

**ROYAL COMMISSION OF INQUIRY INTO HISTORICAL ABUSE IN STATE CARE
AND IN THE CARE OF FAITH-BASED INSTITUTIONS**

WITNESS STATEMENT OF KEITH WIFFIN

DATED: 29 OCTOBER 2019

[1] My name is Keith Wiffin. I live in Wellington.

Going into state care

[2] I went into State care after my father died on his 39th birthday, leaving a mother trying to care for four children with very little income or support. I was 10 years old at the time. I had two sisters and a younger brother. My mother was not able to care for us after my father's death. That, plus my reaction to my dad's death, led to the decision to place me into care. It was November 1970.

[3] There was a brief court appearance, and I was placed in State care. Next thing, I was in a van being driven to Epuni Boys' Home, Lower Hutt.

Epuni Boys' Home

[4] My introduction to the culture at Epuni started in the van on the way out there. There were a lot of other children in the van. One boy in particular didn't like the look of me, and smashed a guitar over my head. I walked into the place picking bits of wood out of my head - that was my welcome.

[5] The culture was violent and abusive. The boys had what they called a "kingpin" system. Fights and bullying were routine. I personally had broken bones, and required medical treatment including stitches.

[6] It was a devastating experience to go into that, coming from a loving home and trying to deal with losing my father at age 10.

[7] The culture of violence was totally foreign to me. There had been nothing like that going on in my home environment – we faced hardship, but there was never any abuse.

[8] For the next nine months I had very sporadic contact with my family. It was hard to have any contact, even to write letters, and contact was not encouraged.

[9] In many cases, the staff either perpetrated or oversaw the violence. The House Masters were all very violent themselves. They wouldn't hesitate to use physical violence. I saw a fair bit of that. Psychologically they made it quite clear we were second-class citizens and the most likely outcome in life was that we would go to prison. There weren't many positive messages. It was an abusive and negative environment. Once you were in it, there were huge obstacles to success. The vast majority of people who went through that institution have seen prison time. Many would never have been to prison if that culture hadn't existed. We became products of an environment overseen by the staff.

[10] The staff encouraged the kingpin system and used it as a means of control. The kingpin himself would be respected by the staff and used. If they thought somebody needed sorting out, they would turn to the kingpin to get that done.

[11] I remember a camp in the Akatorua Valley, where a good part of the institution was taken. There were three cabins and there were fights going on in each cabin to determine who would be the kingpin. I was involved myself in a couple of those fights. I was returned to the institution via Hutt Hospital with a broken hand. The whole process was overseen and encouraged by the staff who were there.

Sexual abuse

[12] There were some serious child abusers working at Epuni.

[13] I will never forget being locked in a room in one of the wings and hearing the boy next door being raped by a staff member, knowing that that was happening and wondering when it would be my turn.

[14] Alan David Moncreif-Wright was such a staff member. He was a prolific offender, who I believe had been caught offending at a similar institution in Hamilton. He was allowed to leave that institution and get a job at Epuni.

[15] Mr Moncreif-Wright was a House Master - roughly the equivalent of a guard, a prison officer. He slept on site.

[16] The House Masters were all powerful. They had easy access to children. We had to obey them – if we didn't we were disciplined.

[17] I remember the first time Mr Moncreif-Wright offended against me, he found a reason to send me to my room. Once in the room he came in and he abused me sexually. There was no escape. I was trapped in that environment. I was 10 or 11 years old.

[18] Many decades later, I made a Police statement and told them what Mr Moncreif-Wright did to me. He pleaded guilty in 2011 and was convicted of eight sexual offences in the Wellington District Court, including six against me. The complainants were me and two other boys at Epuni in the early 1970s.

[19] It turns out that in 1972 Mr Moncreif-Wright had been convicted of three charges of indecent assault on boys aged under 16, and two charges of attempted assault. In 1988, the High Court sentenced him to four years' jail for serious sexual offences.

[20] I cannot give an exact number of people Mr Moncreif-Wright offended against but I am very confident that he was a prolific offender.

