

**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'imua 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 Kerryn 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: 7 March 2022

TRANSCRIPT OF PROCEEDINGS

OPENING SUBMISSIONS BY THE CATHOLIC CHURCH

MR MEAGHER: Tēnā koutou. Tuia ki te rangi, tuia ki te whenua, tuia ki te here tangata, tēnā tātou katoa. Me haere atu ngā mihi ki a Ngāti Whātua kua whakatau i a mātou. E mihi ana ki ngā Kaikōmihana, e whakahaere ana i ngā āhuatanga o tō tātou huihuinga. Ka nui rawa ngā mihi ki ngā Purapura Ora me te tino mihi i tō rātou kaha, māia, manawa tītī hoki ki te whakatakoto i a rātou kōrero, kia mōhio whānuitia mai i ō rātou mamae. Nei rā te mihi o ngā Pīhopa o te hāhi Katorika me ngā kaiārahi o ngā rōpū whakapono ki Aotearoa. E kīia nei ko Te Rōpū Tautoko.

[English: Greetings, we bind the heavens and earth and the people, greetings everyone. I want to acknowledge Ngāti Whātua who has welcomed and greeted us. I also want to acknowledge Commissioners who are taking care of all matters pertaining to our gathering, and I want to also acknowledge the survivors for their strength, their bravery, and their steadfastness as they give their evidence so that we can have a wider understanding of their suffering and pain. I want to acknowledge you all on behalf of the Catholic Church and all of the faith-based institutions which is called Te Rōpū Tautoko.]

Ko James Meagher ahau, Ko au tētahi o ngā rōia mō Te Rōpū Tautoko. Ko Ngai Tahu tōku iwi, ko Kāti Huirapa tōku hapū. Nō Tīmaru ahau. Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa.

[English: I am James Meagher, I am one of the counsel for Te Rōpū Tautoko. Ngai Tahu is my iwi, Kati Huirapa is the hapū, no Timaru ahau, and so with that in mind, greetings, greetings and acknowledgments to you all.]

Tēnā koutou Commissioners (greetings Commissioners). My name is James Meagher, and I appear on behalf of the Bishops and congregational leaders of the Catholic Church of Aotearoa New Zealand. Also appearing by the livestream at this hearing are fellow counsel Sally McKechnie and Brooke Clifford. We acknowledge you Commissioners, we acknowledge survivors and their whānau, survivor networks, Counsel Assisting, fellow counsel, and all those watching elsewhere on the livestream.

We acknowledge that this hearing is being held during troubling times for our country, Covid-19 has impacted the ability for this hearing to physically take place on marae and it has impacted the ability for survivors and advocates to be physically present to take part in this hearing. Covid-19 has also restricted the ability for representatives of the Catholic Church to be present in person and to bear witness to survivor experiences. Please be reassured that the leadership of the church are watching these proceedings through the livestream and are listening to what survivors have to say.

Commissioners, while the Catholic Church will be playing a relatively minor role in this hearing, it acknowledges that many Māori were in a variety of ways in the care of representatives of the Catholic Church. Since the first Catholic missionaries had arrived in New Zealand from the early 1800s, the Catholic Church has a long history of working with Māori. Many of the first missions to Aotearoa were for the express purpose of supporting Māori women, for example.

It is to the Church's great shame and sorrow that Māori are among those subject to harm and abuse while in the care of the Church. Many Māori share the Catholic faith and there is a great sadness felt that the Church has failed Māori in its care, leading to loss of faith and identity.

The Church sought to participate in this hearing in order to tautoko the kaupapa, acknowledge the mana of Māori survivors, and to continue to encourage survivors to keep coming forward. The church acknowledges that a lack of information about whakapapa of children, tamariki who are placed into its care means we will likely never know the full extent of harm suffered by Māori within the Catholic Church. We do know that harm did occur, not just physical, sexual, or emotional, but also cultural harm. The lack of recognition of whakapapa in itself is a cause of trauma for many. This has been a theme of previous hearings of this Inquiry. The Church hopes that through this dedicated Māori hearing it can continue to learn how to respond to complaints of abuse in a culturally appropriate way which enhances and respects the mana of survivors.

