## ABUSE IN CARE ROYAL COMMISSION OF INQUIRY CHILDREN'S RESIDENTIAL CARE HEARING

The Inquiries Act 2013

Under

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) Dr Andrew Erueti Ali'imuamua Sandra Alofivae **Counsel:** Ms Anne Toohey, Mr Simon Mount QC, Ms Kerryn Beaton, Mr Kingi Snelgar, Mr Simon Waalkens and Ms Julia Spelman for the Royal Commission Ms Rachael Schmidt-McCleave and Ms Julia White for the Crown Ms Katie Lane for a survivor Mr Stone and Ms Watene for survivors Venue: Level 2 Abuse in Care Royal Commission of Inquiry 414 Khyber Pass Road **AUCKLAND** Date: 3-11 May 2021 TRANSCRIPT OF PROCEEDINGS

- Q. To work on, because we've got amazing people like Moana and the rest of our support crew 1 2 to tautoko you. But it's bloody scary sitting in that box and sharing the most intimate thoughts and details of your experience in your life. All the times when you've gone to tell 3 your truth to people to the officials and have been turned away and denied and disbelieved. 4 Despite that, you've come here and you've come and spoken to us and that took tremendous 5 courage. I hope we can justify it, I hope we're able to take your kupu and to make some 6 change in the form of our report and in our engagement with the State. But also just from 7 sharing your kupu here in the public domain, because as I've said before, most Kiwis 8
- 10 A. No.

- 11 **Q.** what you've talked about here today and what we've heard this week. So this is going to be a real moment for fundamental change I think for Kiwis as a whole, right?
- 13 A. Ae.
- Q. So it's important. So kua tae mai koe ki te tuku kõrero pono, kõrero pouri ki a mātou te Kōmihana, ki mua te Kōmihana, tēnei te mihi aroha ki a koe, to mātou te Kōmihana ki a koe. So kia ora and thank you for your strong kupu for us today.
- 17 A. Kia ora.
- 18 **CHAIR:** Time for us all to have a break I think.

wouldn't have any idea about –

- 19 A. Ae.
- 20 **Q.** Thank you.

## Adjournment from 1.09 pm to 2.16 pm

22 MR PM

- 23 **CHAIR:** Thank you everybody. Good afternoon Ms Beaton. Hello and we're going to call you Mr PM.
- 25 A. Yeah.
- 26 **Q.** Happy with that?
- 27 A. Yeah.
- 28 **Q.** Before we start I'm just going to ask you to take the affirmation, is that okay with you?
- 29 A. Yeah.
- Q. Mr PM, do you solemnly, sincerely and truly declare and affirm that the evidence that you
- 31 give today to the Commission will be the truth, the whole truth and nothing but the truth?
- 32 A. Yes.
- Thank you very much. Can I just say that although we look a bit like a court we're not a court and it's up to you what you say and what you don't say. So I just want to give you

- that give yourself permission to say what you want and if you don't want to say
- 2 something say so, it's in your hands not ours.
- 3 A. Yeah, okay.
- 4 **Q.** Happy with that?
- 5 A. Yeah.
- 6 **Q.** Cool, we'll leave you with Kerryn Beaton.
- 7 A. Okay.
- 8 **QUESTIONING BY MS BEATON:** Thank you Madam Chair. Mr PM thank you for coming to
- give your evidence today. You were born in 1974 which I think makes you 46?
- 10 A. Yeah.
- 11 **Q.** And you're not currently in a paid job, but your previous paid work was as a truck driver?
- 12 A. Yes, yeah.
- 13 **Q.** In both New Zealand and in Australia?
- 14 A. Yes.
- 15 **Q.** And you were born here, but you and your mum moved to Australia when you were about
- 16 10, is that right?
- 17 A. Yeah, about 10, 10 or 11.
- 18 **Q.** And sadly your mum died about six months after you got there?
- 19 A. Yeah.
- 20 **Q.** And what happened to you after mum died?
- 21 A. Well, mum and I returned to New Zealand my mother and I returned to New Zealand, she
- was in a coffin in a plane and I was up in an actual plane. I was brought back to
- New Zealand and then I went to live with my father and his new family. You know, that
- was a pretty rocky ride, that wasn't, you know, what I wanted to come home to, you know,
- 25 it was, you know, so that was pretty hard for me to, you know, to have to try and bury my
- 26 mother and try and live a life with, you know, my father and his new family and that was
- iust a really hard start for me.
- 28 **Q.** You were I think about were you 10 or 11 when your mum died and you came back to
- New Zealand?
- A. I think it was 11, I might have even been a little bit older. The timeline's pretty confusing.
- 31 **Q.** Sure. Because you're remembering things from 30 odd years ago.
- 32 A. Yeah, I mean we did go over the report, and, you know, I'm pretty close to a timeline and
- the things that happened. But once I saw the report, you know, things were a whole lot
- 34 clearer.

- 1 Q. When you say "report", you're talking about some records that the Commission had
- 2 obtained about your time in care?
- 3 A. Yeah.
- 4 Q. So you came back to New Zealand, you moved to live with dad and new stepmother?
- 5 A. Yeah.
- 6 Q. And I think you had your dad and his wife had some other children, is that right?
- 7 A. Well, they were my stepsisters.
- 8 **Q.** Your stepsisters, right?
- 9 A. Yeah.
- 10 **Q.** And in your statement, Mr PM, you talk about that you went to school until about fourth
- 11 form?
- 12 A. Yeah.
- Q. And that you're pretty good at school, but things changed around about then, is that right?
- 14 A. Yeah, yeah.
- 15 **Q.** You were running away a bit?
- 16 A. Quite a lot.
- 17 **Q.** And why was that?
- A. Because I didn't want to be there. You know, I mean I wanted my family back, you know,
- I didn't want something alternative to that.
- 20 **Q.** And the Police were involved because they would bring you home to your dad, is that
- 21 right?
- 22 A. Yeah, quite often in the early stages they would they'd get me and, you know, bring me
- 23 home, but, you know, that wore thin fairly quickly.
- 24 **Q.** With your father?
- 25 A. Yeah, yeah, I mean it was, you know, while I was upsetting their lives as well, you
- 26 know, with my chaos and my father was, you know, had a new partner and her children
- and, you know, it wasn't really the place for me, you know, and, you know, it would be fair
- to say they tried really hard, but, you know, it wasn't meant to be.
- 29 **Q.** And in your statement you said that when you think when you were about 12 you were
- considered to be uncontrollable and went into State care?
- 31 A. Yeah, yeah.
- 32 **Q.** If we can talk about the first boys' home where you were sent, which was the Hamilton
- 33 Boys' Home?
- 34 A. Yeah.

- 1 **Q.** Do you remember how you got there, why it is that you went to Hamilton Boys?
- 2 A. Well, I would say it was due to my absconding, yeah.
- 3 **Q.** When you first arrived, where were you put?
- 4 A. I was put in a secure unit down the back and I spent, you know, maybe a week or two from
- 5 memory in that secure unit, and then, you know, I made my way out of there into less
- secure, you know, where most of the other children were housed, you know, there was a
- couple of wings that they were occupying there, and there was the secure unit which was a
- separate unit. I was quite destroyed in there actually, I was beside myself, and, you know,
- I couldn't at the time I couldn't imagine why, you know, I was in there. It didn't make any
- sense to me, you know, I mean I was, you know, suffering the loss of my mother and this
- life that was coming about.
- 12 **Q.** Did they tell why you they were putting you in the secure unit?
- 13 A. No, I don't remember any conversation about why I was in there.
- 14 **Q.** What was it like in the secure unit?
- 15 A. Well, you know, you were locked in there, you know, you couldn't get out, there was sort
- of bars on the windows and, you know, there wasn't any sort of comfortable feeling about
- the place. You know, there was I think what made it worse was because, you know, a lot
- of the other kids that were in the secure unit were, you know, they were quite bad, you
- know, they may have been in there because, you know, they had big struggles themselves,
- I'm not sure. But you know, I wasn't, you know, it was a it was an easier feeling not
- being in that secure unit, it was, you know, once I came out of there into the general
- 22 population of the place, you know, things got a bit more comfortable and I mean, you
- 23 know, there was there were great things about the place, you know, I wouldn't condemn it
- 24 all. You know.
- 25 **Q.** You talk about that in your statement, that there were some great things that you did, like a
- bit of schooling?
- 27 A. Yeah.
- 28 **Q.** And also some fun practical things, like building things?
- 29 A. Yeah.
- 30 **Q.** And doing some cultural activities?
- A. Yeah, we carved wakas and all sorts of things, did a lot of bone carvings, there was a lot of
- cultural things that I started learning, you know, if I was given things to do, you know, I
- was generally quite content, but once I, you know, was given idle time or whatever, you
- know, you know, that was probably where, you know, my time wasn't so good in there.