“Family homes”

[21] After nine months at Epuni, which is quite a long time in terms of what that institution was supposed to be, I was taken out of there and put into what they called Family Homes. I ended up staying approximately three years in Titahi Bay, Porirua. A similar culture existed there, although not as bad.

[22] The first day I arrived I distinctly remember sitting in the lounge of this place. Another boy wandered in and without introducing himself he just punched me fair in the face. I had just come from a pretty rugged environment and I retaliated, which got me into trouble. Later I said to the boy, “Why did you do that? I don’t know you at all - I have never done anything to you”. And he said, “because the kingpin told me to do it”. So, the same stuff was in play there as in Epuni Boys’ Home. Some of the kids that were there had been in Epuni Boys’ Home, for example. So, it was violent.

[23] The male guardian was violent towards the kids. He sexually abused the girls. He did not sexually abuse me. It was another abusive environment which saw my behaviour and wellbeing deteriorate, which culminated in me eventually getting expelled from the college I briefly went to and ending back at Epuni Boys’ Home as a 14 year old.

Second period at Epuni

[24] The second time I went to Epuni, when I was 14, it was for about three to four months.

[25] Mr Moncreif-Wright wasn’t there the second time around and I distinctly remember my first day back asking if he was there. I will never forget the response: “no he’s not, but turn your lights out at night, you’ll have a better chance.” I knew exactly what that was referring to.

[26] The second stint at Epuni, the culture was the same and in fact it was some of the same staff. I remember I was standing on the line with the other kids and a fight had broken out. One of the staff was almost salivating over it and he just turned around to me and said, “oh

Keith, these kids aren't quite as tough as when you were here last time". These two kids were trying to kill each other and he did nothing to try and stop them.

[27] The culture was the same, nothing had improved. The second time around at Epuni I wasn't sexually abused. I was aware that there were other kids that were being sexually abused by the staff.

Staff impunity

[28] It is not possible in my mind that the other staff were unaware of abuse by their fellow staff members.

[29] I never saw a staff member face any consequences for their actions on either of my two stints at Epuni. I believe they did not face any consequences because of an administration that either didn't know how to deal with it or didn't want to. Either way they were as complicit as the offender.

Consequences

[30] State care had a devastating effect on me in those formative years. The impact of that period has continued throughout my life.

[31] I was given an ultimatum when I was expelled from Mana College that I could do three or four months in Epuni Boys' Home and then be given 'school dispensation' to allow me to go to work, or I could go to Invercargill Borstal. Those were my two options. I chose the first one. When I left Epuni the second time around, I found myself throwing parcels in a sack for the Post Office at not quite 15 years old.

[32] I was still a Ward of the State. I was not in good shape. I hated the world. I had a destructive attitude which saw me drift from job to job, get into trouble, linking up with another kid or two from Epuni Boys' Home, getting a minor criminal record at a young age. There was no education and there was alcohol abuse and drifting from job to job, from

boarding house to boarding house, with no sense of what I should do with my life to try and improve things.

[33] Looking back on my time at Epuni, I cannot extract any positives except leaving it.

The criminal process

[34] The reason I made a criminal complaint against Mr Moncreif-Wright was because somebody else had complained to Police. The Police contacted me as a potential witness, and I told them what happened to me. It ended up with three of us being involved in a criminal case against Moncreif-Wright.

[35] What I remember mostly about the criminal process was the very good work the Wellington Police did both before and after. I remember the Judge saying to Moncreif-Wright, who was deciding whether to change his plea, “you’ve got exactly five minutes to show these people some compassion.” He went out with his lawyer and came back and pleaded guilty. That told me something about the way the Judge saw the case.

Seeking redress – the civil process

[36] The civil process was completely different.

[37] I think I always wanted to get justice and an explanation for what happened to me. One day I saw in the paper that a lawyer by the name of Sonja Cooper was representing some claimants, so I gave her a ring and I became one of her clients.

