

Witness Name: Tyrone John Marks
Statement No.: [WITN0293001]
Exhibits: [WITN0293002] – [WITN0293031]
Dated: 22 February 2021

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

**WITNESS STATEMENT OF TYRONE JOHN MARKS
IN RESPECT OF RESIDENCES INVESTIGATION**

I, Tyrone John Marks, state: -

Introduction

1. My full name is Tyrone John Marks. I was born in Hastings on 1960.
2. At various times between 1963 and 17 December 1976, I was under the care and control of the Superintendent of Child Welfare and then the Director-General of Social Welfare. I was made a State Ward on 22 May 1969. **[WITN0293002]** I was discharged from care on 17 December 1976.
3. My mother's name was Veronica Marks. She died when I was in Borstal. My mother was English and Māori. Her iwi was Ngāti Raukawa.

4. My father was Louis Marks. He was of Sicilian and English descent. He came to New Zealand from the United Kingdom after the war. His legal surname was Marcantonia, but he shortened it to Marks in the United Kingdom, in order to assimilate. My father died the year after my mother.
5. I am one of GRO-B born to my parents. I do not have real memories of my parents from when I was a child. I remember my father had a short temper. He was violent with the girls, especially the older ones. I remember him using his fists with the older girls. He was not so violent with the boys, but we did get the odd hit. My father was well known around where we lived. He often got into scraps. I have few memories of my mother. While the records say she was an excessive drinker, I do not remember that. I would describe her as a weekend drinker, now and then. My memories of her are that she was always pregnant.
6. The family was known to Child Welfare from around March 1963 when I was a toddler. The family was placed under preventive supervision which, as I understand things, means we were monitored. **[WITN0293003]** There were concerns that an older brother was being ill-treated. In addition, an older sister (one of three triplets) had come to notice for stealing. Catholic Social Services was involved at that stage. **[WITN0293004]**
7. The family came to notice again at the end of 1963 and then in early 1965. By early 1965, my parents were experiencing financial difficulties managing our large family. My father was heavily in debt. Applications were made to assist with funding.
8. The records show that there was a conflict between the Hastings Child Welfare office and Head Office. Because my father had a high income, Head Office was reluctant to provide a weekly food subsidy to support the family. The suggestion was made that my father file for bankruptcy. The response of the Hastings office was that society must still be prepared to see children eat. **[WITN0293005]**
9. A further request of the same kind was made to Head Office on 23 June 1965. **[WITN0293006]** Once again, the response of Head Office was to refuse financial assistance. The Head Office view was if our parents were not providing

adequate food for their children, Welfare staff may have to make a complaint under s 13 of the Child Welfare Act.

10. The local office responded to that, saying that preventive supervision surely had as its main aim the preservation of the family and all the good that could accrue from family life. The concern was also expressed that it was not acceptable for Child Welfare to take a family to court unless that step became unavoidable. A further note was added that court action inevitably led to the dismembering of large families, which resulted in children being further deprived by losing their sense of family. For that reason, the Hastings office sought a reconsideration of the Superintendent's decision. [WITN0293007] The Superintendent refused to grant the family funding.
11. As anticipated by the Hastings office, our family disintegrated. Many of my siblings and me became State Wards. We were separated from one another. To my knowledge, many of us suffered neglect and abuse in care.
12. I first came to notice in late 1967. This was after the police had telephoned Child Welfare saying I had made a fictitious call to the Fire Brigade. My mother was reported to have given me a hiding. A Child Welfare Officer, Ms Parson, visited our home. She noted that the family home was overcrowded, but my mother did not wish to move into a bigger house.
13. There are many records commenting on my parents. An example is a case report dated 12 March 1968. My mother was described in the following terms: "Mrs Marks, a Māori, on occasion drinks to excess and her husband, a well-meaning floundering type of person is constantly in debt and in need of constant support from agencies in the community." I have already commented on my memories of my parents. This record does reflect some prejudice towards my mother.
14. I next came to notice in January 1969. On 30 January 1969, my father went into the Child Welfare office [WITN0293008]. He complained about my mother and her drinking. By then, the plans were for me to live in [GRO-C] Nelson, a [GRO-C] placement.

15. By March 1969, my father had asked Ms Parson for Child Welfare to take me into care for a period of one year. By that stage, two of [GRO-B] were living in Wellington and an older [GRO-B] was at Campbell Park. At that time, my father was having psychiatric treatment. He admitted to having a violent temper. He acknowledged that he could physically harm me if I was allowed to stay at home.
16. A report was written about me on 18 March 1969. [WITN0293009] That said that my parents were unable to control me. It was recorded that I was too young to go to Campbell Park, but I needed to be in a controlled and disciplined situation because of the fact there would be no maintenance and little cooperation from my parents. The recommendation was, therefore, that my parents and Child Welfare enter into an s 12 agreement for one year. The effect of that would be to place me into the care of Child Welfare. This never happened.
17. From around this time, I was often being picked up by the local police and held in the police cells, sometimes for days on end. As a small child, being locked up in adult police cells was terrifying and played with my mind. It was also the start of my institutionalisation. Because of these early experiences being locked up, I was not so badly impacted as others when I started spending time in Secure.