- Okay. Let's talk about the times that weren't so good. Can you tell us about some things that you remember?
- 3 A. From Hamilton Boys' Home.
- 4 **Q.** Yes.
- 5 A. Well, yeah, there was a culture of fighting and, you know, there was really no way out of it.
- You just got involved, you soon were, you know, you couldn't avoid it. You know, there
- was a lot of beatings in places where you couldn't get away from.
- 8 **Q.** The beatings, were they serious, were you injured, was that kind of situation?
- 9 A. I was certainly petrified. I mean if I look back on them now, they probably weren't so
- serious, but you know, nonetheless back then they were quite scary moments and there
- didn't seem to be much monitoring around that looking back.
- 12 **Q.** Were there staff around when these things would happen?
- 13 A. Yeah, they were and they weren't. They did keep an eye on the place, so I guess, but, you
- know, obviously not a good enough eye on it.
- Did you ever tell any of the staff or teachers about what was happening to you?
- A. No, no, I didn't. Not that I can recall, because, you know, there wasn't an environment
- where you would go and talk to people about those things because there'd be repercussions
- and that just made your time hard. But I mean when I was in Hamilton Boys' Home, you
- know, for the first time I mean I was quite young and I was, you know, quite scared of what
- was around me and, you know, I mean I barely said boo back then, you know, so I wasn't
- 21 going to, you know, go and talk to people about it.
- 22 **Q.** Because the records that we've now seen, you've seen, show that you were in Hamilton
- Boys' Home I think three times between 1988 and 1991?
- 24 A. Yeah.
- 25 **Q.** In your statement you talk about some incidents of sexual abuse and exposure that
- 26 happened in a gym?
- 27 A. Yeah.
- 28 **Q.** On some of the kids, both male and female?
- 29 A. Yeah.
- 30 **Q.** Can you tell us about that?
- A. Well, looking back at the moments that we were at a gym, I think it was Les Mills actually,
- or something.
- 33 **Q.** Had you been taken there by the staff?
- 34 A. By the staff, yeah.

- 1 **Q.** To use the gym equipment and things, is that the purpose?
- 2 A. Yeah, yeah, well, I guess that may have been the purpose. But, you know, there was kids
- coming in and out of those changing rooms and taken in and out by adults, and male and
- female. There was one time where, you know, I was really exposed to, you know, nudity
- between, you know, like grown-ups and, you know, they would, you know, we used to
- 6 change in the same changing rooms as the other men and that, and it was you know, I just
- felt like, I mean we used to go and sit in the spa and, you know, there would be kids taken
- out of -I mean I was petrified, I wasn't going anywhere with anyone.
- 9 **Q.** So, sorry, you said there were kids taken out of –
- 10 A. Yeah, there were kids, you know, like there'd be adults that would come and take those
- 11 children, you know, back into the changing rooms and, you know, I mean I'm not quite sure
- what's happening. I mean it wasn't good, I can't see it being very good. I mean, you know,
- there's no reason to take children in there.
- 14 **Q.** In terms of the staff, were there any times where any of the staff members of the boys'
- 15 home did anything to you?
- 16 A. There was definitely some exposure that shouldn't have happened, yeah.
- 17 **Q.** You talk in your statement about a female member of staff?
- 18 A. Yeah.
- 19 **Q.** You also talk in your statement, though, about a man who one of the staff members who
- used to take you to the gym and he came into your cell once, you called it a cell in your
- statement, can you remember that?
- 22 A. I'd probably have to have a bit of a look, it was –
- 23 **Q.** It's okay, I can tell you what you said. You said "This man came into my cell and knocked
- me around a few times. He would do it to the other kids as well. He was a Māori man, I
- can't remember his name."
- A. Yeah, there was, yeah, now, I do remember. I remember what wing I was on and
- whereabouts I was in there, and I'm not quite sure why that happened, but that was in
- 28 Hamilton you say? Yeah.
- 29 **Q.** [Nods].
- 30 A. So, yeah, I'm not quite sure why that happened but I got quite a serious beating from one of
- the staff members at Hamilton Boys' Home in my cell or room. They weren't quite cells
- when you got out into the less secure units, they were more like rooms, but, yeah, there was
- a time when I was definitely beaten by I can't remember why, but he was pretty angry and
- I remember, you know, on my back on my bed being knocked about and being yelled at,

- yeah, or screamed at. That was, you know, that was my first sort of frightening experience
- in there actually, because, you know, I guess I wouldn't have expected it from one of the
- 3 people who worked there, yeah.
- 4 Q. I'll ask you some questions now about after leaving Hamilton Boys' Home and in between I
- 5 think your times there you stayed at quite a few foster homes?
- 6 A. Yeah.
- 7 **Q.** Do you remember how many now?
- 8 A. Not really, there was a few, yeah.
- 9 **Q.** And one of them was like a military camp you described?
- 10 A. Yeah, yeah, I remember that one.
- 11 **Q.** Yeah.
- 12 A. Yeah.
- Q. What do you remember about that one in particular, what used to happen at that one?
- 14 A. Well, it was quite brutal, it wasn't brutal, but it was like the Military. You know, you
- 15 couldn't move without having to ask, you know, you were it was very proper, she was
- probably a good role model in some ways, but it was just too much, she was really
- overboard and quite an angry lady and –
- Q. And did you suffer abuse when you were at that particular place?
- 19 A. Yeah, yeah, yeah.
- 20 **Q.** Do you want to talk about that? It's okay if you don't.
- A. Yeah no, I mean I'm a bit embarrassed about that, it was quite shameful.
- 22 **O.** That's okay.
- 23 A. So I'd rather not talk about that, I mean, you know, those you know, a lot of what
- happened in the boys' homes and stuff, you know, I mean I've processed it and, you know,
- I mean it done a bit of damage but, you know, it was quite minor compared to, you know,
- 26 Whakapakari. So, you know, I mean some things are just not so important to me, and you
- 27 know, like I mean it's not –
- 28 **CHAIR:** You feel free not to say it, if you don't want to say it just let it go.
- 29 A. Yeah, yeah.
- 30 **Q.** And move to the things that you do want to tell us.
- 31 A. Yeah.
- 32 **Q.** And don't feel bad about that, please.
- 33 A. Yeah.
- 34 **Q.** Okay?

- 1 A. Yeah.
- 2 **QUESTIONING BY MS BEATON CONTINUED:** I ask you, because I know you talk in your
- 3 statement about running away a lot.
- 4 A. Yeah.
- 5 Q. So from homes and from foster homes. How did you survive when you ran away, how did
- 6 you –
- 7 A. I mean I used to just steal food and, you know, break into whatever I could, whether it was
- 8 the movie theatre or whatever to feed myself, or a beach house.
- 9 **Q.** And were the Police like catching up with you about these at the time, or not?
- 10 A. Yeah, yeah, no, they knew I was around and doing things, yeah.
- 11 **Q.** And was it the Police that would take you back to the homes or the residences where you
- were supposed to be?
- 13 A. Well, generally what happened was I would get taken to the Police Station and then
- normally, you know, my social worker would come and pick me up, or, you know, I'd just
- get taken straight to the boys' home, yeah.
- 16 **Q.** Can we talk about now about Weymouth Boys' Home?
- 17 A. Yeah.
- 18 **Q.** You were a ward of the State, that's how you remember it, when you first arrived there?
- 19 A. Yeah.
- 20 **Q.** You're not sure, though, how old you were or how long you stayed there, right?
- 21 A. Yeah.
- 22 **Q.** The records show that you were first at Weymouth in March of 1991, 26 March you were
- in solitary for a week and then you got out and you ran away?
- 24 A. Yeah.
- 25 **Q.** You were apprehended and then taken back to Weymouth a couple of weeks later?
- 26 A. Yeah.
- 27 Q. So the week in solitary at Weymouth, was it a similar experience to what you'd had at
- 28 Hamilton Boys' Home?
- 29 A. Well, no, it was much more intense. That was actually like a little prison wing that was.
- You know, it housed some pretty dangerous kids and, you know, there was a couple in
- there they were in for murder and, you know, there was real psychotic kids in that place.
- Yeah, Weymouth was definitely, the secure unit was definitely, you know, prison-like
- 33 anyway, yeah.
- 34 **Q.** When you were released from the secure unit into the general kids population –

- 1 A. Yeah.
- 2  $\mathbf{Q}$ . how was that? Were you safe in that place or not?
- 3 A. No, no, I wasn't actually, I was probably safer in the secure unit than out there. I mean I was pretty good at defending myself, so, you know, I used to get myself in altercations with 4 other kids. You know, the minority of being a white boy was tough. There was a lot of, 5 you know, coloured children in there and people – which was cool, but a lot of the staff 6 were native people as well, and I mean being a white boy was not so easy. So and I used to 7 stick up for myself, so, you know, you know, whenever I would stick up for myself, you 8 know, it would come back tenfold on me, you know, I'd have half a dozen kids beating me 9 up at one time. And they were quite all right to do that, they were allowed to, you know, 10 enter my room and all, you know, punched the heck out of me and, you know, the 11 supervisors were quite okay with that. 12
- 13 **Q.** How did you know that they were okay with it?
- A. Well, because they, you know, they used to stand guard for them or, you know, I mean they would be on their post, you know, they would be on their post and, you know, there was no way that they were they could have not seen them come into my room, you know, I've had they were the same two supervisors I had trouble with quite often, and, you know, they used to take turns at coming in and kicking me around as well.
- 19 **Q.** The supervisors?
- 20 A. Yeah, yeah.