[38] I hold Sonja Cooper in the very highest regard. If it wasn’t for her persistence, determination and dedication to her clients, we probably would not be having this Commission of Inquiry. From my perspective, any positive things that have come out of this process over the 16 years have resulted from Sonja’s determination. She has been a huge inspiration to me personally. She and her staff have had to bear the brunt of the State’s resistance to the abuse in care cases, and they have stuck by their clients despite the efforts of the State to stop them. I believe the client group is now over 1400 people.

[39] There was a total contrast between the criminal and civil processes. In the criminal process the Police believed me, located Mr Moncreif-Wright, and worked hard to seek justice. In the civil process the Crown, from my perspective, defended and supported Mr Moncreif-Wright. My brief of evidence was very similar in both the civil and criminal cases. The Crown defended him in the civil setting, but prosecuted him in the criminal setting. To me that was totally unjustifiable. It gobsmacks me to this day.

[40] I first contacted Sonja in late 2003. Sonja helped me prepare a claim against the Crown, citing MSD in particular. Sonja is a very thorough, professional person and going through her processes was rigorous and it was challenging. I did three two-hour interviews with three different people to ascertain the merits of my claim.

[41] I thought that the Crown, in particular the Ministry of Social Development, would look at that and want to do something about it without it going to court. That didn't happen.

[42] Around 2007, Sonja took a test case to the High Court, known as the *White* trial. Although the Judge found that both the White brothers suffered physical abuse, and one of them suffered sexual abuse, in the end the case was lost because of the statute of limitations, the ACC bar, and other legal reasons that seemed to me to be nothing to do with the real facts.

[43] It became clear to me in that all likelihood that I was going to be defeated for the same reasons. I wasn't about to let that happen so I made the tough decision not to proceed with my own case.

[44] There was no offer from the Crown - nothing.

[45] As far as MSD's claims process was concerned, that was no better than the Courts. The process involved meeting with three people who listened to my story. Two were from MSD plus a lawyer from the Crown. I had my lawyer with me as support and I told them what happened to me.

[46] It was one of the most emotionally exacting things I have ever done. In my eyes, I was facing my perpetrators. The head of MSD's claims unit did all the talking. The other two just

did not want to be there. The other MSD person said the only reason he was there was because someone else was sick, and that was his entire contribution to proceedings. The Crown lawyer just bowed her head and occasionally looked at me with disdain. That was her contribution. It was a thoroughly disrespectful process. From the moment I walked in I got the feeling I wasn't going to be believed and that is how it played out.

[47] It was obvious they were going to take sides with and believe the perpetrators including Alan Moncreif-Wright. By this time, he had already done 4 years in jail for sexual offences, although he had not yet pleaded guilty to my charges.

[48] MSD said they had done a thorough investigation of my claim, interviewed all the people, and on that basis they dismissed my claim. As it turns out they hadn't interviewed Mr Moncreif-Wright at all. I believe the reason they didn't was because they didn't want to hear Moncreif-Wright admit what he did.

[49] MSD simply told me, "claim denied". In effect, the message was, "we will see you in court where in all likelihood we will defeat you on legal technicalities". From memory, I was offered a bit of counselling and nothing else.

The Confidential Listening and Assistance Service

[50] A year or two after the dismissal of my claim, I participated in the Confidential Listening and Assistance Service ("**CLAS**"). I had a session with Judge Henwood and her panel. I told my story to them and explained what it was like to go through the MSD process. Off the back of that, I believe the head of CLAS was so dismayed she contacted the Chief Executive of MSD.

[51] I found the CLAS process fantastic - certainly as opposed to the MSD process. One of the things I was able to do at CLAS was to highlight how poor MSD's process was.

[52] The CLAS process was a very respectful, non-judgemental process where you felt you were being believed and respected. Even though they did not have any powers under their Terms of Reference to give you a great deal of help, they were absolutely wonderful. I went back again: twice I saw CLAS and to this day I hold Judge Henwood and the panel in very high

regard for the work they did. Judge Henwood in particular did her very best for us against a background of the government not wanting to act.

