

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
CHILDREN'S RESIDENTIAL CARE 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)
Dr Andrew Erueti
Ali'imua Sandra A洛夫ivae

Counsel: Ms Anne Toohey, Mr Simon Mount QC, Ms Kerry 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
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TRANSCRIPT OF PROCEEDINGS

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1 **11 MAY 2021**

2 **[10.02 am]**

3 **Hearing opens with karakia tīmatanga and waiata by Ngāti Whātua Ōrākei]**

4 **CHAIR:** Tēnā koutou katoa, nau mai haere mai ki tēnei huihuingā ko te rā mutunga tēnei, o tēnei
5 hearing. So good morning Ms Toohey.

6 **MS TOOHEY:** Good morning Commissioners. This morning the first witness is an anonymous
7 witness, Mr U, who will be giving evidence from a different location. And he will be led
8 by Ms Cooper who's sitting in the witness box for that purpose.

9 **MR U**

10 **CHAIR:** Thank you. Welcome Mr U. I can see you but nobody else can except the
11 Commissioners. And of course your lawyer Ms Cooper. Ms Cooper, welcome to you,
12 thank you. And we'll start, I'll just ask for the affirmation, is that all right? Mr U, can you
13 hear me?

14 A. Yes, I can hear you clearly.

15 **Q.** Thank you and we can hear you. Do you solemnly, sincerely and truly declare and affirm
16 that the evidence that you give before this Commission will be the truth, the whole truth
17 and nothing but the truth?

18 A. Yes.

19 **Q.** Thank you. Thank you very much. Now I'll leave you with Ms Cooper to ask you the
20 questions. Just reminding you that because your voice is distorted, and because our
21 transcriber has to type this down, if you could just keep it as slow as possible. I know
22 sometimes it will be hard, but I hope you'll bear that in mind. Is that okay?

23 A. That's okay.

24 **Q.** Thank you so much. Okay.

25 **QUESTIONING BY MS COOPER:** Tena koutou katoa. So Mr U, just to confirm that your
26 family is Māori and that you were born in the North Island and you're the eldest of your
27 siblings?

28 A. Yes, correct.

29 **Q.** And as part of your life growing up, I think it's important to say that your father was
30 heavily involved in the gangs and for you growing up the house was often full of gang
31 members, wasn't it?

32 A. Yes, that's right.

33 **Q.** And you say that some parts of your childhood were good but others were not. Can you
34 just talk a bit about the good parts of your childhood and what wasn't so good?

- 1 A. I guess what I meant by that is my father was, he was a pretty good role model in some
2 ways, like he always made sure he had a job and provided for our family. And, yeah.
3 Yeah.
- 4 Q. So he was a good role model but he was also violent, wasn't he?
- 5 A. Yeah, he was violent, yeah, there was violence in the home growing up for sure.
- 6 Q. And you say in your statement that sometimes you couldn't go to school because you'd been
7 beaten so badly?
- 8 A. Yeah, that's the truth.
- 9 Q. And just talking about mum, you say that she was abusive but in a different way because
10 she was an alcoholic and you say that she had her own demons to deal with?
- 11 A. Yeah.
- 12 Q. How did you feel that she related to you? Like did you feel like you were loved and part of
13 the family with mum?
- 14 A. Sometimes, sometimes, sometimes she made me feel like I existed, but the shit I got from
15 her was more verbal. Physical as well but more verbal than anything, it was the verbal stuff
16 that stuck with me the most.
- 17 Q. So what sort of -- can you give an example?
- 18 A. The way she used to speak to me, she used to speak down to me like compared to the way
19 she used to treat my cousins or my other siblings. She would sometimes make me feel like,
20 just she knew that would make me feel rejected with her words.
- 21 Q. And you had a period of time living with your grandparents, I think you say from about 10
22 to 12 because you'd been getting into trouble. What was it like with your grandparents?
- 23 A. It was relaxed, I felt like they were doing a better job at looking after me, caring for me and
24 showing me, I was just getting more love from my grandparents than what I did from my
25 real parents.
- 26 Q. So then sadly your grandfather dies and you get back into trouble and so then you're taken
27 back by your parents. I just want to call out the first document that we're going to look at,
28 so that's 291002, and if we can look at the top paragraph please. From Mr U comes -- we're
29 just waiting for the document to come up Mr U.
- 30 A. Sorry, cheers, sorry.
- 31 **MS TOOHEY:** We might just need a minute, we're just having a technical issue here.
- 32 **CHAIR:** Just having a technical issue here, Mr U, do you mind just waiting for a mo?
- 33 **MS COOPER:** He's all good.
- 34 A. No worries.

1 **MS TOOHEY:** Might be a slightly more major technical issue than we thought, I'm sorry do you
2 mind if we had a few minutes just to get our evidence --

3 **CHAIR:** Of course, no we'll do that. Mr U, sorry about this but it's important that -- something's
4 happened. We were going to make a break but it looks as though we've got some progress.
5 Here we go. Can you see that?