- 21 **Q.** And how many times do you think that happened?
- 22 A. Well, it happened seriously once, you know, they sort of tag-teamed at the door really, you know, one came in, one kept a watch.
- Q. Was there any way that you could get any medical treatment for what had happened?
- No, again, I just I didn't feel like reaching out to anybody, I didn't like I was in a safe 25 A. environment, so, you know, I mean I used to retaliate myself, I used to just, you know, stick 26 up for myself and, you know, I mean I've had a few moments in there where, you know, it's 27 got pretty brutal, you know, like I've – I couldn't take no more so I put a plate through one 28 guy's head. I just put it straight over the top of his head because I just couldn't take 29 anymore. Next thing you know I've, you know, I've just got the whole place turned against 30 me, and, you know, I just – once I got to that point, you know, I mean there's only so much 31 a kid can take because he's going to turn. You know, I could have cried for help but it 32 wouldn't have mattered, you know, it wasn't coming. 33
  - Q. Just on that, were you having any social worker come to visit you or anything like that

- while you were in Hamilton Boys or Weymouth?
- 2 A. Well, I mean I can't recall visits, you know, but I guess I mean I had a pretty good case
- officer and, you know, he most likely he would have come in to visit me and –
- 4 **Q.** Did you tell him what was going on?
- 5 A. No, well, I think I did tell him some things about some stuff. But, you know, I mean I don't
- remember any times when, you know, anything was ever done about it. I think he was, you
- 7 know, I think he just sort of I don't know, I'd be speculating to say that he just maybe
- 8 suggested I accepted what's happening.
- 9 Q. In your statement you say that after a while you couldn't take it anymore so you escaped by
- climbing the fence in your pyjamas?
- 11 A. Yeah, yeah.
- 12 **Q.** Staff didn't catch you but eventually the Police did?
- 13 A. Yeah, yeah. They got their nose out of joint actually that I got away, yeah, it was quite an
- escape that was.
- 15 **Q.** How long do you reckon you were away for?
- A. Well, I think it might have been about a few weeks or something, yeah.
- 17 **Q.** But eventually the Police caught you and took you back?
- 18 A. Yeah, yeah, then I went back into the secure unit.
- 19 **Q.** And what happened?
- 20 A. Well, I was probably kept in there for, you know, quite a while and then, you know,
- eventually released back out into I think they realised at some point that, you know, they
- couldn't actually put me out in the main population anymore, because I think, you know,
- 23 I just actually no, they did put me back out after, and that's when all the beatings started.
- Because I mean they couldn't catch me, you know, I was off pretty quick, and there was a
- lot of staff chasing me across the rugby field and I climbed about a 20 foot barbed wire
- 26 fence and got over the top of it before they could get the keys out and figure out which key
- 27 to open the gate, so they were pretty –
- 28 **Q.** In your pyjamas?
- 29 A. Yeah.
- 30 **Q.** Good job.
- A. Yeah, yeah, so I had to go clothes shopping after that. So, you know, that really pissed
- them off. You know, so when I went back, I mean it got to the point in Weymouth that I
- was more happy in the secure unit with all the, you know, the real trouble kids than actually
- out in the main population, yeah.

- 1 **Q.** Did you get any schooling?
- 2 A. Yeah, I think, yeah, there was a bit of schooling going on, but, you know, it wasn't really a
- full-time regime or anything, you know, it was quite consistent I think, but, you know,
- again, we spent most a lot of our time doing cultural stuff and that. I mean there was a lot
- of good things about the place that, you know, I'd love to be telling you good things about
- 6 the place rather than bad, but –
- 7 Q. I'm going to ask you some questions about before you were sent to Whakapakari there was
- a conversation, there was meeting you had with a local Police Officer?
- 9 A. Yeah, well, I mean it's taken me a little while to put it all together, it was a bit cloudy, but
- I'd been arrested for burglaries and, you know, and they were just basically, you know,
- ways of feeding myself, you know, I wasn't robbing banks or anything, I was just trying to
- get some food and, you know, they were just survival. Anyway, so the Police Officer's
- picked me up, he's taking me back to my parents' place and they just said "We can't have
- him here, it's just too much." So I've threatened my father and apparently I told him I was
- going to shoot him or something, which, you know, now he can't quite remember that.
- Maybe he's blocking it out, I don't know.
- 17 **Q.** You remember it though?
- A. Yeah, a little bit, we definitely had some altercations and I was pretty angry about it all.
- Then we went down the Police Station, my father came down, so there was an interview for
- a while while he was present and then another altercation emerged and, you know, we were
- 21 into each other a bit, and then that's about where it stopped, and he went home and then the
- Police kept me there at the Police Station, and then once it cooled down he got me back out
- 23 there and they had me in the cell for a while and then he got me back out. I mean he was –
- 24 he came across as being quite a friendly cop, and then, you know, we started going through
- 25 the accounts of what I'd done and the burglaries and that, and you know, I remember, it
- wasn't until I was shown the charge sheet and all that stuff, I actually it all came back to
- 27 me and I realised I mean there was 19 charges on there, you know, and I remember
- specifically that I agreed to five of them, and –
- 29 **Q.** You accepted that you'd done five of them?
- 30 A. Yeah, I accepted the five, and I said look "I didn't do any of the other ones."
- 31 **Q.** Right.
- 32 A. You know, so I was so, you know, and he said "Come on mate, you know, help me out,
- just I've got to clear up this charge sheet, you know, just say you did them and it will help
- me out, and we'll clean this mess up." And to be honest, I just went along with it, I mean

I just went along with it and just plead guilty to them and said I did them. Well, I told him 1 I didn't do them, but I just went along with it, you know? 2 3 Q. I think the court made what's called a supervision with residence order and that meant you had to go to Whakapakari, is that right? 4 5 A. Yeah, something like that, yeah, yeah, so yeah, yeah. Q. And the records that we've seen show that you were at Whakapakari for a month in 6 February and March 1990. You were 15 I think then? 7 Yeah. 8 A. And – but your memory when you made your statement anyway was that it was a bit longer Q. 9 than that, it felt like a longer time? 10 Yeah, how long did you say it was? A. 11 12 0. A month. Oh was it only a month? A. 13 Yeah. Feels like a longer time did it? 14 Q. A. Yeah no it did actually, it did feel like a bit longer, it was quite some time. When you're 15 kid a month's probably a long time. 16 That's very true. So tell us how you got there? 17 Q. A. We got there by boat. 18 Yeah. Q. 19 20 A. Yeah, I think we went to Tryphena or something like that. Was it just you or the other kids too? Q. 21 A. Well, it was on that public ferry cat or whatever it was, I can't remember if there was other 22 kids or not, there may have been other kids on there. I remember when I left, you know, 23 I left with other kids, I think there was a couple of other kids that left as well. 24 25 Q. Okay. Yeah. A. 26 Yeah, we'll get to that. Do you remember who ran Whakapakari? Q. 27 Yeah. A. 28 Tell us about that? 29 Q. Well, it was John de Silva and his wife and a supervisor which I recall was – his name was 30 A. something like GRO-B or or something like that. 31 GRO-B Okay. 32 Q. A. Yeah. 33

34

Q.

When you first got there, what did you think?

- 1 A. Well, there was definitely a bit of a honeymoon period, it was like Tom Sawyer really, Tom
- 2 Sawyer adventures, but then it turned like Friday the 13th, after must have been about a
- week or so.
- 4 Q. The Tom Sawyer part, why did you enjoy that part? Tell us about it.
- 5 A. Well, it was quite adventurous, you know, we went scuba diving, or snorkeling, catching fish and we done the activities and stuff, yeah.
- 7 **Q.** How many other children were there, can you estimate?
- 8 A. Well, there was about three big tents, so I think, you know, in each tent there would
- 9 probably have been about half a dozen kids in each tent. So they probably would have
- been, you know, the dining area was quite big, you know, there probably would have been
- a good dozen, maybe 15, I don't know, maybe a few more. Around that number, though,
- somewhere.
- 13 **Q.** And all the same, around the same age as you, or were they different ages?
- 14 A. There was, you know, there was younger children, and there was much older children as
- well. You know, like, you know, they seemed a lot older than me anyway at the time.
- 16 **Q.** So you described it before as then turning into Friday the 13th?
- 17 A. Yeah.

- 18 **Q.** Tell us about that?
- 19 A. Well, I remember we were in the dining room, well, the shed where we had our meals, and
- then all of a sudden we were being marched down the back and there was about four of us
- 21 that got marched down there, and we went up by the tents and across from the tents and
- 22 then the supervisors told us that we're getting executed and we were going to dig our graves
- and so here we are digging these graves. And they were quite deep graves, you know, they
- were at least, you know, two or three feet deep. Some were a bit shallower because some
- of the kids couldn't really dig too well.
  - **CHAIR:** Was this during the day or the night?
- 27 A. This was during the daytime, yeah. And then we were told to get in our graves, face down,
- 28 and we were going to get shot and we were –

## 29 **QUESTIONING BY MS BEATON CONTINUED:** Was that said to you?

- A. Yeah, we were all going to get shot, and so once the guy started, we were in the graves and
- 31 he started shooting his gun, and you know, I mean it was just we just all came flying out
- of our grave, we just all tried to get out of it. Then he was just kicking us back down into
- the grave and stomping on our stomping on us to get us back into the grave and face
- down. You know, I mean it was petrified, I was petrified, we all were, we were all

- screaming for our lives.
- 2 **Q.** How did that end this day?
- A. It went on for quite a while. It went on for quite a while. You know, we had to stay in those graves for quite a while, and we weren't allowed to look at, you know, who was getting shot first or whatever, we weren't allowed to know the order or, you know, so it was, you know, you didn't know who was if someone had been shot or who was going to get shot next or, you know, this guy's wielding his gun around shooting it, and, you know, like I mean you just we just couldn't help but, you know, try and look out of the hole, if it
- 10 **Q.** Was there just the one man, one supervisor with the gun?

was you getting shot or someone else, you know?

- 11 A. Yeah, yeah, it was one man, the same person, yeah, he was wielding that gun quite often, 12 he took it with him, you know, with him all the time. Very often he had that gun, yeah.
- Q. And when you were in the graves, did anyone else come to help, did any other supervisors come?
- 15 A. Well, there wasn't any other supervisors.
- 16 **Q.** Just him?

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- 17 A. Yeah, there was just him and John and his wife.
- 18 **Q.** Do you remember how that ended, like how you got out of the grave?
- Yeah no, well eventually we were allowed to get out of our graves and, you know, we were A. 19 20 just traumatised at that point. I think we were just happy to be alive too, you know, so, but you know, I mean that really set the mindset for me, you know, I mean once that happened 21 I knew I was in a really bad place and I was in trouble. It was quite a relief, you know, that 22 I was still alive, and I guess, you know, looking back on it now, you know, it was like a, 23 you know, like a mock execution and you know, it was obviously to frighten us into a state 24 where we'd just, you know, do what he says, you know, and because what followed that 25 was quite disgusting, you know, after that. 26

You know, there was a couple of incidents where there was three of us in a tent and then there was two older children behind us, and I think that was what they called the "flying squad" and then there was the supervisor, he was in the tent as well, there was three of us lined up, we weren't allowed to look, we had to look at the wall of the tent and they were behind us and he was over here, and you know, he's got his gun, wielding his gun around and he's indicating to the older kids to – he's telling us to get our clothes off and then telling the other kids to rip our clothes off and beat us up, and then – and I'm thinking, you know, like I mean I was okay with the beating, but then the other boys at the back took

their clothes off and got their penises out, I'm thinking, you know, he's like "Fuck them", and I'm thinking fuck'n what?

You know, so I've decided, I mean my, you know, my absconding has really come in handy at that point, I've taken off out of there and gone around the side of the tent and escaped it. But the supervisor has come out after me, beat me up against this bank, rammed the butt of the gun into my head and kicked the shit out of me and I wasn't allowed to go anywhere. Until he comes back or something, I don't know. I wasn't allowed to go anywhere. And he's gone back into the tent and all sorts of horrible noises came out of that tent. There was some horrible noises coming out, I mean I didn't know what was going on inside that tent, but I knew it was terrible.

When those other kids came out of that tent they were all pretty chuffed at what they'd done and the supervisor he, you know, he was pretty typically just an aggro, he didn't have any, you know, any sort of – you know, there was no good person present in him that I could see. But after that, you know, within a couple of minutes the other two kids that were in the tent that couldn't get out, well they came out and they were – it was the most gruesome sight I'd ever seen. They were holding their arses. Like the first one came out, he's come out and he's going "They fucked me up the arse", and I'm going "What, what do you mean?" I mean I didn't know what the fuck he was talking about. You know, he's like "They fucked me up the arse" and he's holding his arse and he's rolling around on the ground, he's in excruciating pain. The other kid comes out and man he was just – he was just a wreck. You know, he couldn't even talk, he couldn't even barely walk. You know, and he was just whimpering out of this tent and I mean I'm still trying to understand what's happening in there, you know.

And, you know, that was the first, that was the first, you know, sort of – that was the first, you know, that I'd learned, I mean, you know, that was the first bit of exposure to that sort of stuff that I'd seen there. Anyway, I mean by now we'd been, you know, you know, we'd been like mock executed, they'd attempted to rape us, they raped two of them, and, you know, I mean we were just all petrified. I mean I don't even think that I could go back to that time and really feel the true feelings of what I was feeling at the time. I mean it just seems just sort of – it just feels really shocking and – but there was another incident after that and we were taken up. It was the same three kids, we were taken up this hill, and it was up a bit further up the track or something up this hill, and it was a little bit of a level area, and there was two older kids, it was pretty much the same thing as what happened before, but it seemed like this time I mean these guys were pretty determined to do all this

- 1 again.
- 2 **Q.** The older boys you mean?
- 3 A. Yeah, and the supervisor. Well, I mean, it seemed as if the older kids were quite willing to go along with what the supervisor wanted. He was always wielding that gun. So we're up 4 there, anyway, I can see it coming already, I'm thinking no, this is not going to happen 5 again. So practically the same things happened again, and we started getting beatings and 6 they're ripping our clothes off. I was thinking oh God right I've got to get out of here. So 7 I've escaped off the – I just went straight off this other bank over here and I was off. And 8 another kid, there was an altercation on the side, that was with the supervisor and he went 9 off that, he went off that embankment and that was quite a steep dangerous embankment 10 that he went off, I think he would have got quite hurt down there. 11
- 12 **Q.** The child you mean?
- 13 A. Yeah, yeah, I think they managed to I mean I think the one that the younger, or the
  14 smaller kid that couldn't really protect himself too well, I think they, you know, they got
  15 him. They didn't bother taking off after me, like I actually made it back to camp, and I was
  16 just I was petrified, I was running for my life.
- 17 **Q.** What happened when you got back to the camp?
- 18 A. Well, I got back to the camp and I mean the first thing I did was I run straight up to John and started trying to tell him what's happening, and he's silenced me and stopped me and 19 20 said "It's okay", and he's smiling at me and I'm thinking, you know, why are you smiling? I mean, and I realised at that point that, you know, I was in a really bad dangerous place. 21 You know, I will never forget that smile on his face. And, you know, this guy's wielding 22 the gun, shooting up the hill and I get back to camp and there's a smile on John's face. You 23 know, I – and at that point I, you know, I just knew I was in trouble. And God, I mean, you 24 25 know, I didn't trust anyone at that point.
- Q. Do you know if this kind of thing happened to any of the other boys that were at the camp?
- A. No, I mean I don't remember, you know, I remember what happened to us, yeah, I don't remember, you know, other children having it done to them. But what was happening was we were always segregated, so there was a bunch here, a bunch there, and you know, sometimes we were put on an island out at Alcatraz, we were dumped on there. And I mean I found quite I found I was quite relieved when they put us out there because, you know, it was away from all them.
- 33 **Q.** Away from the supervisor and the older boys?
- A. Yeah, yeah, so you know, it was some sort of survival or something, I don't know, what

- that theory was but I was quite grateful to be out on this island.
- 2 **Q.** How long would you be out there for?
- 3 A. Overnight.
- 4 **Q.** Okay.
- 5 A. Yeah.
- 6 **Q.** What kind of involvement did John have day-to-day with the boys, what was going on?
- 7 A. Well, he just sort of we used to do these, like these little like he was really good at
- doing like these speeches and stuff, and trying to, you know, like, I don't know, he seemed
- quite a gentle, nice man, I'm not so convinced about that anymore. But, you know, it was
- like he used to talk to us and we used to have these meetings and, you know, he used to
- 11 come down and, you know, he'd sort of teach us, you know, how to fix nets and, you know,
- how to gut a goat, you know, and how to prepare fish and, you know, I mean we were
- getting some skills out there, you know, sometimes you'd work in the kitchen with John's
- wife, but that was, you know, it was stinking goat most of the time.
- 15 **Q.** You talked about boys that were on the island. There weren't many girls there, but I think
- there was one, is that right?
- 17 A. Yeah there was one, yeah.
- 18 **Q.** That you remember?
- 19 A. Yeah, yeah.
- 20 **Q.** Can you tell us about that?
- 21 A. Yeah, she was she came on to the place and I think she had her own tent and that, and I
- 22 think she was right into glue sniffing and stuff. She was quite, yeah, quite feral sort of lady,
- 23 girl, and I mean from memory, I mean I think there was, you know, she used to get she
- used to get raped and stuff. You know, there was, you know, there was a time when I think
- 25 there was a meeting about that young girl. Well, because she was the only girl on the
- island, you know, I think she definitely endured some hard times and probably rape as well.
- I do recall something happening out there that involved her, yeah.
- 28 **Q.** I'm going to ask you now about the day before you left Whakapakari.
- 29 A. Yeah.
- 30 **Q.** Can you tell us about that?
- 31 A. Yeah.
- 32 **Q.** Just as much as you want to.
- 33 A. Yeah. So the supervisors marched me and another kid over to this cabin with his gun, he's
- got his gun, he took it everywhere, and he's got his gun and he's wielding it towards the

door, "You two are in there with me." So and I'm thinking oh God, you know, I mean I've already witnessed the last two, you know, the last three sort of incidents, you know, I knew what I was in for at that point. And so me and this other kid are in this cabin in the same bed, he said "You two are in there with me." And he's raped me, he's raped me and I mean it was excruciating pain, I couldn't contain myself, I was yelping, and then because I was trying to – I was trying to stop it from happening and he was belting me in the side of the head and, you know, I think in the end he got frustrated with me because I wouldn't do what he wanted me to do, and then he's turned on the other kid, and raped him as well.