[GRO-C]

18. For me, the experience of going to [GRO-C] was the beginning of the lies that were told to me about what it would be like to be away from home. I distinctly remember that my social worker, Ms Sprey, promised me clothes if I went with her. I never got new clothes. Instead, I was put on a plane and sent away. I ended up in [GRO-C] where I lived from 11 February 1969 until 8 May 1969. [WITN0293010]
19. [GRO-C] was just out of Nelson. It was run by [GRO-C]
20. At [GRO-C], I had it really rough. There were strict routines there, which I was not used to. I remember being disciplined for talking or acting up. The [GRO-C]

would have older boys hold me down while I was strapped around the legs or on the hands.

21. I remember that every night we had to hold out our undies. If there were any stains, we were made to wash them. One night, I threw my dirty undies in the face of a GRO-
C I got a real hiding because of that.
22. In retaliation, I let out all the cows from the paddocks. The response to that was to dump me at the airport and I went home.
23. On 8 May 1969, a complaint was laid in the Children's Court that I was indigent. The next day, I was placed at Epuni for the first time. [WITN0293011]

Epuni Boys' Home ("Epuni")

24. I had admissions to Epuni on the following dates: between 9 May and 24 June 1969; [WITN0293012] between 2 February and 22 February 1971; and between 4 September and 16 September 1973.
25. My first admission to Epuni, on 9 May 1969, arose because Child Welfare complained that I was indigent as a consequence of my parents being unable to feed me. I was just 8 years old when I was first admitted.
26. I had many violent and abusive experiences at Epuni. During this part of my statement, I will talk generally about those experiences, rather than discuss what happened during the separate admissions.

Admissions to Secure

27. Each time I went to Epuni, I was admitted through the Secure block. The Ministry of Social Development ("MSD") denies this is the case because it is not recorded in my records. I maintain, however, that this happened to me. I gave evidence about this when I was a witness in the *White* trial. I particularly remember an admission to Secure after I missed the boat to Campbell Park because I was mucking around when everyone was getting on the boat.

28. When I was in Secure at Epuni, I was held there for a minimum of 4 days. I was locked up for 24 hours daily. I was not let out for exercise. I had nothing to do. There was just a bed and a toilet in the room.
29. I spent a lot of time in Secure during some admissions to Epuni, particularly my second one. On 24 February 1971, a staff member wrote about me: "*His behaviour at the Boys' Home in the last few days has been so bad that following his absconding and influence on two other boys the Manager was forced to place Tyrone in the Secure Block to contain and detain him in one place safely till his departure to Campbell Park School.*" [WITN0293013] I note that I was just 11 years old at this stage.

Epuni staff

30. The Principal of Epuni was Mr Howe. He was a big, tall guy. I remember him as about 6 foot tall. I did not see him that often.
31. Another staff member at Epuni was Mr Chandler. We boys called him "Chingy". He was a little Pākehā guy who had a black belt in karate or judo. He wore glasses that looked like the ones Roy Orbison wears. I saw him yell and scream at boys and chase them a lot if they gave him any lip. If he caught the boy involved, he would flip out. I saw him repeatedly whack boys and pull them by their hair. Mr Chandler would usually hit boys on their back, legs, and backside. He hit boys as hard as he could, and he did this on a regular basis. Mr Chandler had a very quick temper and I remember that his face would contort when he got angry.
32. Another staff member who worked at Epuni when I was there was [GRO-B-2] [GRO-B-2]. Again, MSD refutes that [GRO-B-2] worked at Epuni when I was there. I know for sure, however, that [GRO-B-2] was at Epuni while I was. He was my uncle.
33. [GRO-B-2] was one of the worst offenders for physical violence. He was famous for booting boys up the arse. By that I do not mean a little boot; he did it hard enough to lift me off the ground. He booted me like that quite often.

34. GRO-B-2 talked to me and other boys in a horrible way. He would say things like I was “useless, like [my] family”, and that I was going to be locked up. GRO-B-2 regularly hit and punched me with a closed fist. I saw him hitting and punching other boys at Epuni, including my brother GRO-B-3 when he was in Epuni with me during my third admission.
35. I remember that the schoolteacher at Epuni was also quite violent. He wrote a report on me while I was at Epuni. I remember that he also taught Home Economics, or cooking. I saw him punch boys in the stomach, head, and arms. These were closed-fist punches.
36. Once, I saw him hit a boy like that until he dropped to the floor. I remember this assault very clearly, because I was so young, and it freaked me out. My parents had never hit me like that.
37. I also remember a staff member at Epuni called Mr Weinberg. He was quite a big guy. I thought at the time he was a bit queer. His voice was odd. He walked like he had a carrot stuck up his bottom. Despite that, I do not have any bad memories of him. I saw him taking boys to Secure.
38. Mr Bartle was a staff member who worked at Epuni during my last admission. Mr Bartle was one staff member whose voice I could always hear around Epuni. He was a white guy, with blondish hair which was quite long. I cannot remember if he wore glasses. He was often called the “Nutscratcher” by the boys, because he scratched his nuts all the time.
39. Mr Bartle was repeatedly physically abusive towards me. If I swore or misbehaved, he would grab me and try to wrestle me to the ground. It was a power thing for Mr Bartle, and the boy who was wrestled by Mr Bartle would have to fight back. If I struggled too much when he did this, he would punch me with a closed fist a few times. This happened to me a lot. I also saw Mr Bartle wrestle other boys to the ground.
40. Another punishment Mr Bartle used, particularly for swearing, was to squeeze a full tube of toothpaste into my mouth. He did this to me a few times.