6 A. Yes, I can.

7 **MS COOPER:** So if we can just call out until -- yes exactly, thank you. So that says,
8 "Mr U -- you -- comes from an unbelievably cool caring family. I was surprised by this
9 when I first met them. It was not until I asked about his background that it was revealed to
10 me that Mr U's dad had been a very violent man. Mr U, according to his mother, had seen
11 her being beaten by his father. Things had got so bad that her and Mr U's dad separated for
12 some years. In this time Mr U was taken to live with his grandparents where he lived until
13 he came to Police notice at about age 12."

14 **CHAIR:** For the record, Ms Cooper, what is this? Who does it come from?

15 **MS COOPER:** So this is a document created -- so this is a CYRAS report, so this is a record from
16 Mr U's Social Welfare file and it's created by a social worker.

17 **CHAIR:** Okay, thank you.

18 **QUESTIONING BY MS COOPER CONTINUED:** Does that kind of describe accurately what
19 your family was like, do you think they were "unbelievably cool and caring"?

20 A. Not unbelievably cool and caring. They were all right. They could have done a lot better
21 as parents, but, I don't know, I just got teased sort of thing and (inaudible).

22 **Q.** So when you go home you talk about spending a lot of time with your cousins, your older
23 cousins who were involved in gangs and you looked up to them at that stage and so you
24 followed what they did, didn't you?

25 A. Yeah, that is correct.

26 **Q.** And that's when you start coming into care. So you talk about going into a few foster
27 homes or family homes. Can you talk a bit about what that was like? That document can
28 come down now.

29 A. "Few foster homes".

30 **Q.** Yeah, so what do you remember of these placements that you had early on?

31 A. Because I was so young I felt really uncomfortable, I just wanted to be at home, and being
32 around strangers, I don't know, was bigger than me, probably badder than me, I don't know.

33 **Q.** So one of the things you say is these weren't places that you suffered any abuse, but you
34 were scared because you were with strangers?

- 1 A. Yeah, absolutely, yeah. In those foster homes I didn't suffer any abuse, I just felt
2 (inaudible) I couldn't relax and stuff, that's just how I felt, that's what I can recall.
- 3 Q. And then we're just going to refer to an incident where you're arrested at the age of 13 for
4 threatening behaviour, so this is in 1994. So if we can just call out document 291004, the
5 third paragraph. So this is your mum, this is again another record from your Social Welfare
6 file and it's a home visit by a social worker. And it's saying that your mum was not happy
7 with the way that the Police handled the boys and that included you. As she said, "They
8 were handcuffed, and then stripped at the station in front of one of their female friends.
9 Considering the charge -- so that was threatening behaviour -- and the age of the boys, she
10 felt they were very excessive." So do you remember that particular incident with the
11 Police?
- 12 A. Yeah, I do, yeah, I remember that.
- 13 Q. And how was the strip-search actually carried out at the Police Station?
- 14 A. So we were arrested with the Police, where we were when the Police came, when the Police
15 recorded we were arrested and they took us back to the Police Station, they threw us all in
16 the same room, including my sister and strip-searched us.
- 17 Q. Including the girl too?
- 18 A. Yeah.
- 19 Q. So did that involve actually having to take off all your clothes?
- 20 A. For us, for the boys it did. Her she didn't have to strip right down.
- 21 Q. Who was strip-searching you, male or female police officers?
- 22 A. Far out, it was a long time ago, but I still remember the two, I still remember two of
23 the -- three officers, sorry, two males and one female, there was more officers but I can
24 only remember those three.
- 25 Q. So you had to strip right down, right out of your clothes?
- 26 A. Yeah, I did.
- 27 Q. Did you have to squat or anything like that?
- 28 A. Jeez, I don't remember stripping to squat to be honest, but I remember getting
29 strip-searched.
- 30 Q. So that's one of your first experiences, I guess, with the Police?
- 31 A. Yeah.
- 32 Q. And then you end up getting into more trouble and you go to Weymouth. So again, we're
33 just now going to talk about your experiences at Weymouth. So you're 14, and you're
34 going straight into the secure unit. Tell us about secure in Weymouth, what was the

1 physical environment like, what did it look like?

2 A. So from what I've been through -- from what I've been through in the past, like I've been to
3 maximum security and the secure unit in Weymouth looks like maximum, looks like maxi,
4 the words, the layout and everything and --

5 **CHAIR:** Just going to stop you there, Mr U, there seems to be another technical problem, what's
6 the issue?

7 **MS TOOHEY:** It's just quite hard to -- the voice distortion I think could be potentially improved.
8 And I hate to interrupt the witness, but I'm just wondering if we should just take a quick
9 break just to see.