So, you know, I mean I spent all night in that cabin, we both did. I mean there was three of us, we had to stay in that cabin all night. I couldn't sleep, I was petrified. I remember the gun and it was on the table and I could see it most of the night because there was a big window at the front of the cabin. So, you know, it was letting a lot of light through and I could see what was – I could see, you know, so I mean I just stared at that gun all night just petrified. And I was pretty sore and I was pretty frightened for my life at that point. I knew I was getting off that island the next day and, I mean it couldn't come soon enough.

So the following day we were leaving that camp and at some point he's, you know, because I mean potentially I mean I had a lot over this guy, you know, he's done a lot of heinous things to us and, you know, he made it pretty – you know, he made us, you know, he made it known, there was some threatening conversations. I don't remember the conversations exactly, or any of them really, I mean I just – when I got off that boat, because we were taken from Mangati Bay around to Tryphena, I couldn't wait to get to that fuck'n boat man and get off that other boat, because he's taken us around there. And I just knew that, I mean by the time I got off that boat on to that wharf, I knew, I mean, I knew that if I ever repeated what happened on that island, I was a dead man. He made it known that if I ever say anything about what happened on that island, that I was a dead man, that – I mean I can't remember the exact conversation, but that's how I felt, that if I ever said anything that I was a dead man.

Now when I come off that island, I mean I was already absconding before that island, but I tell you what, once I come off that island I was on the run from someone that was, you know, I had some serious knowledge of what he'd been up to. I mean I was a threat to that guy. And I knew, I knew that, you know, if this ever come out, I was a dead man. So I mean I think I've been on the run from that guy for at least 30 years, you know what I mean?

- 1 **Q.** Yes.
- 2 A. Like I've I guess when I grew up I lost sight of it as I grew up, but I didn't lose sight of,
- you know, of the behaviour that was going to come from it, you know what I mean, like
- I mean it took me a lot of years to get all the shame and the embarrassment from that island,
- 5 you know, I spent quite a number of years, you know, trying to get rid of it out of my
- 6 system. You know, it was really destructive on my behaviour and that. I mean I just –
- I mean I was pretty spooked from that on, I mean, you know, I –
- 8 Q. Can I read something to you that you said in your written statement?
- 9 A. Yeah.
- 10 **Q.** "I recall that I had made up my mind that I was never going to tell anyone because I wanted to live."
- 12 A. Yeah.
- 13 **Q.** "I didn't want to die. From that point on I felt like a dead man walking."
- 14 A. Yeah.
- 15 **Q.** When was the time that you told someone about what happened there?
- A. Well, I think I well, I'm pretty sure, well I've spoken to my parents a few months ago and
- they actually recall me trying to say something about it shortly after. And, you know, they
- pretty much shut me down because they thought it was a pretty outrageous sort of story.
- I probably didn't get too far with the conversation, but they do recall, you know, a small
- 20 conversation about what had happened on there. So I tried to reach out about it, but I was
- shut down. I mean, you know, it's a pretty outrageous story, you know, so they obviously
- didn't really believe what I was saying.
- 23 **Q.** You said before that you had a social worker that you liked?
- 24 A. Yeah.
- 25 **Q.** And I think he was still your social worker at this point?
- 26 A. Yeah.
- 27 **Q.** Did you ever feel did you ever talk to him about it?
- A. Well, to be honest I was too ashamed about it all, you know, I mean it was just so shameful.
- I didn't want to tell anyone about it. I tried telling my parents, but, you know, I don't recall
- telling my social worker about it, I really don't. I mean you know, maybe I did and but
- I'm pretty sure if I had have told my social worker about it he was pretty cool he would
- have done something about it. You know, someone would have come up, he would have
- said something to somebody, or noted it down anyway, he was pretty good to me. And
- probably, you know, I mean I just wouldn't I didn't want to tell anyone, I mean it was just

so disgraceful, you know, like, you know, I had, you know, all sorts of social problems
evolved from that for me, you know, I had a lot of guilt in my life, a lot of shame, you
know, and you know, people would be unbeknown to what's happened to me. But you
know, I mean I had to live with that and that shame, and you know, it was just disgusting,

you know, I mean no wonder I didn't tell people about it. It's pretty heinous. Like –

- We're going to get on to your counselling and ACC in a minute, but as an adult, were you able when was the first time that you told an adult, as an adult, what had happened to you at Whakapakari?
- 9 A. The first time I reached out was in March –
- 10 **Q.** Last year was it?

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- 11 A. Yeah, March last year, yeah.
- 12 **Q.** And that's to is that to the Royal Commission?
- No, that was I actually got the number for ACC and because I realised at that point that, A. 13 you know, I mean I was – I mean I sat on it for a while, I wasn't going to do anything about 14 it, you know, I didn't want to – I was just too – way too shameful. So, but I mean I just 15 knew I was at the point where I needed some counselling, you know, I was pretty confused 16 and, you know, I needed – I knew I needed – I knew there was some problems going on, 17 you know, I wasn't functioning too well. So I reached out and they supplied me with a 18 counsellor and so, you know, the story started coming out. And, you know, once I started 19 20 opening it all up, you know, a lot of it just came flooding back, and you know, the more I engaged in counselling, the more I realised that I needed the counselling and what had 21 happened, you know, how badly it actually affected my life, and the behaviours I was – my 22 behaviours and stuff like that. Like I knew I needed some help. 23

So I reached out and I got that counsellor and, you know, I was pretty grateful actually, I'm still getting counselling from him now. He's really a cool counsellor, and I felt quite open, you know, you know, I really, you know, opened up and, you know, there's – you know, I mean this has been going on since March last year, so you know, there's only so much you can open up in a few hours here, but over the few months, 12 months or so I've had the counselling, like all sorts of things came to my attention that, you know, why I'm behaving certain ways and, you know, why I've got these, you know, these, you know, these, like troubled anger and like being in social places, you know, you know, I really had a real social disposition going on, it was, you know, I was really aware of it. And he was really good, he, you know, really made me aware of it. So I mean I started – the more I got on to the counselling, the more everything was revealed to me I guess.

- But I was sort of winging it the whole time. It wasn't until recently that, you
- 2 know, I'd seen my MSD report and Police reports and all these things, so, you know, we'd
- gone over everything and everything, but it wasn't until I seen that report that, you know,
- 4 I really couldn't pinpoint and it really made a lot more sense to me.
- 5 Q. Are you talking about the records that you've been shown as part of the interviewing for
- 6 today?
- 7 A. Well, no, my MSD records.
- 8 **Q.** Your MSD records, yes.
- 9 A. Just my placement, times of –
- 10 **Q.** That's what I mean.
- 11 A. Yeah, yeah.
- 12 **Q.** Okay.
- 13 A. Yeah, and I was quite confused that, you know, I'm definitely less confused now that I've
- spent that time doing counselling and, you know, it's explaining a lot of my behaviours and
- stuff that I've had in my life, and you know, it's, you know –
- O. So over that 30 years from leaving Whakapakari at 15 and now 30 odd years later –
- 17 A. Yeah.
- Q. you've had some positive things in your life, haven't you, with family and things?
- 19 A. Yeah.
- 20 **Q.** But you've also had some negative things?
- 21 A. Absolutely.
- 22 **Q.** Some conviction, some time in jail?
- A. Yeah.
- 24 Q. And after you left State care in fact you went to corrective training and you had some issues
- 25 there?
- 26 A. Yeah.
- 27 Q. And you had some time at a Catholic boarding school as well where there was other
- incidents that you've talked about in your statement and I don't unless you want to, I don't
- think we need to go into those today. Would you like to or not?
- 30 A. What was that?
- 31 **Q.** The St Stephen's one, do you want to talk about that?
- A. No, not really, I mean it's not something that's really hindering me anymore.
- 33 **Q.** No, I understand that.
- 34 A. Yeah.

- 1 **Q.** And you've lived in Australia and in the States?
- 2 A. Yeah.
- 3 **Q.** And then back to New Zealand.
- 4 A. Yeah.
- 5 **Q.** And I think it was Australia, wasn't it, when you started truck driving?
- 6 A. Yeah.
- 7 **Q.** Which is what you've done for most of your working life?
- 8 A. Yeah.