41. Mr Bartle was also quite racist. He would call me "Tar Baby" and "Nigger". He told me I was a "nobody", that I was useless and that I was never going to get anywhere. I think I was singled out a bit by Mr Bartle because I was cheeky, and because I would answer him back. He did not care that I was younger than the other boys; he treated me really badly. I regularly saw Mr Bartle hitting other boys. This was with a closed-fisted punch. There were a couple of times when I saw Mr Bartle yelling at a boy to do something, and the boy would yell back, "Get stuffed". Mr Bartle would chase the boy and punch him.
42. Mr Bartle was one staff member who was quite quick to put a boy in Secure at Epuni. Although he did not put me in Secure, I saw him restraining other boys, with Mr Howe, and dragging them to Secure.
43. I saw Mr Bartle hit boys in front of other staff members at Epuni. Mr Chandler was one. Mr Bartle did not care who saw him hit other boys.

Other boys

44. I was regularly assaulted by other boys at Epuni. It usually happened in the form of a challenge, like a fight. The violence with other boys at Epuni was more about fights for me, rather than being beaten up. While I did not see staff members encourage fights, they were certainly slow to break fights up.
45. I remember there was a hierarchy at Epuni, with a boy called the Kingpin at the top. I did not take much notice of who was Kingpin at Epuni. The staff members certainly had 'favourites' among the boys as well. You could see who those boys were, because they always got more canteen than the rest of us.

Physical training ("PT")

46. I had to do lots of PT while I was at Epuni. This involved running, star-jumps and climbing ropes. I also had medicine balls thrown at me by a Māori staff member while I did PT.
47. PT at Epuni was done as a punishment. I had to do PT if a boy was heard swearing or had not listened to staff members. It was not just the boy who had

misbehaved who was punished, it was the whole wing. The staff member involved would “name names” — that is, they would tell the group who had caused everyone to be punished. That boy would later be beaten up by other boys or ostracised from the group for a long period of time. The severity of punishment given to the boy depended on the privileges the other boys had lost.

48. Because I was quite fit, the exercises did not bother me. Also, because I was younger, I was not punished by the other boys.
49. The staff member in charge of PT was a Māori man. If other boys gave up during PT, he would punch and knee them. I saw him give full-on hidings to boys during PT.

Other

50. Despite my young age, I smoked cigarettes at Epuni. The older boys were allowed to smoke and were given 5 to 6 cigarettes a day. When they threw their cigarettes away, I would grab them and smoke them. Staff did not do anything to me if they caught me.
51. I did not get a good education at Epuni. When I first went there, I did not start school until 3 June 1969, almost a month after I was admitted.

Campbell Park School (“Campbell Park”)

52. On 24 June 1969, I was admitted to Campbell Park from Epuni. I was there, on and off, until December 1971. [WITN0293014]
53. Campbell Park was a terrifying place for me, where I was sexually and physically abused by staff members.

Campbell Park staff

54. I was sexually abused by two staff members, Mr [GRO-B-6] the [GRO-B] of Campbell Park and Mr Drake.
55. Mr [GRO-B-6] sexually assaulted me when I was sent to him after my altercation with the Matron, which I describe below. On one occasion, he touched my

genitals and attempted to masturbate me. I ran off when that happened because I was scared of what was happening.

56. The worst sexual abuse I suffered was from Mr Drake, one of the housemasters. On 25 to 30 separate occasions, Mr Drake put me on his knee and masturbated me. I saw Mr Drake do the same sort of things to other boys on many, many occasions. I also saw photos of other boys, naked, taken by Mr Drake, which had been developed in a darkroom used by Mr Drake at Campbell Park.
57. Staff also physically assaulted me. I was regularly punched, slapped, and hit by Mr Drake. He would hit me anywhere, including around the face, the head and the back. Basically, he would hit me wherever he was able to land a punch or a slap.
58. I remember that Mr Drake used corporal punishment as an excuse to dish out severe hidings. He was really violent.
59. I was also assaulted on multiple occasions by another staff member, Mr GRO-B-7. He would punch, slap, and hit me. On one occasion, he slapped me when I was lining up with other boys after dinner. On another occasion, Mr GRO-B-7 stood with his fist out, when he was totally aware that I was coming towards him. My face caught on his fist and my nose started to bleed.
60. Another staff member who regularly assaulted me was Mr GRO-B-8. He got particularly violent towards me after I stole his Mini with another boy. Like the other two, he punched, slapped, strapped, and hit me across the body. Mr GRO-B-8 was like Mr Drake. When you made him mad, he would lose it. If he had a strap, he would whack you with it.
61. Head office of Child Welfare was concerned about how many times I was being given corporal punishment for playing up. In a letter for the Superintendent dated 21 May 1971, it was recorded: *"From the punishment returns it appears that Tyrone's behaviour is not improving, that he is still not responding to the training at Campbell Park, and that severe corporal punishment is having no effect. It seems appropriate that his placement with you should now be reviewed*

in an attempt to ascertain what more can be done to help him and if he might be more adequately helped in another setting.” [WITN0293015]

62. It was not just me who these staff members were violent to. I remember seeing the same staff members assault other boys in the same way as I was being assaulted.
63. The Matron was also abusive. On one occasion, I told the Matron to “Eff off”. She slapped my head and back and hit me with a wet flannel. I got marks on my arm because of this assault. On another occasion, when I was showering, the Matron roughly washed my body down. I felt really uncomfortable about having a female staff member touching my body when I was already coming into my teenage years.
64. Mr GRO-B-9 punished me one time by filling my mouth with shaving cream, as punishment for swearing.