10 **CHAIR:** If it can be improved, there's at least one person in the room who would be grateful,
11 that's our stenographer. Mr U, really sorry to interrupt but it's important that you are going
12 to all this trouble and courageous trouble to tell us your account, and it's important we get
13 every word down, so I think it's important if we take a few minutes, get it sorted and when
14 we come back, hopefully we'll be able to hear you better. So we'll just take an adjournment
15 until that's sorted.

16 **Adjournment from 10.16 am to 10.25 am**

17 **CHAIR:** You don't have to stand up. And I must say, we can now see you which is great and
18 hopefully we can hear you a bit better too, that's great. Thanks for your patience. Thank
19 you Ms Cooper.

20 **QUESTIONING BY MS COOPER CONTINUED:** So we were just at Weymouth, 14 years old
21 and you're placed straight into secure. So you were just about to describe what secure
22 looked like, what was the environment like and I think you said you've been through
23 maximum prison, so do you want to pick up from there?

24 A. Yeah, can you hear me all right?

25 **CHAIR:** Yeah.

26 A. Okay, so just when you first asked me the question straight away it took me back to
27 maximum security, but, you know like you said, (inaudible) and it was just full-on
28 lockdown, 23 hours lockdown and unlocked for one hour. This is secure unit in Weymouth
29 Boys' Home.

30 **Q.** So you're locked down for 23 hours, only out for an hour, yeah, and you're talking about a
31 concrete cell?

32 A. Concrete and metal, that's it, that's all that was in my cell was concrete ceiling, concrete
33 walls, concrete floor, a metal base for my bed and a frosted window that you couldn't see
34 out. So -- and it was real cold and during the day I don't know if it was for everyone, but

1 during the day in the morning they used to take my blankets and my mattress and give it
2 back to me later on, I don't know if that was for everyone, but that was secure unit when I
3 was there.

4 **Q.** So you're in there locked up for 23 hours, what did you do?

5 **A.** I was thinking worst case scenario is, to be honest, being so young and because I didn't
6 know what the process was, -noone- was really filling me in on what to expect or --

7 **Q.** So when you were admitted, were you told how long you would be in secure?

8 **A.** Because I've been to secure more than once, like the first time I went there I don't
9 remember them telling me how long I was going to be in secure unit for. But like my third
10 time there they said you'll be in secure for three days, but when I first went there it was
11 longer than three days and it was -- I just didn't it like the feeling, it was an ugly feeling
12 there.

13 **Q.** And one of the things you talk about is, you know, you had to eat your meals in there quite
14 often?

15 **A.** Yeah.

16 **Q.** So were you let out for toileting and showering?

17 **A.** Yeah, that one hour, that one hour for my shower and my rec time.

18 **Q.** So just that one hour you were allowed for toileting and shower?

19 **A.** Yeah.

20 **Q.** You say there was a rec room and I think you say there was a TV and a ping pong table and
21 that's where you could mix with the other kids who were in secure?

22 **A.** Yeah. Yeah, that's where the other kids would go, yeah.

23 **Q.** Did you get any schooling while you were in there?

24 **A.** Not that first time when I was in secure unit.

25 **Q.** So I think that first time you actually spent ten days until you were sent to Moerangi Treks
26 which we'll talk about and then you come back after Moerangi Treks and the records show
27 you go in and out of secure. One of the things that you comment on is that you were the
28 youngest person in Weymouth in 1995. How did you know that you were the youngest?

29 **A.** Because I got -- I ended up building a bit of a relationship with one of the officers and he
30 always used to mention it to other -- to myself and other kids, I was the youngest in here,
31 da, da-da, da-da.

32 **Q.** Yeah, and then you talk about being moved into the open unit. Talk a bit about what that
33 was like for you as the youngest kid there?

34 **A.** You know, it changed eh, there would be some days I thought this is cool, real cool being

- 1 in here hanging out with all the bad boys, but then there would be those days where I'd get
2 bullied and pressured into doing things.
- 3 **Q.** And you say also too that you were being threatened by the other kids as well?
- 4 **A.** One part there, yeah, because of where I come from and who my people are.
- 5 **Q.** Yeah. So we're just going to call out a document now which is 291008 and on to the third
6 page. So this is a record from Weymouth and if we just -- we've got the interaction with
7 peers. So there you see that one of the staff members has recorded felt he was going to get
8 a hiding from other res, so that will be residents.
- 9 **A.** Yeah.
- 10 **Q.** So you think that's an accurate record of how you were feeling then?
- 11 **A.** Yeah, absolutely.
- 12 **Q.** And then just moving down to the additional comments section, so that you felt unsafe with
13 other residents but has since settled into unit. So do you think this is suggesting you got
14 more used to it as time went on?
- 15 **A.** Yeah, I'd say that's what it was for me.
- 16 **Q.** In your statement you talk about getting three bad hidings from other boys at Weymouth
17 where you ended up with black eyes and bruises. Do you remember how they came about,
18 were they gang-related fights, or just part and parcel of being at Weymouth?
- 19 **A.** I can clearly remember one of them was because of gang life, because of my background
20 and stuff. The other two, far, was nothing, they were just being bullies.
- 21 **Q.** I think one of the things we were talking about the other day is because you were quite big,
22 weren't you, even though you were young?
- 23 **A.** Yeah, yeah, I was.
- 24 **Q.** And what difference do you think it made that you were big?
- 25 **A.** I think that the other boys just looked at me like oh yeah he's like (inaudible) but I might be
26 answering this wrong, but just some of the other boys I think they just looked at me like
27 he's a big cunt. So it was never a one-on-one.
- 28 **Q.** So you were always attacked by a group?
- 29 **A.** Yeah.
- 30 **Q.** What were staff doing at this stage?
- 31 **A.** What they do about it, what were they doing while this was happening?
- 32 **Q.** Yeah, both really.
- 33 **A.** Staff were always busy when this would happen, when this was happening, but they always
34 came and did their best to break it up, separate us and try and get so the bottom of the

