs to be believed. And thank you again for recognising and fighting  
33 towards, and I hope we've got everybody with us, that justice will win, will prevail in the  
34 end. Thanks so much.

1 A. Kia ora, thank you Paul.

2 **COMMISSIONER GIBSON:** I think that brings us to the end of today. Now time for  
3 kaikarakia.

4 **KAUMATUA:** Kia ora, we'll finish our session with He Hōnore, He Korōria. (Karakia).

5 **COMMISSIONER GIBSON:** Tēnā koe, thank you matua, and we start again at 10 o'clock  
6 tomorrow?

7 **MR THOMAS:** 10 o'clock tomorrow, thank you Commissioners.

8 **Hearing adjourned at 5.21 pm to Tuesday, 19 July 2022**