Other boys

65. I was regularly punched, hit, kicked, and slapped by other boys at Campbell Park. I was very little and just 8 or 9 when I first went there. I was one of the youngest children at Campbell Park. I would have the odd bleeding nose, scrapes and bruises from these assaults. I did not really think much about this, because the violence seemed normal to me by then.

Other

66. While I was at Campbell Park, I was placed on a trial at amphetamine drugs to modify my behaviour. I think this was nothing but medical experimentation. I remember that the medication was stopped when my gums got infected and I developed sores on my lips.
67. Campbell Park was not all bad. I had some good experiences. For example, I had never seen snow until I went to Campbell Park and I had never been gold-mining. Some of the staff were good. Unfortunately, the abuse I suffered there ruined Campbell Park for me.

Lookout Point Boys' Home ("Lookout Point")

68. I had a few admissions to Lookout Point while I was at Campbell Park. My records say I was at Lookout Point between 6 May 1970 and 27 May 1970, [WITN0293016] at a camp run by Lookout Point between 9 May 1971 and 16 May 1971, and I was at Lookout Point overnight on 16 May 1971 when the camp ended.
69. Unlike the other residences, Lookout Point was fantastic. I did not suffer any abuse at Lookout Point. I spent no time locked up in secure. I was not given any sort of initiation beating.
70. I particularly remember a staff member called Miss Perkins. She took me in her Mini all over the place. I remember we went to visit her family and she took me to the shops.

Hokio Beach School ("Hokio")

71. I had two admissions to Hokio. I lived at Hokio between 23 December 1971 and 17 February 1972, [WITN0293017] and then between 8 January 1974 and 12 July 1974. My records say I was discharged from Hokio in 1974 because Hokio was short of beds and because the staff felt they could not do anything more for me. [WITN02930018]

Hokio staff

72. Mr North was the Principal at Hokio. He said and did very little around the institution. He left it to the staff to run the show. I remember that he had minimal involvement around the place. When I first arrived at Hokio, I had a brief meeting with him. After that, I barely saw him.
73. I talk about getting a "new boy's stomping" later in my statement. I complained about this to a staff member, whose name I no longer recall. Another staff member, Mr Davidson, came and saw me and asked me what it was all about. He accused me of dreaming it up and told me that if I had got the stomping, I

would have deserved it. He slapped me with an open hand and then he started punching me.

74. I felt that Mr Davidson particularly hated me. He would try to intimidate me, and I would react, so he would assault me in response. This was often with a closed-fisted punch. While I no longer remember how many times Mr Davidson punched me, I know it happened repeatedly.
75. I remember one occasion when I answered back and tried to dodge his punch. Mr Davidson kneed me instead, and I fell to the floor. I remember that this happened when I was polishing the floors by hand.
76. I also remember that Mr Davidson would incite fights between boys at Hokio and then watch them. He would do this by taunting them and saying things like, "So-and-so said you were a poof", or "So-and-so says he could beat you up". I remember there was one Pākehā boy at Hokio who had done some martial arts. Over about a week, there were lots of challenges involving this boy. I saw Mr Davidson watching these fights.
77. If Mr Davidson didn't hurt me himself, he would get older boys to beat me up, or at least try to. On 3 or 4 different occasions, he got a boy, who was a cousin of mine, to beat me up. This mainly happened in my room.
78. I saw Mr Davidson assaulting other boys a lot. This was mainly with closed-fist punches and hard, open-handed slaps.
79. One staff member at Hokio was sexually abusing boys. He was 5 foot 10 or 5 foot 11, a well-built Māori man in his early 30s with shoulder-length hair and a moustache. I saw him touching boys around the genital area in the showers. It happened a few times as I was walking past. I would hear boys tell him to fuck off and ask him what he was doing.
80. This staff member did not sexually abuse me, and he would not have got away with it. However, that staff member was physically abusive towards me. He hit me and punched me, always with a closed-fisted punch. I cannot remember why he did that.

81. There was another staff member at Hokio who was quite out of control. He was Scottish, and he was physically violent to anyone who upset him. He always gave a good bash. Whoever made him mad knew they were going to suffer for it. This man was scary and had a voice that matched his temper. I saw him going nuts at boys quite a bit. It was not every day, but it was quite regular.
82. The cook at Hokio was Mr Ansell. He was a bit of a filthy bugger. He was not hygienic. He would have his hands down his pants, scratching himself while he was cooking. If he dropped food on the floor, he just picked it up and put it back on the plate. I remember that Mr Ansell would invite boys back to his house. Boys would comment to me that he was a queer, and other things. I think Mr Ansell got sacked, but I am not sure why.
83. My uncle, GRO-B-2 was at Hokio while I was there. I remember on one occasion, there was an outbreak of ringworm at Hokio. The staff made us all publicly strip off and go into the showers. One staff member lifted our genitals up to see if there was ringworm underneath. There was no privacy whatsoever. I remember that GRO-B-2 was also involved with this.
84. At Hokio, GRO-B-2 treated me like crap. He distinguished himself from the rest of my family and did everything he could to make me ashamed of them. I remember that the boys at Hokio called him "Bung-eye". A couple of times, he overheard me calling him this, and he beat me up. This was with closed-fist punches and kicks. At the time, it was worth it just to get back at him.