- 1 problem.
- 2 **Q.** Did it work?
- 3 A. At the time in the moment, yeah, but as soon as they were gone everything just carried on
4 as usual.
- 5 **Q.** So talk about, you talk about one occasion where you're asleep?
- 6 A. Sorry. Is that when the guy put the Deep Heat in our ears?
- 7 **Q.** Yeah.
- 8 A. Yeah, so the officers let us in because we had been -- because we had been on good
9 behaviour for a few days, they let us all sleep upstairs in the TV room. So we all took our
10 mattresses up there and while we were asleep one of the guys, who I can't name, he thought
11 it would be okay to go and squeeze Deep Heat into our ears while we were all asleep
12 and -- yeah.
- 13 **Q.** Did it hurt?
- 14 A. Yeah, it was stinging to be honest, at the time it was stinging and I woke up and I reacted,
15 I reacted with violence to be honest, as wrong as it is, I reacted with violence and I just got
16 myself into more trouble.
- 17 **Q.** Could you have reported to staff what was going on?
- 18 A. Sorry, sorry, I reported it first, sorry.
- 19 **Q.** Yeah.
- 20 A. I reported it to the officers first, but because the guy that did it thought it was just a big joke
21 and continued to -- I don't know, he was sort of cursing me with his ugly words and I just
22 had enough of it, because even before he did that, put that Deep Heat on my ears he had
23 already been trying to wind me up quite often, yeah.
- 24 **Q.** Was it easy to report what was going on to staff or --
- 25 A. No, because -- was it easy to report did you say?
- 26 **Q.** Yeah, yeah, I mean like --
- 27 A. Yeah, it was, sorry for that.
- 28 **Q.** But generally was it easy to tell staff what was going on?
- 29 A. Oh no, no, of course not. You had to be real sneaky about it and --
- 30 **Q.** So what happened to people who got found out narking?
- 31 A. Back then it wasn't, you'd just get a bit of a (inaudible) and you'd end up with protection(?),
32 I guess, compared to today, what (inaudible) today.
- 33 **Q.** So much worse --
- 34 A. Yeah.

- 1 **Q.** -- repercussions today for narks. So one of the things you also talk about is seeing sexual
2 activity between the residents.
- 3 **A.** Oh yeah.
- 4 **Q.** So do you want to talk a bit about that?
- 5 **A.** Okay, so sometimes like if when I go to the showers the other boys, certain boys will be
6 playing with themselves, with each other in the showers, and trying to encourage others to
7 participate.
- 8 **Q.** Do they try to get you to participate?
- 9 **A.** Yeah, I can remember one of them trying to get me to, but because I was a bit bigger than
10 him, I was able to like, to just -- yeah.
- 11 **Q.** Say no?
- 12 **A.** Yeah.
- 13 **Q.** You talk about trying to run away. Were you successful?
- 14 **A.** Running away from Weymouth.
- 15 **Q.** From Weymouth, yeah?
- 16 **A.** Once, yes.
- 17 **Q.** So how did you get out?
- 18 **A.** So I had an older guy there, there was a guy there older than me who I looked up to, who
19 I thought was -- I just thought he was on to it, what he would do, and he -- our job was to
20 do the laundry, doing the laundry room, and I didn't even have much notice or anything, but
21 he quickly told me what we were doing. And we kicked this square piece out of the wall,
22 jumped out with stacks of blankets, made our way to the corner of the secure unit, up the
23 fence and then come -- put all these stacks of blankets on top of the barbed wire and just
24 rolled over the barbed wire and on to the grass, down on to the grass and then fled the
25 scene.
- 26 **Q.** How long did it take before you were caught?
- 27 **A.** Not long at all.
- 28 **Q.** Same day?
- 29 **A.** (Inaudible) to be honest.
- 30 **Q.** And on your return you're put into secure?
- 31 **A.** Yeah, sorry, yes.
- 32 **Q.** One of the things you talk about is each time you went into secure and also after you had
33 visits, you were usually strip-searched by staff. So just talk a bit about what the
34 strip-searches involved at Weymouth?