Finally, the Church acknowledges all survivors, but especially those survivors who will share their experiences of harm in Catholic institutions in this hearing. Church leaders and others involved with these institutions will be watching and listening to their testimony. As is appropriate, the Church will not be asking any questions of survivors, but that should not be seen as in any way reducing the Church's commitment to listening to the survivors and all survivor voices.

Ko te pae tawhiti, whaia kia tata. Ko te pae tata, whaia kia tina. Nō reira, tēnā koutou, tēnā koutou, tēnā koutou katoa.

[English: Seek out the distant horizons, while cherishing those achievements at hand. Greetings and thank you all.]

(Waiata: E toru ngā mea, ngā mea nunui, e kī ana te paipera, whakapono, tūmanako, ko te mea nui, ko te aroha.).

[English: There are three things, very important things. Faith and hope, but most important is love.]

Kia ora koutou.

COMMISSIONER STEENSON: Tēnā koe Mr Meagher (thank you Mr Meagher). It's important and good to know that church leaders are listening to this hearing, ngā mihi. Ms Spelman.

MS SPELMAN: (Inaudible) ... of counsel. We will need to restart at 2.15 for the next witness, so a slightly shorter lunch break.

COMMISSIONER STEENSON: Kua oti tēnei wahanga ko te wā kai ināianei. Ka hoki mai tātou a te 2.15 pm hei tīmata te kai whakaatu tuatahi.

[English: We conclude this part of our day, we are having a meal now and we will return at 2.15 pm with the first witness.]

That concludes this section of the hearing. We will now take a lunch break, as Ms Spelman has suggested, and we'll be back at 2.15 to start with our first witness.

Lunch adjournment from 1.36 pm to 2.19 pm

COMMISSIONER STEENSON: Nau mai haere mai ki te Tumutumuhenua. Ms Spelman, kua rite mō te kai whakaatu tuatahi?

[English: Welcome to Tumutumuhenua. Ms Spelman, are we ready for our first witness?]

MS SPELMAN: Tēnā anō koe e te Heamana. Kua rite tātou, ko te kaiwhakaatu tuatahi ko Tupua Urlich, kei Tauranga ia, engari kei konei a Kingi Snelgar, Counsel Assisting.

[English: Thank you Madam chair. We are ready. The first witness is Tupua Urlich. He is Tauranga.] So, Mr Snelgar will be leading the first witness this morning, Mr Tupua Urlich.

COMMISSIONER STEENSON: Mr Snelgar.

MR SNELGAR: Tēnā koe. Tēnā tātou te whare. Kei konā koe, Tupua? Tupua, can you hear me? Tupua, can you hear me? We just can't hear you at the moment.

COMMISSIONER STEENSON: No, we can't hear Tupua.

MR SNELGAR: Can you just say your name?

SURVIVOR: Ko Tupua Urlich tōku ingoa. (My name is Tupua Urlich)

MR SNELGAR: Kapai, kia ora Tupua. Madam Chair, we'll just start with the affirmation.

COMMISSIONER STEENSON: OK. OK. Affirmation. Tēnā koe, Tupua.

SURVIVOR: Tēnā koe

COMMISSIONER STEENSON: We're just catching up with one small technical thing. One moment.

MR SNELGAR: Just for Tupua's benefit, Madam Chair, that we will start with the affirmation, Tupua, and then hand the rākau to you for karakia and then I will begin with a short mihi.

COMMISSIONER STEENSON: Kia ora. Mr Urlich, I'd now like to ask you to take the affirmation. Would you like to take that in te reo or in English?

SURVIVOR: Pākehā is fine, thank you.

COMMISSIONER STEENSON: OK.