Other boys

85. As I said earlier in the statement, pretty soon after I arrived at Hokio, I got a "new boy's stomping". This happened when I was in bed at night. Three or four boys came into my room, threw a blanket over me, and started kicking and punching me repeatedly. This happened to me only once, but I did hear it happening to other boys at night.
86. I have already said that Mr Davidson would use the other boys to beat me up. One of those was my cousin.

87. On 11 June 1974, Mr Davidson recorded an incident involving me and other boys. He reported: "*Tyrone was involved in an argument concerning some stupid play acting during soccer, and out of this a fight developed with [another boy], consequently Tyrone was defeated and left crying [sic] While other boys stood and laughed at him, he became emotionally upset. Following this, he then took a piece of glass that he had in his room and inflicted several cuts to his right arm which were later cleaned and dressed by me.*" [WITN0293019] This was one of the fights I had with my cousin. While I remember being done over by my cousin, I have no recollection of cutting myself with a piece of glass.
88. I was regularly and repeatedly intimidated, bullied, and physically assaulted by other boys at Hokio. It was extremely easy for boys to beat up other boys at Hokio, particularly at night. There was only one night watchman on duty, [GRO-B] and he had a limp. This meant boys could get away with things.
89. My experience was that the bullying at Hokio was far more severe than it had been at the earlier institutions. The boys at Hokio were more aggressive and it was overall a more violent place.

Secure

90. As at Epuni, I was placed in Secure. I remember spending a lot of time there. There were only two cells in Secure, and it was at the end of one of the wings. From memory, this was Halberg.
91. As I have said, my uncle was one staff member who put me into Secure when I played up.
92. I remember that my Secure cell contained a bed and a toilet, and that was about it. I think that the longest time I spent in Secure at Hokio was about a week. It was like being in an old dungeon. While I was in Secure, I was pretty much locked up all day. I would be taken out and supervised to have a shower every few days. I did no exercise. I do not remember any reading material. By then, being locked up was something I was used to.

Other

93. As at Epuni, I had to do a lot of PT, although I did not do any PT when I was in Secure. I was quite fit by the time I got to Hokio, so it didn't bother me much. Also, the exercise was less strenuous at Hokio than it had been at Epuni. I do not remember any staff member in particular who was in charge of PT.
94. There was a school at Hokio with 4 classrooms and a workshop. Despite that, the standard of education I received at Hokio was minimal. No one did any real school work. I felt we were sent to school just to kill the day. I remember one Māori teacher, Mr Taane. He taught us about Māori stuff, but nothing else. In essence, school was a waste of time.
95. I still smoked at Hokio. Many of the staff smoked, and when they stubbed out their cigarettes, we would grab them and smoke them. I remember that during roll call, we had our hands inspected. If there was any sign of nicotine, you would be busted. To avoid being caught, we would scrub off any nicotine stains with pumice.

Holdsworth School ("Holdsworth")

96. I had two admissions to Holdsworth. The first was between 7 February 1972 and about 15 June 1972, [WITN0293020] and again between 15 August 1972 and 15 August 1973. This was another place where I had unhappy experiences.

Holdsworth staff

97. Two staff members who had abused me at Campbell Park had transferred to Holdsworth by the time I went there. Those two staff members were Mr GRO-B-8 and Mr Drake.
98. Because of my earlier experiences of being sexually abused by Mr Drake at Campbell Park, I was in constant fear of him, although Mr Drake did not sexually abuse me at Holdsworth. I knew that he was sexually abusing other boys however, because we talked about it.
99. At Holdsworth Mr Drake regularly intimidated, verbally abused and bullied me.

100. We had one altercation after a group of us had complained about Mr Drake sexually abusing boys (and which I refer to below). I remember he tried to talk to me about making the complaint about him. I called him a "homo". He responded by trying to hit me and we ended up in a fight. By then, I was fast and could avoid blows but he still managed to land some. I also landed blows on him. After this fight, I ended up back in Lake Alice again.
101. M[GRO-B-8] acted in the same way, regularly intimidating, verbally abusing, and bullying me.
102. As punishment at Holdsworth, I was put in the "dogbox". Even the name suggests that this was punishment. This was a painted square in the courtyard of Holdsworth. You would be put in there as punishment for absconding or for swearing. I remember being forced to stay in the dogbox for hours at a time. I found this cruel and degrading, particularly as the other boys would tease and harass the boy who was in the dogbox.
103. There were some genuinely good staff at Holdsworth. Some of the teachers, particularly, were pretty good. One of the teachers used to take me for rides on his motorbike. I remember that the teachers were concerned that boys were constantly going missing from Holdsworth. Suddenly, boys would be gone and not turn up to class. This is typically when we were being sent off to Lake Alice.

Other boys

104. As at the other residences, I was regularly intimidated, verbally abused and bullied by the other boys. This is reflected in my records.

Other

105. I did not settle at Holdsworth. On 29 February 1972, I absconded from Holdsworth with 7 other boys. [WITN0293021] We all took bicycles. I was knocked off my bicycle by a car and suffered serious injuries, including a dislocated hip, a fractured pelvis, a fractured spine and severe chest and back lacerations. I was in a serious condition for the first 24 hours. Staff thought I was going to die for about a week or so. My parents were told to come and visit me,

but they never did. I then spent months in hospital recuperating. During that time, I remember seeing someone from Social Welfare just once, even though I was a State Ward.

106. Mr GRO-B-8 prepared a report on me dated 4 May 1972. **[WITN0293022]** He said I had been at Holdsworth for only one month before I absconded and was in a serious accident which put me in hospital. He said that, prior to the accident, I had got myself on the wrong side of the other boys and had no firm friends. Mr GRO-B-8 also said I had got into trouble very easily with the staff, because my cheeky personality was hard to accept. Mr GRO-B-8 recommended that I be given a period to show some progress when I got back from hospital, but if that failed, I should be admitted to psychiatric hospital.
107. I was admitted to Lake Alice Psychiatric Hospital on 15 June 1972, where I stayed until 14 August 1972. I had a second admission to Lake Alice between 20 September 1973 and 30 January 1974. My experiences at Lake Alice are being dealt with in a separate witness statement.
108. What I do want to say, however, is that during the time I was at Lake Alice Hospital, me and some other boys including GRO-B GRO-B and a few others spoke to a staff nurse about Mr Drake. That nurse took a statement from us in which we said that Mr Drake was interfering with boys. I think it was sent to the Principal of Holdsworth, but I do not recall whether anything happened as a result. Certainly, from my perspective, nothing really changed.
109. My records make it clear that Holdsworth had an issue about having me from the beginning of 1973. A letter was sent to the Assistant Director, Hastings, on 23 January 1973, which complained about me being dumped back at Holdsworth. The main complaint was that I had been put back at Holdsworth without any alternatives being considered, which ignored the fact that I had already spent close on 4 years in institutions. The writer of the letter, Mr Powierza, said, "*To return him here at the slightest trouble is doing nothing in terms of seeing how this youngster can cope in the community away from his parents*". **[WITN0293023]**

110. From July 1973 onwards, Holdsworth staff were saying I should be released from residential care. Mr Drake wrote a letter on 3 July 1973, saying that, because of my long stay in institutions, serious thought needed to be given to what was to become of me, [WITN0293024] Mr Drake recommended that a trial foster home be found to give me the firm guidance that I needed so that I could be gradually eased back into the community. Mr Drake was very clear that Holdsworth staff were against me going back to my parents, saying that would be disastrous.
111. In the face of that information, I was placed back at home for the August–September school holiday period. Things did not go well. This resulted in me being admitted to Epuni for the third time.

Hamilton Boys' Home

112. I had one overnight placement at Hamilton Boys' Home, when I absconded from a foster placement and stole a car.
113. I was at Hamilton Boys' Home between 4 June 1975 and 5 June 1975. [WITN0293025] I stayed in the Secure Unit the whole time.
114. On 5 June 1975, I was transferred in a van to Owairaka Boys' Home with my brother, [GRO-B-3] and another boy. [WITN0293026] During the van ride, I was assaulted by a staff member, who I remember was a Scottish man in his late 40s. This man caught me when we all tried to run away from the van. I was the last out and was caught. The staff member punched and kneed me up against the van.

Owairaka Boys' Home ("Owairaka")

115. Between 5 June 1975 and 3 July 1975, and 13 March 1976 and 17 March 1976, I was admitted to Owairaka.
116. At Owairaka, I was locked in a cell in the Secure Unit for most of the time I was there.

117. While I was in Secure, I stayed in my cell for most of the day, including eating my meals in the cell.
118. There was nothing in my cell except for a bed.
119. I was forced to do PT which was intense. From memory, we were taken out to do PT about 3 times over a week. The rest of the time was spent in the cell. I was given no schooling, reading materials, or anything else to do in my cell. My memory is that I toileted and ate in the cell. Every couple of days we were taken out to shower. Showering depended on how many staff were on duty. If only one staff member was on, we did not get a shower.

Kohitere Boys' Training Centre ("Kohitere")

120. Between 3 July 1975 and about 22 December 1975, I was placed at Kohitere. **[WITN0293027]**
121. During the time I was at Kohitere, I suffered sexual, physical, and psychological abuse. I was also held in the Secure Unit.

Kohitere staff

122. One staff member whose name was Mr Morgan, were verbally abusive and often used put-downs. Mr Morgan would tell me I was going nowhere and would end up in prison. He was just one of a number of staff members who made these kinds of statements to me.
123. The staff also did not protect me from being abused by the other boys, who bullied and intimidated me. I was physically assaulted by staff in Secure. I remember two older staff members ran the Secure Unit. At least one of them was an ex-WWII soldier. Both were Pākehā. Another staff member, Mr GRO-B was sometimes in Secure.
124. The two main staff members threw medicine balls at me during PT. On one occasion, I threw the medicine ball at one of those staff member's heads. I remember getting a good hiding for that.

125. I sometimes got angry and frustrated about being locked up. On those occasions, the staff members would shove me around when I was out of my cell.
126. I saw these same staff members beating up other boys in the cells when they were making too much noise.
127. I did get those two guys in Secure back. I was aware that they used to jump over the electric fence that ran between the farm property and Kohitere. One day, I electrified the fence before they jumped over it. I hid under one of the huts and watched while they were both given a big electric shock. I was pretty pleased with myself for getting them back in this way.

Other boys

128. As at the other residences, within a few days of being admitted to Kohitere, I was given a "blanketing" by a group of boys, who threw a blanket over me, kicked me, punched me, and hit me.
129. After that initiation, I was regularly punched, kicked, hit, and stomped by other boys.
130. On at least one occasion, a Kingpin at Kohitere forced me to watch boys sexually assaulting other boys at Kohitere. I still remember this because it was sick. I could not believe that boys who were being abused would treat other boys in the same way.