- 1 A. Yeah, so after the visits, or even after someone else might have got a visit, some of us
2 would get picked out, strip-searched, squatted, do the squat over the mirror.
- 3 Q. So you had to squat over a mirror?
- 4 A. Yeah, sometimes the officers could smell marijuana.
- 5 Q. Yeah.
- 6 A. And because I'd just had a visit that day or that week, they would pick on me, not being
7 aware that it could have been -- someone could just throw it over the fence or whatever.
- 8 Q. Yeah.
- 9 A. Yeah. Officers would assume that because my family were gang members, because of my
10 history yeah, that it was coming through us.
- 11 Q. And where did these take place?
- 12 A. Sometimes in hallways, sometimes in a cell, sometimes just out of the visit room in a
13 hallway where no-one could see.
- 14 Q. Was it always male staff members who strip-searched you?
- 15 A. Not always, not back then. It was -- there was a lady, I can remember this one lady, the
16 same lady, sorry, a few times strip-searching me.
- 17 Q. How did that make you feel?
- 18 A. At that time, back then I didn't really think much of it, I just thought oh yeah, I'm here, I've
19 got to listen and just do what I'm told to do.
- 20 Q. So one of the things that you say, you know, as part of this process is you'd have to take off
21 all of your clothing and then you'd have to pass it over to the staff who would search it and
22 give it back to you?
- 23 A. Yeah, one piece of clothing at a time got handed to them.
- 24 Q. And then they'd give it back to you after they'd checked it?
- 25 A. Yeah, you'd put that back on.
- 26 Q. Did you get a towel to cover yourself at all?
- 27 A. No, so if I had to take off my -- I'd have to take off my bottom half and leave my shirt and
28 just cover myself with my hands.
- 29 Q. Yeah. So you say that you were strip-searched more than ten times while you were at
30 Weymouth?
- 31 A. Yeah.
- 32 Q. One of the things that your records say is that you were accused of trying to start a fire at
33 Weymouth, is that something you actually did?
- 34 A. In the file, no, I didn't, I had nothing to do with starting the fire to be honest, but because I

1 was one of the youngest and there was a female who started that fire, because she was
2 pretty hard out, bit of a hard out chick, a lot of the boys used to --

3 **Q.** So you say what, she's a hard out chick?

4 **A.** Like she was pretty ruthless when it was time to do things, and she had the boys wrapped
5 around her little finger. Long story short, yeah, I was pressured into putting my hand
6 up -- I was told to put my hand up for that, sorry stuttering and stuff.

7 **Q.** No, it's all right, it's going fine. We're just going to look at some documents around that.
8 So it's document 291012. If we can just first call out the admission, section page 1. So that
9 says that you were overly loud and generally not happy to be returning, this is back to
10 Weymouth, as supervision with residence. So this is talking about you absconding at 7.50
11 am the following morning, returning yourself later that day. So that's not something you
12 actually remember returning yourself, is it?

13 **A.** No. Absolutely not.

14 **Q.** Then the living environment, it describes you as a very vocal young man who attempts to
15 bully and manipulate others to his own advantage, that you can, and generally do, comply
16 with instruction but requires constant supervision to ensure consistency. Do you agree that
17 you were a bully and --

18 **A.** I don't think so. I don't think I was a bully, I'm not a bully today and I don't remember a
19 bully -- I mean like sometimes just the way I talk people can be intimidated by just the way
20 I am, but other than that, I don't think back then I was a bully. I could have been, but --

21 **Q.** That's not how you saw yourself?

22 **A.** No.

23 **Q.** And then if we go over to the next page to the heading "Incidents", this is the reference to
24 the fire. Again if we call out that again it talks about you absconding returning later the
25 same day and it says you were also involved in a fire that was set in a bedroom that you
26 claimed responsibility for the action and were admitted to secure. Investigations by Police
27 and staff found that you had not been responsible but you were taking the blame for an
28 older resident. Even though you weren't to blame, you lost the right to early remission and
29 instead of doing two months on your supervision with residence you had to do the full three
30 months. Do you remember that?

31 **A.** Yeah, I do.

32 **Q.** So we're now going to come to Moerangi Treks. So you have a Family Group Conference
33 in June 1995 and it's agreed that you're going to Moerangi Treks under a Youth Court
34 order, so supervision with activity. What did you understand Moerangi Treks was about,

1 what did you understand it would be like?

2 A. The staff told me that I would -- that I would fit in well there and that there was a lot of
3 outdoor stuff we'd be doing, survival stuff, that was from -- sorry, that was from a social
4 worker, sorry.

5 Q. So at your FGC that's what you understood?

6 A. Yeah.

7 Q. And is that the reason why you agreed to do this?

8 A. Yeah.

9 Q. And then you hear something different from the boys once you know you're going there, so
10 what did you start hearing from the other kids who'd been to Moerangi Treks?

11 A. That most people in the city get a real hard time when they get there, if you're from the city
12 they give you a hard time when you get there. That if I had the option, the choice to choose
13 between Moerangi Treks and Charlie Moses, to chose Charlie Moses, that Moerangi Treks
14 is violent and some of the boys were being smashed up real good there, and -- but I thought
15 oh yeah, okay, I didn't think too much of it until I really got there. Like it put me off, like
16 don't get me wrong, I did not want to go there after hearing this from some pretty
17 well-known and hardened criminals back in those days that I looked up to, so I thought oh
18 well, if they're saying this then far, they're pretty bad fellas, it must be hard up there.

19 Q. Yeah. So we're just going to show another document at this stage, 291014 page 2. And it's
20 the last paragraph thank you, "Discharge details." This is you being discharged from
21 Weymouth. It talks about on 11 June 1995 you were uplifted by your social worker,
22 Charlotte Harris, to be transported to Moerangi Treks at Whakatane and it talks about you
23 being emotionally upset when you left Weymouth. And is that because of what you'd heard
24 about Moerangi Treks?

25 A. Yeah, that was one of the reasons and I just didn't want to be taken so far away from home.

26 Q. So talk about what happened on the way up there.

27 A. Okay, so on our first attempt to take me to Moerangi Treks, because I clearly did not want
28 to go there, as it says, I was emotionally upset and I've just explained what I'd heard about
29 the place. But our first attempt there we get to the lights in Otara and I asked them to wind
30 my windows down so that I could breathe. The safety locks were on and I couldn't open
31 the door from the inside so the window, wind the windows down, I unlocked the door from
32 the inside --

33 **CHAIR:** Sorry to interrupt you.

34 A. Am I talking too fast?

1 **Q.** Yes you are I'm afraid.

2 **A.** Jeez, sorry.

3 **QUESTIONING BY MS COOPER CONTINUED:** So I can hear you say that the kiddy locks
4 were on and so you asked them to wind the window down so you could breathe.

5 **A.** Yeah.

6 **Q.** Yeah?

7 **A.** When they wound the window down, I put my hand up, opened the door and got out and
8 ran because I didn't want to go there.

9 **Q.** So you got out and ran?

10 **A.** Jeez I was right -- see that was actually, yeah, I got out and ran. And later on I was caught
11 at my aunties, taken back home. So that Charlotte Harris my social worker could come
12 back and pick me up again, but this time I had my father in the car with me to escort me
13 down to Whakatane.

14 **Q.** So your father sat in the back seat with you?

15 **A.** Yeah, so that I wouldn't do another runner.

16 **Q.** Yeah. And then you describe driving for hours out somewhere into the bush?

17 **A.** Hours, like, seemed like forever being in that car.

18 **Q.** And then talk about like what you saw when you got there?

19 **A.** Yeah.

20 **Q.** What were the physical surroundings like?

21 **A.** Mountains, the rain water, the back paddocks and a few homemade baches.

22 **COMMISSIONER ERUETI:** Excuse me, Mr U, it's Anaru, one of the Commissioners here, it
23 would be useful to get a sense of where Moerangi Treks was. We know it's in Whakatane,
24 but the sense of the --

25 **MS COOPER:** How remote it was.

26 **COMMISSIONER ERUETI:** How remote it was, it's really important, yeah.

27 **QUESTIONING BY MS COOPER CONTINUED:** Can you explain where it was?

28 **A.** Yeah, it was pretty much in the --

29 **CHAIR:** Ureweras.

30 **QUESTIONING BY MS COOPER CONTINUED:** Ureweras, yeah.

31 **A.** In the bush, long gravel road, one road and heaps of run down looking houses. And we
32 stayed in these two sheds, sort of like sheds, homemade ones anyway.

33 **Q.** I remember asking you was there a toilet?

34 **A.** Yeah, sorry, we had long drops.