A Crown offer

[53] After my CLAS meetings, MSD wrote to me asking for permission to have a look at my school records at Mana College. They said they were doing a review. At that the time I wrote back to them and I was a very, very angry man. I have never been so angry in my life as when MSD dismissed my claim. I didn't want anything to do with their procedures at all. The letter was signed by the head of the Historical Claims Unit at the time: MSD wanted to do a review. I said I was not interested at all. I said I would wait for something that has got objectivity and integrity and I said that he had done a lot of damage and had a lot to answer for and that any future correspondence should be via my lawyer.

[54] Eventually, MSD came back to me. There were letters of apology from the head of the Historical Claims Unit and the CEO and an "ex-gratia" payment of \$20,000. I accept the letters of apology were intended to be genuine, but they fell short of acknowledging the full extent of the abuse, and the Crown's failures. Had I known what I now know, I would have sent the letters and payment straight back.

[55] At the time I did not know (and this is the single biggest reason), that prior to working at Epuni Boys' Home Mr Moncreif-Wright had also worked at a Hamilton Boys' Home where he had been caught offending and was allowed to quietly slip away and reappear at Epuni Boys' Home, with the manager saying on the way out the door from Hamilton, "we don't want this to spoil your career".

[56] Knowing that, and having experienced MSD's process, makes me very, very angry. Money has never ever been the single biggest thing in terms of what I seek out of this. But \$20,000 doesn't come close to covering the gravity of what happened.

[57] I have not had any other contact from the Crown or MSD to try and put this right. One thing I was able to negotiate as part of the settlement, was MSD's agreement in writing that I can raise with them anything in my past that hasn't been raised previously, as well as anything

about the future in terms of young people who are in care now. So, on occasion, over the years I have activated that clause and I have had meetings with MSD. I have to say nothing much positive has come from those meetings.

How could things be done better?

[58] I have thought about what a better system might be. First of all, there needs to be culture change. That is a common buzz word, phrase, but what that means to me is the relevant government agencies, in particular MSD, need to build a system that listens to abuse survivors and treats them with dignity.

[59] There are some simple things that can be put in place and one that strikes me is an independent inspectorate of the homes.

[60] MSD has always resisted that - those sorts of things are not in place because of their attitude. Since the 80s, I think there have been some 14 different reviews; some minor, some major. All recommending change. That change hasn't happened, and it gets passed from government to government and nothing changes. Over the years there have been name changes, but nothing of substance seems to have changed.

[61] There are a range of things and the important thing is that when a young person goes into care, they are treated with dignity. Their needs may be different from others - it is about that person's future. Investing at that level in those formative years is where you avoid having inter-generational prison populations, the continued growth of the gangs and all those negative outcomes.

[62] Until it changes and the investment is made for young people, you are going to get the outcomes that happen here, which we all pay a price for. A massive impact on this country because we get it so wrong in those formative years.

[63] In terms of redress, for me it is about getting these things taken out of the courts. The courts are not the places to hear these things and it comes at great expense. The resistance through the courts has been far more expensive than the remedy was ever going to be. So, a

big part of that remedy is getting an independent process put in place to hear the claims on their merits, taken out of the control of the Ministry who represent the perpetrators. A large reason why there are so many people taking court cases is because they have no faith in those processes because of the way they are run.

[64] Better staff training and oversight are also essential. I would like to think things have improved since the 1970s, but I don't know how effective the current systems really are.

This Royal Commission

[65] I have several main hopes for this Inquiry. Firstly, it is to get justice. Justice means different things to different people, for me it means a process of public accountability, and the kinds of changes for the future that I have just spoken about – including better redress processes.

[66] Secondly, and I think more importantly, is to get things put in place for those who are in care now and who will go into care in the future, because abuse in care is still happening.

[67] I also at the end of it would very much like us as a nation to grapple with and ask the question: why do so many people in this country go into care in the first place? Until the root causes of that are dealt with, we won't have fully addressed the problem.

Signed:

Date: