

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
LAKE ALICE CHILD AND ADOLESCENT UNIT INQUIRY 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)  
Ali'imua Sandra Alofivae  
Mr Paul Gibson

**Counsel:** Mr Simon Mount QC, Ms Kerry Beaton, Mr Andrew Molloy,  
Ms Ruth Thomas, Ms Finlayson-Davis, for the Royal Commission  
Ms Karen Feint QC, Ms Julia White and Ms Jane Maltby  
for the Crown  
Mrs Frances Joychild QC and Ms Alana Thomas for the Survivors  
Ms Moira Green for the Citizens Commission on Human Rights  
Ms Susan Hughes QC for Mr Malcolm Burgess and Mr Lawrence Reid  
Ms Frances Everard for the New Zealand Human Rights Commission  
Mr Hayden Rattray for Mr Selwyn Leeks

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

**Date:** 14 June 2021

1 consultative role. He worked with the principal and the staff to advise on programmes and  
2 on the educational needs of the students.

3 You will hear that during the 1970s Mr Jackson tried on a number of occasions and  
4 through a number of different government departments to raise concerns and to advocate  
5 for an inquiry or an investigation into what was going on in the unit.

6 You will also hear that Mr Jackson's boss, Don Brown, who was Acting Chief  
7 Educational Psychologist at the time, also intervened. Both Mr Jackson and Mr Brown  
8 have passed away and are not able to give this evidence themselves. Their efforts have  
9 been collated into a timeline which will be played now and I will narrate for accessibility  
10 purposes.

11 I should note that the source documents for each event on the timeline have been  
12 obtained by the Commission pursuant to section 20 notices. Their contents have been  
13 summarised in the interests of time, however the full documents are available of course for  
14 a review. Thank you Lucas.

15 **CRAIG JACKSON** - (video played)

16 **MS FINLAYSON-DAVIS:** So in September or October 1974 educational psychologist Craig  
17 Jackson informs Acting Chief Psychologist, Don Brown, that he has no direct knowledge  
18 that improper use was being made of ECT. However, he was aware, through discussions  
19 with the principal of Lake Alice school, that ECT was being used in what appeared to be a  
20 punitive fashion at the Lake Alice Child and Adolescent Unit.

21 As a result of that conversation, on 6 November 1974 Don Brown acting on  
22 instructions from Head Office Department of Education met with Lake Alice Medical  
23 Superintendent Dr Sidney Pugmire.

24 Following that meeting on 11 November 1974, Dr Pugmire writes to Don Brown.  
25 He says he has investigated the unit's therapeutic techniques and found that the anxieties of  
26 the educational psychologists were completely unfounded. However, to avoid confusion,  
27 the nursing staff had been completely changed, including the charge nurse. Further, he  
28 advised that Dr Selwyn Leeks agreed to discontinue the use of – it is noted as  
29 "electrotonus", but we believe this should be a reference to "ectonus" – to discontinue the  
30 use of ectonus and to always give an anaesthetic before ECT treatment.

31 Don Brown responds to that letter on 14 November 1974 thanking Dr Pugmire for  
32 his assurances and advising that he would pass on the information to the psychologists  
33 concerned.

34 15 December 1976, we have a letter from Craig Jackson to Rod Sinclair, the Chief

1 Educational Psychologist at that stage, following media suggestions of an inquiry into the  
2 unit – this is the reference to what would become the Mitchell Inquiry – Mr Jackson tells  
3 Mr Sinclair about his conversation in 1974 with Don Brown regarding the alleged misuse  
4 of ECT in the unit.

5 Rod Sinclair writes back to Craig Jackson two days later on 17 December 1976.  
6 Rod Sinclair tells Craig Jackson he was to take no part in any inquiry into the allegations,  
7 or to make any statement to the media. Rod Sinclair said he considered the matter an issue  
8 for the Health Department.

9 7 January 1977, Craig Jackson writes to the Director of Mental Health Dr Stanley  
10 Mirams. Now this is the letter that Oliver Sutherland read out for us earlier in his evidence  
11 where Craig Jackson set out three points he was concerned about in relation to the use of  
12 ECT in the unit. He goes on to suggest that any future inquiry should look at ECT use on  
13 children.

14 26 January Dr Mirams writes back to Craig Jackson dismissing his concerns, saying  
15 that he had not seen any specific evidence of ECT being given in breach of medical rules.

16 Craig Jackson responds to that letter to Dr Mirams on 15 February that year and  
17 says that his concerns were based on his professional experience, saying motivations  
18 underlying the punitive as opposed to therapeutic use of ECT may betray a reality more  
19 disturbing than the disturbing realities of mental illness itself.

20 12 May that year, Craig Jackson prepares a media statement which he provides to  
21 the media and to the Department of Health describing again his concerns with ECT use in  
22 the unit.

23 And later that month he writes to Dr Ronald Barker, then the Deputy  
24 Director-General of Health, noting that his statement about Lake Alice had not received  
25 proper consideration by the Department of Health.

26 8 June 1977, this is a letter between Dr Pugmire and Dr Mirams. Dr Pugmire is  
27 responding to an inquiry Dr Mirams has made about Craig Jackson's involvement with the  
28 unit. Dr Pugmire said Craig Jackson was very friendly with the Lake Alice school  
29 principal, that he visited the unit on Mondays, he did not have access to clinical files and  
30 had not attended unit group sessions.

31 13 June 1977, Craig Jackson's solicitors write to the Mental Health District  
32 Inspector – we've heard Dr Sutherland talk about this process. Gordon Vial was instructed  
33 to investigate some complaints and Craig Jackson's solicitors ask Gordon Vial to consider  
34 Craig Jackson's statement.

1           14 July 1977, Craig Jackson writes to Jonathan Hunt, the Labour spokesperson for  
2 Health, and he provides Jonathan Hunt with his statement regarding his concerns about the  
3 unit.

4           28 July 1977, Craig Jackson is made aware of the Police investigation, so he writes  
5 to Detective Rod Butler who was heading up that investigation, offering his assistance to  
6 the Police investigation, saying that he was prepared to stand by the claims he had made in  
7 his statement.

8           The following day, 29 July, Detective Butler acknowledges Craig Jackson's letter  
9 which he says has been added to his file to be sent to the Police Commissioner for  
10 consideration.

11           4 October 1977, Craig Jackson writes to Police Commissioner Ken Burnside, noting  
12 that he had not been approached for further information about his concerns and again  
13 indicating he was happy to be interviewed by Police to provide more details.

14           10 October, Police Commissioner Ken Burnside writes back to Craig Jackson  
15 saying that a decision on the outcome of the Police investigation was yet to be made.

16           We jump forward now 20 years and on 31 March 1999 Craig Jackson prepares an  
17 affidavit for lawyer Grant Cameron confirming his views as expressed in the 1970s, saying  
18 it was his impression, despite the complaints he raised at the time, that nothing was done to  
19 cease the irregular use of ECT allegedly as punishment in the unit.

20           I believe that's the last entry on that timeline. Now looking at the time, Madam  
21 Chair, there is one further audio-visual – a visual clip that we could play at this stage. What  
22 it shows is a helpful location graphic to place Lake Alice and where it is situated in the  
23 North Island.

24           Following that, though, there is moving footage of the hospital taken in 1977.  
25 We're not sure that has been made public before and the content may be somewhat  
26 evocative or triggering for those members of the public in the back of the hearing space. So  
27 I signal that in advance for people to consider. But it shows sort of a car ride through the  
28 hospital as it then was in 1977.

29           With your agreement we could play that clip now. It's approximately two to three  
30 minutes in length.

31 **CHAIR:** Thank you for the warning. And I'm conscious that we have people both in the room  
32 and watching from afar who may be triggered by these views, so I'm just reiterating that we  
33 will see it, we will listen to it or view it, but if you feel that this is something that's going to  
34 be difficult for you we wouldn't have any objection or no problem with you leaving the

1 room and looking after yourself and taking advantage of our welfare people if you need.

2 So I think with that fair warning, we should play it. Is it ready to go now?

3 (Video played)

4 **MS FINLAYSON-DAVIS:** Thank you Madam Chair. That concludes the evidence for today.

5 **CHAIR:** Thank you. So we'll invite our kaikarakia.

6 **Hearing closes with waiata and karakia tīmatanga by Ngāti Whātua Ōrākei**

7 **Hearing adjourned at 4.34 pm to Tuesday, 15 June 2021 at 10 am**