- 1 **Q.** So no proper toilets?
- 2 **A.** No proper toilet, no proper toilet, sorry. No proper bathroom, it was just another
3 homemade little shack with a bathtub in it and everyone had to share that same water.
- 4 **Q.** You all had to share the same water. Was it warm?
- 5 **A.** Yeah, it was.
- 6 **Q.** Yeah. And was there electricity?
- 7 **A.** I don't remember there being -- us using power, but I think there might have been.
- 8 **Q.** So you meet -- you get out of the car and meet the head guy?
- 9 **A.** Yeah.
- 10 **Q.** And just tell me what your impressions were kind of as you arrive?
- 11 **A.** So I already knew him before I met him, the head guy, from everyone else's -- everyone
12 else telling me about him. And I looked at him and I thought well this old man's doing all
13 that damage to the bros? But, yeah, and there was probably about 30 or so other young
14 fellas all walking around acting tough I remember. And I was thinking far here we go, I'm
15 that city guy that -- I'm from the city, my turn now, sort of a thing, but I didn't think it was
16 going to be as bad as it was.
- 17 **Q.** And that very first day you overhear two boys planning to run away, so talk about that,
18 what happened?
- 19 **A.** When I heard about those two guys that were planning to run away I thought far this is me,
20 I want to go and meet these two guys and I want to go with them, I don't want to be here.
21 And sure enough they -- I go and meet them and they say to me to be ready at this time on
22 this night and right we're out of here. So I was ready at that time and when it was time to
23 leave I left with them. Shall I carry on?
- 24 **Q.** Yeah, carry on.
- 25 **A.** So I know this bit's wrong, but the boys had already planned it, I was just going with the
26 flow. The head guy that run the place, we pushed his truck out of the driveway, drove
27 down the road, went around the roundabout and there was a cop there. So being young and
28 uneducated we went around the roundabout one more time and it got his attention. So he
29 did his lights because he knew the owner of the truck and he knows the owner of the truck
30 doesn't drive around that late at night. So he chases us -- sorry, we went down the road and
31 he chased us. After a while we thought the smartest thing to do would be to drive off the
32 road and start driving through these paddocks. I know it sounds stupid but this is just -- this
33 is how it happened.
- 34 **Q.** Yeah.

- 1 A. Eventually we crash into -- we're driving through paddocks, driving, smashing through
2 fences and then we end up in the water. And it's late as and it's pitch black and it's raining
3 hard out, and the only real lighting that we were getting was from the lightning.
- 4 Q. So you got lightning?
- 5 A. Yeah, every now and then whenever the lightning would strike it lit up the area and we
6 could sort of make out there's a house down there we'll head that way. Which is what we
7 did. And we were hiding at one house, at the back of one house, sorry, and this lady came
8 out, and instead of being terrified and everything of who these guys are at the back of her
9 house making all this noise, she came in -- she came out, sorry, and spoke to us and asked
10 us if we were all right. Then she told to us take off our wet clothes and come inside.
- 11 Q. Yeah.
- 12 A. She looked after us. But of course we didn't say too much about where we'd come from
13 and stuff because no doubt she would have been related to the head guy of Moerangi Treks,
14 because it's only a small place.
- 15 Q. Yeah.
- 16 A. And long story short she let us sleep there, she fed us and --
- 17 Q. What happened the next morning?
- 18 A. The next morning, so I got up, she let me use her landline phone and I rang home to tell my
19 family where I was and what I was doing. They didn't believe me, they hung up, eventually
20 they hung up and didn't believe anything I was saying. And then on my last phone call that
21 I made to my aunty where she was saying "Oh yeah, your uncle's on his way now, I'll send
22 him to come and get you." I could hear all these voices outside, and when I got up and
23 looked out the window it was the head guy and all his crew surrounding the house. And
24 what gave it away was all our wet gears outside the house.
- 25 Q. So what happened then?
- 26 A. It turned out they knew each other, the head guy and the lady, and she was still cool and
27 talked to us like she cared and stuff. We get back in the van and straight away we're
28 getting, what's the word, threatened, yeah, we were getting threatened.
- 29 Q. About what's coming?
- 30 A. Yeah. Like right now I can smile about it and talk about it only because of -- yeah.
- 31 Q. How were you feeling at the time?
- 32 A. Far I just wanted to run again, I just wanted to get away.
- 33 Q. So you get back and what happens then?
- 34 A. When we get back we were made to sit on these seats outside the -- this big homemade

1 building that's meant to be a kitchen, we were made to sit outside on these seats in the
2 paddock, we were surrounded by everyone and like while I'm sitting there thinking,
3 because he's talking to them in Māori, the head guy's talking to most of them in Māori, and
4 I'm thinking just hurry up and give me a hiding, far, just hurry up and get it over and done
5 with. And when they did start whacking me out, far, I dropped to the -- I deliberately
6 dropped off my seat and on to the ground and tried to run and there was nowhere to go, just
7 mountains and water and I don't know where I was. So I'm jumping fences, running
8 towards the water, and I've got about 20 guys right behind me, like hungry as to get me, and
9 I end up giving up because I'm surrounded by them now and I just dropped to the ground
10 and drew up into a ball and they started kicking me. And I can remember the biggest guy
11 because me and him ended up being mates and doing prison together, and ended up being
12 close bros together back in my time.

13 **Q.** Yeah, keep going?

14 **A.** They started smashing me. By then I couldn't see the other two that I'd took off with
15 because they were still way back sitting on the seats. Then I get chucked back over the
16 fence and dragged back to where the rest of the boys are and just getting a good hiding.
17 And the head guy's talking to, in Māori, not everyone, he's saying some things in Māori, but
18 I know -- I don't understand Māori, I didn't understand it then and I still don't now, but it's
19 clearly -- it's clear to me that he was saying to hit me because that's what was happening,
20 they were coming in one after another hitting me.

21 **Q.** So how long do you think that went on for?

22 **A.** Far, I can't even put a time to it, but it felt like forever.