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- 9 **Q.** And could you tell the Commissioners about that you were still truck driving here in New Zealand until I think the end of last year?
- Yeah, it was August last year I was driving trucks and I mean I started the counselling in A. 11 March, in March, April, May, June, July, August, so five months at work and it just 12 became, you know, I just was really fatigued and just mentally fatigued, you know, I was – 13 I wasn't thinking straight, you know, I delved into what was going on with what was 14 happening, and I mean I just couldn't keep my mind on the job. You know, I was doing all 15 right, but you know, it's – it can potentially be quite a dangerous job, you know, if you're 16 not thinking straight, and you're not – you haven't got your mind on the job. You know, 17 things can turn dangerous really quick. 18

You know, I was getting into intersections and, you know, I'd be looking a dozen times each way and I still wouldn't go, you know, I was really, you know, I was just taken right off my game, you know. I mean I was regurgitating everything that had happened to me in my younger life, you know, especially with the island, you know, I was just coming to terms with what was – what had happened in my life and I just was – I mean I just couldn't continue working. I mean I got to a point where, you know, I just thought, you know, I'm just not going to pull out of this intersection because if someone ends up in the side of my truck, t-bones me, a family with kids or something like that, you know, and I'd already been telling my counsellor, you know, I'm not doing too well at work. I go in there for our morning meeting and I'd just come out and nothing was going in, you know, they'd say to me, "Are you all right mate? Did you get all that?" And I'm like "You better run that by me again", you know, I just – there was nothing going in, I was too cooked. So I just thought bugger it, I just resigned from my job. And I tried to retract that actually, but he'd pretty much – they pretty much ascertained that I wasn't doing very well either. You know, I did actually speak to them and say "Look, you know, things aren't going too well, I'm not able to concentrate on my job at all at the moment, you know, I need to stop

- 1 working." So –
- 2 **Q.** I've got some more questions to ask you about ACC and MSD but we would normally take the afternoon tea break now. Do you want the break or do you want to keep going?
- 4 A. No, I'm cool for a break, yeah.
- 5 **CHAIR:** I think we're all cool for a break. We'll take 15 minutes.

## 6 Adjournment from 3.31 pm to 3.51 pm

- 7 **CHAIR:** Are you okay there?
- 8 A. Yeah nah, I'm all right.
- 9 **Q.** Thank you, we're on the home run here I think.
- 10 A. Good.
- 11 **Q.** Good, all right. Thanks Ms Beaton.
- QUESTIONING BY MS BEATON CONTINUED: Thank you. I'll ask you some questions now about ACC and your dealings with MSD, so the Ministry of Social Development, okay?
- 15 A. Yeah, yeah.
- Q. So you found out about the fact that you could make a claim against the State for what had happened to you as a child, I think when you were in prison, is that right?
- A. Yeah, yeah, I had a conversation with a man in there, it was a very quick conversation, the 18 guy asked me if I had a claim in and I didn't know what he was talking about really, you 19 know, I sort of asked him, "What do you mean?" He goes, "Everyone's got a claim in" and 20 I sort of asked him what sort of claim? You know, and he said, "Like abuse in care claim" 21 and he said, "If you've had anything done to you you can put a claim in." And I was sort 22 of – and, you know, I wasn't in my, you know, I wasn't, you know, thinking about putting 23 any claims in or anything, it just seemed more like a bandwagon thing, it wasn't something 24 that interested me, and he said, you know – it was a very quick conversation – and he said 25 "Oh, I was out on an island." And I mean as soon as he said that, you know, the penny 26 dropped and I said, "Actually, Great Barrier Island?" He said "Yeah", and I said, "Well me 27 too." So you know, it hit me that, you know, like it just started – things just started 28 flooding back like, you know, I was quite surprised and he said "Oh", he goes "Oh yeah", 29 like he was looking at me, you know, asking me, you know, if I remember what happened 30 on the island. I said, "Yeah, you know, like I do actually", and then he's kind of like taking 31 some steps back and I was taking some steps back, I was thinking of – Christ, you know, he 32 goes, "Oh nothing happened to me", and I'm looking at him thinking, yeah right, you know. 33 34 Just very quickly things were starting, you know, the main things that happened on the

island come back to me and I knew straight away that, you know, some pretty serious things had happened to that man too.

So from there I just pondered on it until the end of my sentence, and then a few months, probably about three or four months went by and that's where I sort of got to the point where I knew I needed to get a bit of help and some counselling.

- 6 **Q.** So did you contact ACC first, or MSD?
- 7 A. Actually, I contacted Sonja Cooper.
- 8 Q. Right.

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- Yeah, because I done a bit of homework and, you know, I seen her name popping up in 9 A. places and then she said, "Look, you know, if you give ACC a call, you know, they'll 10 organise you a counsellor." And I knew at that point that I needed some help, you know, 11 my life wasn't going very well at all. So I was quite relieved actually, it was sort of a draw-12 a-number-out-of-the-hat sort of thing, you didn't know who you were going to get for a 13 counsellor. And you know, I just happened to get a really good counsellor, and I was quite 14 fortunate that he's got some, you know, some religious sort of beliefs that were similar to 15 mine, so I was quite relieved about that, yeah. 16
- 17 **Q.** And you've been having counselling with him I think weekly to start with, right?
- 18 A. Yeah, yeah, it was every week. It's been every week basically since March, so –
- 19 **Q.** March of last year I think, right?
- A. Yeah, about 14 months, yeah, I mean every week. But over the Christmas time and, you know, sort of leading up to the Royal Commission, I, you know, I've missed a few sessions which they ended up Zoom meetings.
- 23 **Q.** Right.
- A. So we done the counselling on Zoom. It took me a while to get used to it, and I felt like I 24 was sort of – I was pretty cooked, I sort of needed a bit of a break from the counselling, 25 because, you know, he was pretty on to it and he was revealing things to me, you know, 26 like different behaviours and, you know, what sort of things, how the abuse affected me, 27 particularly on the island. You know, so the more I got into it, the more I realised hey, 28 I mean you know, there's a big problem here and I really need to work on it. Because 29 I mean, you know, I guess I've never had that chance to, you know, seek the help that 30 I needed and, you know, I just wanted to live a better life, I didn't need the sort of chaos in 31 my life anymore. And you know, like it took me right back to, you know, a lot of the 32 patterns I was noticing were things that were happening in my late teens, you know, that 33 34 affected me from the island, you know, so I – I mean I started realising that, you know,

- more and more that I needed help and I'm glad I went and got that help. I mean I could
  have got a dud counsellor, but I got a really good one and I was quite grateful for that, yeah.
- **Q.** You've had a positive experience with ACC counselling, would that be fair?
- 4 A. With the counsellor, yes.
- **Q.** What has been a negative experience that you had with ACC?
- A. Well, it seems like like I mean it was hard enough the first time going to my doctor, like
  I actually spoke to I was assigned a, like a case officer at WINZ when I left jail, you
  know, they sort of stand by you and help you out and try and get you on your feet. And
  I mean I'm pretty good at that anyway, so you know, I mean I was back at work within a
  week after getting out of jail. And so –
- **Q.** With ACC, though, am I right that you made a sensitive claim about things that have happened to you, right, as a teenager?
- A. Well, I mean I haven't made any claims, I just seeked help for counselling. I knew I needed it, I mean I was so I mean I had to leave my job so I had to go like I was advised by WINZ, you know, you need to go and see a doctor. I mean I briefly told them what was going on, like I actually "I can't go to work, I'm not well, and I need to get some help."

So, you know, I had this conversation with this case officer and I mentioned, you know, "I'm going through ACC" and he mentioned, you know, that "Sounds dodgy, sounds like a bit of a scam", and you know, I said "Look it's not a scam, I just genuinely need the help, and I need, you know, I'm not doing very well at work." He said, you know, "Are you depressed?" I said "Well, I'm not depressed", "You might as well just tell them you're depressed." So I went to the doctor and spoke to them, I guess I was depressed a bit, but I was more confused and frustrated than anything else. So I mean between now and then, I mean I'm on my fourth doctor trying to convince them, you know, that I shouldn't be going back to work.

- Q. And I think a couple of weeks ago, a few weeks ago you were accepted for weekly compensation by ACC?
- 28 A. Yeah, yeah.