Secure

131. Kohitere is another place where I spent a lot of time in Secure.
132. In Secure, I was made to do PT as punishment. By this stage, however, I was really fit, and I did not find PT unreasonably hard. Having said that, my experiences at Secure were not great.

133. I spent about three separate occasions in Secure for between 3 and 7 days. During these periods, I was forced to stay in my cell for most of the day. That included eating my meals in the cell.
134. As with other residences, my cell was empty except for a bed and a toilet.
135. I was given no schooling, although some of my records suggest that I was taken out to attend school on some days. I am clear that I was not let out of Secure because staff knew I would have gapped it. There were certainly no reading materials, or anything else to do in the Secure Unit itself.
136. As at the other residences, I smoked. By that time, I was old enough to smoke and was given cigarettes by staff.
137. There were some positives for me at Kohitere. I learned how to farm. I was allowed to plough with the tractor. I learned how to milk cows.
138. Thinking back, had the right management been in place and the good plans that were there implemented properly, Kohitere could have been successful. However, poor management and bad staff meant this was just another place where we were abused and learned how to be better criminals.
139. It is fair to say that I was pretty institutionalised by the time I was in Kohitere. I had been in pretty much every North Island residence. This means my experience of Kohitere was not as bad as some of my earlier experiences.

Release from Kohitere and care

140. I spent quite a lot of time, when I was not in residences, with Mr and Mrs GRO-B-13 a foster placement. Mr and Mrs GRO-B-13₃ were very, very good people who came into my life when I was in hospital recovering from the car accident. I met one of the daughters who asked me if I wanted anything and I asked for a block of cheese. She introduced me to her parents, and they started regularly visiting me in the hospital. We kept the relationship going and I asked if I could stay with the GRO-B-13 during some of the holiday periods.

141. After leaving Kohitere I went to live with the GRO-B-13 family for a while. They enrolled me at college, but I was unable to cope because my schooling was so far behind by then. I was allowed to finish my schooling at the age of 14. I maintained contact with the GRO-B-13 throughout my life, visiting them every 5 weeks until very recently when Mrs GRO-B-13 died at the end of last year.
142. In early 1976, I was allowed to go home to my father. It is clear that social workers viewed this as temporary, believing I would move on to prison. In that regard, I refer to a note by Mr Hollis, dated 13 January 1976. [WITN0293028] A further note, by Ms Johnson dated 16 January 1976, recorded that: *"With a bit of luck he will get himself into borstal before long, where he can be catered for."* [WITN0293029]
143. This became a self-fulfilling prophecy. I ended up in Borstal training towards the end of 1976.
144. As soon as that occurred, social workers recommended that I be discharged from the care of the Director-General. That discharge was approved on 17 December 1976.

Outcome

145. It is fair to say I suffered considerable damage as a result of my time in residential care. Thinking back, the cynical side of me thinks what bloody great parents the State turned out to be. I spent much of my early life in and out of the criminal justice system.
146. I came out of Social Welfare care not being able to read or write. I had to teach myself these skills later on in life.
147. My time in care has affected my employment prospects, even up until now. At a young age, I was not allowed to join the New Zealand Army, because of my admissions to Lake Alice.
148. After teaching myself, I was able to complete a Diploma in Social Work from NZQA and a Graduate Diploma in Counselling from WinTech as an adult. In

spite of having qualifications, I have been unable to obtain long-term and meaningful work, other than labouring jobs, because of my past psychiatric and criminal justice history, in particular.

149. It is not surprising that I have found it difficult trusting people. This has made personal and professional relationships difficult. I have found that people have used my past against me, which has complicated my role as a parent and as a potential employee.
150. Once the Department separated me from my brothers and sisters, we very much splintered as a family. I have not seen many of my siblings for much of my adult life. Four of my siblings are already dead, one being murdered in 1990 and the youngest GRO-D
- GRO-D I have contact with four of my siblings and absolutely no contact with the oldest two of GRO-B
151. When I look at my siblings, we have all lived shitty lives. None of us have prospered. For us, the door is typically blocked and shut in our faces.
152. In spite of that, I have brought up my six children. I am still raising my 2 youngest children, aged 13 and 10 respectively, on my own. I have 8 grandchildren and help with their upbringing. My adult girls are doing well, as are the two children who live with me. None of the children has ever been in care. It has been important for me to not repeat the cycle. I have taught my children to be law-abiding citizens. I am so proud of them and feel blessed that I had the opportunity to be a good father and parent.

Redress process to date

153. I contacted Cooper Legal after obtaining my records from MSD in 2007. I had been part of the first group of claimants represented by Grant Cameron, who had settled our claims for abuse we suffered at Lake Alice. This meant I was used to dealing with lawyers and wanted Cooper Legal to help me in obtaining compensation.