- **Q.** You don't know how much that is yet, though, is that right?
- 30 A. No, I wouldn't have a clue.
- **Q.** They haven't given you a percentage or anything?
- A. No, they haven't given me they basically said that they can't give me any indication of when it will be resolved or any sort of figure, you know, for that work compensation. I'd just as soon go back to work, that's where I want to be, I mean I want to be at work, but at

- the moment I can't be, I've got a mountain to climb, I'm fixing myself, and it's just
- dangerous for me to be at work. Now they assigned a doctor, I mean they weren't going
- to they weren't going to take my doctor's word for it, or any other doctor. Then they said,
- 4 "You'll have to go and see our doctor."
- 5 **Q.** You mean your own GP? They wouldn't take his word for it, or hers?
- 6 A. No, this was, you know, almost a year into it.
- 7 **Q.** How many ACC doctors or psychologists have you seen?
- 8 A. I've seen one ACC doctor that they wanted me to go and see. So that took about two hours,
- 9 you know, and I've had to basically tell them everything that I've told everyone in here
- 10 today.
- 11 **Q.** Sorry to interrupt you, but how many times during this ACC assessment process have you
- had to tell different people your history?
- 13 A. Well, there's the first doctor, then there was another doctor, then they said, "Oh, no, the
- doctor's got to be ACC registered", so that was the third doctor, I'm pretty sure, then. They
- supplied another doctor, and that was quite gruelling that one, that one was it was like
- they were trying to throw me around in circles and try and catch me out on lies or
- something, or fabricating stories or something, that's what it seemed to me to be to me
- anyway. I mean, so you know, after I spend two hours with this doctor he's ascertained
- look that he's not fit for work. And I was quite –
- 20 **Q.** This is an ACC doctor that has concluded this?
- 21 A. Yeah, yeah.
- 22 **Q.** Is he the one who has recommended that you have some kind of cognitive therapy, is that
- 23 right?
- 24 A. Yeah, yeah, I mean I was quite relieved when he said that, because, you know, I mean
- I know I need, you know, some help in work on myself. And, you know, I just can't, I just
- can't do a day-to-day job at the moment and I just can't do both of them. I mean I'd love to
- 27 go back to work. But –
- 28 Q. So even though this ACC doctor has come to this conclusion and that's his recommendation
- to ACC?
- 30 A. Yeah.
- 31 **Q.** Am I right that they've recently told you that your medical certificate for your income
- purposes has expired?
- 33 A. Yeah.
- 34 **Q.** And you need to go back to your own doctor?

- 1 A. Yeah.
- 2 **Q.** To get a new medical certificate?
- 3 A. Yeah, the one that they disregarded.
- 4 **Q.** The doctor that they disregarded you mean?
- 5 A. Yeah, yeah, well, I mean they wouldn't accept, and he was – she was already registered with – as an ACC doctor. So, you know, she gave me a pardon from work up until – like 6 she backdated heaps and then brought it forward so it ended up being about six months. 7 But I mean I was already – I mean I'd been out of work for quite some time already. But 8 then when I went and saw the actual ACC doctor, that was like an interrogation, his report 9 states that, you know, that, you know, he's got concerns about me being at work, you know, 10 he doesn't want me on the road as a truck driver and having to deal with all this. And ACC 11 got that report and then they proceeded to disregard that report and tell me that I needed to 12

go back to my GP and get another work certificate. While their own doctor has advised

- 15 **Q.** And you've been diagnosed with Post Traumatic Stress Disorder, right?
- 16 A. Yeah, yeah.

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17 **Q.** How do you feel that ACC's processes have worked for you?

them that this man shouldn't be at work.

- 18 A. They haven't. I mean it's just been one big, one big mulberry bush, round and round the mulberry bush, it's just been around and around in circles. I emailed them the other day, 19 20 I mean I've got an advocate, but it's still going around in circles. I emailed them the other day and told them "Why on earth do you want me to go back to my GP now, you've already 21 had the indication from your doctor that I need this time off work to get the counselling and 22 seek the help that I need." And they just give no – I told them, I can't even afford to go and 23 see my doctor, it's like seven hours drive one way, so it's 14 hours driving, plus I can't do 24 that in one big go, so I end up having to get a motel down – it costs me a fortune, and it's 25 just like, you know, you're constantly getting beaten with a blunt stick, you know, like they 26 can't even give me any indication of, you know, when – they were suggesting like a few 27 months from now they might have it sorted out. You know, like – 28
- 29 **Q.** Have you found it easier to have an advocate, you said you had an advocate helping you?
- A. Yeah, it was well, they would have cooked me, I couldn't have done it without one.
- 31 **Q.** Did you have an advocate for the whole time you've been dealing with ACC?
- 32 A. No, no.
- Q. Do you feel that you understand ACC's ways of working and processes and how they assess you?

A. No, I'm absolutely – I'm really confused about it all. I mean the only thing that's really been great is my counsellor, you know, that's – I'm grateful for that, but –

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**CHAIR:** Mr PM, do you mind answering, don't answer if you don't want to, but how have you been living since you left your job?

A. Well, I went on a benefit, yeah, and then about a week and a half, two weeks – no, it was about two-and-a-half weeks after I left my job, you know, I applied for a benefit, and then I snapped my achilles, so I couldn't walk. I mean I was on my back for months, and I mean my holiday pay or whatever you call it, your casual loading, whatever you call it, should have taken me – like I realized, hey I've just hurt myself and I think it was about – I fell short by about seven days, and they declined it. And at that point I mean I actually wasn't going to put my hand out for any – I was just pretty happy for the counselling. I mean I wasn't actually going to put in some sort of claim for ACC weekly compensation.

So I fought them on my own with the achilles for a while, and then I learned that, you know, I was getting nowhere, and that's when I decided hey I better get an advocate, because I mean if — you know I've been working for the last 30 years, you know, I've barely ever been on the dole or been a recipient of a benefit, you know, all of a sudden I needed some help and I've got a busted achilles, and they're knocking me back and they already know what I've been through, you know, I would have been — it would have been nice if they'd just, you know, realised, hey look we already know what this guy's going through, he's got a busted achilles now, he can't work, he can't walk, you know, they just seem to think, I mean I don't know, I'm speculating, but they may have thought we've got him in a great position now, he can't do anything, you know, I mean, so that drove me to getting an advocate. And so that got declined, the achilles was declined, the, you know, we challenged that, then that got declined again.

And then, I mean I'd already been out of work for quite some time and I mean it was just, you know, it had gone from bad to a whole lot worse, you know, I mean, you know, I was really starting to cook at that point. And I got the advocate and we decided that we'd look at trying to get some – they actually offered, we'll look into some work compensation for your sensitive claim, if you like. And I said, "Oh whatever", I mean, if you can't help me with a busted achilles, you know, because there's a bridge – they can draw a short bridge and you know when you come out of work and you've got your holiday pay and whatever, you know, they can bridge the little gaps, you know, and it was only – I only fell short by about seven days, I thought, you know, I've been working for the last 30 years, what's seven days, you know? So that really – that really annoyed me that did,

- I thought okay, how about we will go down the sensitive claim road and we will try and get some weekly compensation.
- 3 **QUESTIONING BY MS BEATON CONTINUED:** That's what's been accepted a few weeks
- 4 ago.
- 5 A. Yeah.
- 6 Q. And you're still waiting to hear what actually that means for you in a practical sense?
- 7 A. Yeah, yeah, there's no basically they said, "Look, we don't know how long this is going to
- take, you know, we can't give you any indication." And then there was some talk in the
- email about a few months from now, you know, it might be sorted out, and my advocate
- was quite annoyed at the fact that, you know, I may have to wait some more time. You
- know, I mean by this time I pretty much, you know, had an understanding of, you know,
- what it's like to deal with ACC. I mean I'd rather go back to work, I'd love to go back to
- work, you know, I don't find any I don't get any joy out of not, you know, I mean I find
- going to work quite stable, it stabilises my life.
- 15 Q. Can I ask you some questions now about the Ministry of Social Development, not the
- WINZ benefit side.
- 17 A. Yeah.
- 18 Q. But the claim for compensation for abuse when you were in care as a child.
- 19 A. Yeah.
- 20 **Q.** You haven't, as I understand it, made any kind of formal claim to them?
- A. No, no, well, I mean I never really intended on making a claim. I actually told them, you
- know, I wasn't interested in making a claim.
- $\mathbf{Q}$ . And why is that?
- A. Well, you know, I mean I'd learned a little bit by then and all it boiled down to was like
- 25 this it was just hush money, you know?
- 26 **Q.** Did you talk to MSD, though? You rang –
- 27 A. No.
- 28 **Q.** Okay.
- 29 A. No, I can't recall calling MSD and asking them about anything like that.
- 30 **Q.** You talked earlier to me, not in this room, but about an idea about suing in the future?
- 31 A. Yeah.
- 32 **Q.** What does that mean to you?
- 33 A. Well, I guess, you know, I mean I guess rather than taking their hush money, I mean my
- counsellor expressed, you know, that it's very little money and, you know, it might help you

out but, you know, it's not a substantial amount of money, it's, you know, it's just – and

I thought, you know, I mean when I weigh up what's happened to me, you know, I don't

think it's any realistic compensation at all. I mean what's happened to me and other kids

4 that were on that island was so disgraceful and putrid, you know, if they were to come to

5 me with some fair compensation or some sort of – some way of making it right, you know,

then, you know, I would – I mean I'd just rather sue them, I'd rather see – I mean they

turned their back on us and they put us through some disgraceful stuff and I'd just rather – I

would, rather than take their hush money, you know, I guess a lot of desperate people, you

know, that have been through this would take it, you know, because they'd be wary that

they'd be desperate for money or some sort of compensation for it. And I just felt like, you

know, if you want to – if you're going to destroy my life like you have, then, you know,

then you better have some sort of realistic, fair help for us, you know what I mean?

**CHAIR:** Mr PM, can I ask you this, what does that look like you to? Do you have an idea in your mind? I really get your rejection of the idea of hush money, for example.

15 A. Yeah.

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- **Q.** Do you have an idea of what good would look like in this area?
- 17 A. Well, I don't, really, I mean I've got no idea of what –
- 18 **Q.** Is it just money, or could it be other things as well?
- 19 A. No, well, you know, I just don't know what they could do for us, you know, to make it 20 right, you know what I mean? Like –
- Q. What about acknowledgment, what about an acknowledgment of wrong, would that help you, is that something you would welcome?
- 23 A. Yeah, no, I mean there would be a bit of satisfaction in that. But, you know, if there was,
- 24 you know, any realness in that acknowledgment, I mean I just don't I just have doubts
- about that.
- 26 **Q.** Yeah.
- A. I really do, I mean I look at the journey I've taken, and the hardship that I'm still going
- through, you know, and what's happened to us is just so heinous. I mean, you know, you
- can trip over in the supermarket and probably sue them for not a bad quid, but, you know,
- you can go out to an island and get raped and sodomised and you get fuck all, you know
- what I mean? I don't see that as being a suitable alternative. I don't think fuck all's good
- enough. That's where I'm at with it. I mean yeah.
- 33 **Q.** It's a very difficult question and of course it's one that we are grappling with.
- 34 A. Yeah.

- 1 Q. It's one of the big topics for us is how can we make any difference –
- 2 A. Yeah.
- 3 **Q.** to people like you whose lives have been effectively destroyed.
- 4 A. Well, I mean I have, you know, pondered on some hey-presto idea that could, you know, be
- suitable, but I mean how do you how do you make good of that?
- 6 **Q.** That's right.
- 7 A. I mean –
- 8 Q. Well, if you have any hey-presto ideas you can always tell us later, we're always open for
- 9 suggestions, because it's a major question mark for us as well.
- 10 A. Well, I mean, you know, we could do eye for an eye but that would be horrible, wouldn't it.
- 11 **Q.** It wouldn't be a good look.
- 12 A. It wouldn't be, no.
- 13 **Q.** Anyway, sorry, Ms Beaton, I've intruded on your space.
- 14 **QUESTIONING BY MS BEATON CONTINUED:** No, that's is there anything else that you'd
- like to say to the Commissioners about how this has affected you and about what any
- kind of thoughts you might have as to how it could be prevented in the future?
- 17 A. Well –
- 18 **Q.** I know that's a really big question.
- 19 A. Yeah no, there's a couple in there.
- 20 **Q.** There is.
- 21 A. The first one I mean it's I was unbeknown to the effects that this was having on my life
- 22 until I started coming out with it in March and receiving the counselling. You know, I've
- ascertained that, you know, this has affected my life in a huge way, you know, and I didn't
- even have any idea what was going on. I mean I'd lost sight of it so many years ago, and I
- 25 had it so I mean up until, you know, when I first was made aware of it, you know, I don't
- 26 think I would I don't think my brain had stimulated one of them thoughts for probably at
- least a decade, a decade-and-a-half, maybe two decades, probably two decades. You know,
- so for probably the first 10 years after that island, you know, it took me probably around 10
- years to learn to live with it, deal with the shame, try and bury it, and then try and move on
- with my life. I really lost sight of it, you know, and for probably two decades, I really
- haven't thought much about it, you know, and, you know, the effects that come about when
- you're so young and, you know, you haven't even developed, you know, ways to think
- about things or, you know, to work through things in your mind, you know, and, you know,
- when you're when you're scared for your life in a hole looking down and you're pleading

for your life, that's going to have some really serious effects on your mental path and your life.

I mean that – when you see your peers and your elders doing these things to you, I mean young people that they mimic their elders, they do what they done, monkey see monkey do. Now that was really brutal and, you know, that set my pathway in life. I mean just dealing with things, confrontations, I mean you know, I've got no knee-jerk reaction anymore. You know, it's fight or flight, you know. You know, it thickens your skin up so hard. I mean the place was – that's where, you know, rapists and murderers were born on that place, they got their training out of there. It was a rape club and I'm aware that murderers and rapists have come off that island. I mean I feel like – I just thank God that I made it this far without doing anything really bad. You know, I mean I'm just so grateful that, you know, I'm not doing 30 years in jail for killing someone. Because when you get exposed to that sort of stuff, you know, your, you know, your forte is a whole lot different than someone who hasn't experienced them things. You know, they could genuinely sit down and talk about things and engage in arguments or discussions or whatever, but, you know, I mean because I've, you know, there's a real, you know, I mean I'm struggling to find words to explain what sort of person you become after that place.

You know, I'm just grateful I've got this far, I guess I might be able to explain that a bit more down the road a bit better. But, you know, that's pretty brutal stuff and, you know, that's going to have an effect on people. It really is, I mean – yeah.

- **Q.** Thank you for your evidence, is there anything else you'd like to say to the Commissioners, they might have some questions for you or perhaps not?
- 23 A. Yeah, no, you can ask me some questions if you like.
- **CHAIR:** I don't know if we have any questions. But Mr PM, I want to acknowledge your presence here today, in this very difficult space.
- 26 A. Yeah.

- **Q.** So you've bravely come forward. And it's horrifying to all of us that you were sent by the supposed protectors of Social Welfare –
- 29 A. Yeah.
- **Q.** and their supposedly justice system –
- 31 A. Yeah.
- Q. to a place which not only damaged you deeply but horrifyingly, and in a way that has
   lasted the rest of your life.
- 34 A. Yeah.

- 1 Q. That is truly appalling and I think you put your finger on it when you said that rapists and
- 2 murderers were born there.
- 3 A. Yeah.
- 4 **Q.** And that's the horrific thing.
- 5 A. Yeah.
- 6 **Q.** So for you the personal tragedy –
- 7 A. Yeah.
- 8 Q. of being let down by the State and the impact on you personally –
- 9 A. Well, it's had a huge effect on my moral compass.
- 10 Q. Yes, yeah, and that's very perceptive of you. You know, your moral compass, not to say
- your mental condition, it's given you PTSD and all the rest of it, but you also recognise that
- when you do things like that to children it can turn them into monsters.
- 13 A. It has, yeah.
- 14 **Q.** And you are fortunately strong enough somehow to have avoided that and for that we salute
- 15 you.
- 16 A. Thank you.
- 17 **Q.** The other thing I want to say is that you mentioned several times, and it troubled me, that
- 18 you felt shame.
- 19 A. Yeah.
- 20 **Q.** And I just want to tell you we feel shame. The whole of this country –
- 21 A. Yeah.
- 22 **Q.** should feel the shame that we put damaged children into a place which damaged them
- even more.
- 24 A. Yeah.
- 25 Q. And I want to thank you, it's a valuable and important insight, not just for the
- 26 Commissioners to hear, but for everyone in this country to hear.
- A. Yeah, well, I mean I struggle with, you know, Police and I mean, you know, they've
- fabricated up charges on me and the dishonesty, you know, and I mean I think there's –
- I actually believe that there's way more sinister things to be learned about that island than
- we're probably ever going to learn. I think it's responsible for I mean I don't know how
- I didn't commit suicide from that island.
- 32 **O.** Yes.
- A. I reckon there'd be the statistics would be, would be really alarming. You know, there's a
- lot of good people, you know, there was troubled people that went there, and out of that

- place monsters came. And that place just destroyed so many lives. Like it was going on for years.
- I can assure you that your evidence today is not the only thing that we'll be looking into, behind the scenes we've got a lot of paperwork, documents, and witness statements.
- 5 A. Yeah.
- 6 **Q.** This will form a part of our report.
- 7 A. Yeah.

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- 8 **Q.** Because I agree with you, it needs light shone on it.
- 9 A. It really does, yeah, it needs the truth to be revealed.
- 10 **Q.** That's right.
- 11 A. That's the least they can do, you know, I mean, you know, being dishonest and hiding the 12 truth is not going to get this country – make this country a better place and better place for 13 our youth. You know, if they continue to suppress information and hide the truth, I mean, 14 you know, that stinks, that's disgraceful.

You know, the only way that we're going to learn to go forward without the abuse is by acknowledging it and the monsters they've made and actually helping their monsters out. They may not be able to be helped out, because they've probably gone too far, but, you know, someone's got to be responsible for the monsters that were made out on that island, and, you know, I think the buck stops with the Government. I really do. I mean they call themselves honourable Ministers and, you know, I'm sure there are some, but if you turn a blind eye to that, you're a monster yourself. You know, I've done some things wrong, I've broken the law, I've stretched the law in my life, but I'm not guilty of what they're guilty of. And it's disgusting to let our youth be put through that sort of brutality and then think that you're going to hide it.

- Well, thanks to you it's not hidden and that's our job is to shine light on these dreadful parts of our history.
- 27 A. Yeah.
- Q. I just want to say thank you very much indeed, and you deserve a good break now.
- 29 A. Thank you.
- 30 **Q.** And I hope you can have one.
- 31 A. Thank you.
- 32 **Q.** Thank you very much indeed.
- 33 A. Thank you.
- CHAIR: Thank you Ms Beaton, I think we've come to a close for the afternoon. We just have

1	one final thing to do.
2	Hearing closes with karakia mutunga by Ngāti Whātua Ōrākei
3	Hearing adjourned at 4.35 pm to Monday, 10 May 2021 at 10 am
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