154. As I have said, I appeared as a witness in the *White* trial. I felt good being able to bring out into the light what had happened to me and others in care. I could see, however, that the Crown lawyers were intent on shutting the case down.
155. Because I was a trial witness, I was interviewed by Cooper Legal and a statement was prepared for the trial, addressing my experiences in Epuni and Hokio. I talked in more detail about my full experiences later.
156. My claim was filed in the High Court in September 2008. I am aware that, for much of 2008, and in the years following, Cooper Legal was fighting to keep my legal aid file open.
157. In March 2011, Cooper Legal wrote to me to let me know that MSD was specifically looking at the claims of all clients of Cooper Legal who gave evidence in the *White* trial. Cooper Legal advised me that its understanding was that MSD was looking to resolve our claims in the not-too-distant future.
158. In 2012, Cooper Legal completed an offer letter for me, which was sent to Crown Law on 6 November 2012. This covered all my experiences in care, including in Lake Alice, although it was acknowledged that I had already received a settlement for the abuse I suffered at Lake Alice.
159. Because I had been at Campbell Park, which was the responsibility of the Ministry of Education ("MOE") that part of my claim was sent to the MOE on 28 March 2013.
160. As the years went on, Cooper Legal wrote to me from time to time to apologise for the delays in my claim being resolved. Cooper Legal explained that there were delays at MSD's end which were holding up progress in my case and those of many others.
161. In 2015, I was told that MSD was implementing a Fast Track Process to clear a backlog of claims.
162. On 19 September 2016, MSD offered to settle my claim by paying \$20,000. It was unclear, at that stage, whether the settlement included my experiences at

Campbell Park School. Following advice from Cooper Legal, I rejected the offer. I understand it went back into the queue to be given a full assessment.

163. In the meantime, I also joined with a group of Māori survivors, who filed a claim in the Waitangi Tribunal relating to the abuse we suffered as children in the care of the State. That claim was filed on 12 March 2017. **[WITN0293030]**
164. Because of the continuing delays, my lawyers decided to place my claim and another 3 claims on a trial track. This was principally because Cooper Legal was keen to test issues around Campbell Park. As part of that work, Cooper Legal amended my statement of claim in the second quarter of 2017. At that time, I was able to provide a lot more detail about things that had happened to me. My amended claim was filed on 4 May 2017.
165. On 12 May 2020, I received an offer from MSD to settle my claim. This did not include what happened to me at Campbell Park. **[WITN0293031]** The offer was for \$15,000, along with a contribution to my legal aid debt and an apology. MSD accepted only a reasonably small part of my claim and rejected most of it. This was for reasons including that my uncle was not working at Epuni when I said he was, and the records did not support that I was in Secure, and so on.
166. I instructed my lawyers to reject the offer, on the basis that it was insulting. I told my lawyers that I would rather have nothing than accept a low offer in terms of all MSD's failures, that in turn set me up to fail, my whole life.
167. After discussing the offer with my lawyers, I instructed Cooper Legal to make a counter-offer. That counter-offer was sent on 20 July 2020, along with many supporting documents. I am aware that one of the supporting documents was created by Cooper Legal from documents released to the firm about Mr Drake. I have never seen that document because it contains material about at least one other person. **[WITN0293032]**
168. To date, there has been no response to that counter-offer.
169. I received a separate offer from the Ministry of Education in respect of my experiences at Campbell Park. **[WITN0293033]** In a letter dated 23 June 2020,

I was offered a settlement payment of \$22,000, along with payment of my legal aid debt and a letter of apology from the Secretary of Education.

170. One of the things that struck me about the offer from MOE is that MOE accepted I was sexually abused by Mr Drake on many occasions.
171. My other allegations of sexual abuse were not accepted. In addition, my specific allegations of physical assaults by staff, including Mr Drake, were not accepted, although MOE did accept that records existed supporting my allegation that I was physically abused by staff and assaulted by other boys, due to a lack of supervision. MOE also accepted that records existed which supported my allegation that I saw residential staff hitting other boys.
172. While I was over the moon that MOE accepted that Mr Drake had abused me, I was not happy at the amount of compensation offered to me. I again instructed Cooper Legal to make a counter-offer, which was sent to Crown Law on 13 July 2020. **[WITN0293034]** Again, I am still waiting for a response to that.
173. I am happy to put my face in the public. I think it is important that there is a face to the story I am telling. I hope it encourages others to do so as well.
174. There is a lot of talk about healing through the Royal Commission process. Healing is obviously a good thing, but the abuse I have suffered is tattooed right through me. For me, healing is not possible, because of what has happened. I still carry on, however, as normally as possible.
175. It still hurts that if I had not gone through what I did, I could have achieved a lot better. It is clear from my qualifications that I had some ability. But because of my past, I struggle all the time. I have nothing to show for my life.
176. What happened to us as children robbed us of our innocence. As a professional practitioner in counselling and social work, I can say that the abuse we suffered was due to unsupervised power and control, along with failures at the top levels, to respond to the abuse in the first instance. MSD, Crown Law and the Government need to take responsibility for what happened rather than trying to cover it up and save face.

Statement of Truth

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed:

GRO-C

Dated: 23/2/21

Annex B

Consent to use my statement

I, Tyrone John Marks, confirm that by submitting my signed witness statement to the Royal Commission of Inquiry into Abuse in Care, I consent to its use in the following ways:

- publication on the Inquiry website;
- reference and/or inclusion in any interim and/or final report;
- disclosure to those granted leave to appear, designated as core participants and where instructed, their legal representatives via the Inquiry's database or by any other means as directed by the Inquiry;
- presentation as evidence before the Inquiry, including at a public hearing;
- informing further investigation by the Inquiry.

I also confirm that I have been advised of the option to seek anonymity and that if granted my identity may nevertheless be disclosed to a person or organisation, including any instructed legal representatives, who is the subject of criticism in my witness statement in order that they are afforded a fair opportunity to respond to the criticism.

Please tick this box if you are seeking anonymity.

Signed.....

Date.....