23 **Q.** And were you injured?

24 **A.** Yeah, I had black eyes, I had black eyes, I don't know if I had broken ribs because I didn't
25 get medical attention, I stayed there for quite a long time after that hiding, after that first
26 hiding. But I had --

27 **Q.** You were pretty banged up?

28 **A.** Yeah, I was -- yeah, I don't think I've had a hiding like that since and I've had heaps
29 of -- I've been involved in heaps of fights since that but I don't think I've ever had yeah,
30 yeah, yeah.

31 **Q.** And then you talk about the next day being put on a wild horse, made to ride five hours
32 through the bush and at that stage you thought you were being taken out to be killed, didn't
33 you?

34 **A.** I was just yelling thinking worst-case scenarios, I was thinking man, what have I gotten

- 1 myself into.
- 2 **Q.** Yeah.
- 3 **A.** If that hiding wasn't, you know, what's happening next. Far, that was a real good hiding
4 yesterday, I can't even walk properly, I couldn't even get on the horse properly, I couldn't
5 carry my stuff properly, I couldn't even open my eyes properly.
- 6 **Q.** Yeah. So tell us about, because you fell off the horse, didn't you?
- 7 **A.** Yeah, that's when we went hunting, we went hunting and coming down a steep, you
8 know --
- 9 **Q.** Coming down a steep?
- 10 **A.** Steep hill, we were coming down a mountain, sorry.
- 11 **Q.** Yeah.
- 12 **A.** Hunting and so the hill was like steep as, like this, and I'm coming down the hill and
13 I was -- I didn't know whether you lean back, lean forward, stand up or what, but
14 I came -- I flew off the horse, because I was so noisy one of the guys there that helped run
15 the place, I can still remember his name, his face and everything, he put a rifle to my head
16 because I was too noisy. We were he meant to be hunting, because I was noisy --
- 17 **Q.** He put a rifle to your head?
- 18 **A.** Pissed him off. And yeah, heaps of witnesses on that and -- heaps of witnesses on that time
19 that he put that rifle to my head. And people still brought that up when I bumped into them
20 in prison, "Far remember that time when he stuck that rifle to your head, he was going to
21 shoot you eh."
- 22 **Q.** So you thought you were going to be shot?
- 23 **A.** Yeah, just -- it really messed up the way that I was thinking. I was thinking man, I started
24 looking at mountains going far if I go over that mountain where will I end up? I just
25 wanted to get out of there.
- 26 **Q.** Yeah. And just one thing about the horses, you had no saddles or anything, did you, you
27 were riding --
- 28 **A.** No.
- 29 **Q.** -- bareback?
- 30 **A.** They said that the one that I was one, sorry, sorry, they said that the horse that I was riding
31 was a wild horse and yeah, it had no saddle.
- 32 **Q.** Had you ever been riding before?
- 33 **A.** No, I was fresh off, straight off the streets of Otara.
- 34 **Q.** Yeah. Then you also talk about being made to play crash in the bush, so just talk a bit

- 1 about that.
- 2 A. Far, yeah like my body was already banged up as it was and I was still trying to heal from
3 broken -- from black eyes and stuff, and one day the boys thought they'll have a game of
4 crash, and it was pretty full on. So crash is like -- it's like a violent version of rugby league,
5 where you're allowed to throw elbows, kicks, knees and get stomped on sort of thing.
6 That's how it was for me, I was like far these fellas still haven't had enough, they still want
7 to keep beating me up. When I think about it now that's how I think.
- 8 Q. Yeah. So just as part of the normal part of the programme, you talk about having to stay
9 out in the bush for days at a time, chopping down trees. Talk a bit about that, what that was
10 like?
- 11 A. At first I thought, oh yeah, this is a bit of mahi, this is just some mahi that we're all going to
12 be doing. But it was like they were picking on -- I don't know just felt like they were
13 picking on us. And one of the guys there, I can't remember his name, he was on the
14 chainsaw, operating the chainsaw, dropping those trees, and then moving on to the next
15 one. And then me and those three guys and some other guys had to carry those trees out
16 and then come back and get another one and just keep doing that until -- until it was time to
17 stop.
- 18 Q. What were the conditions like that, you know, when you slept out in the bush?
- 19 A. Far man, cold, wet.
- 20 Q. Did you have any protection?
- 21 A. We had -- we built like four posts sort of a thing, we put four posts in the ground and throw
22 the tarp over it. There was a tarp on the ground, that's where we slept.
- 23 Q. I asked you whether you had a sleeping bag, do you remember?
- 24 A. Far, honestly I don't remember having a blanket.
- 25 Q. Yeah.
- 26 A. That's something, most people would remember, having -- if they had a blanket or not, I
27 can't even remember having a blanket and I can't ever remember eating.
- 28 Q. That was the next thing I was going to ask you, because you talk about hunting for your
29 food, was that every day?
- 30 A. I don't remember hunting every day, but for the few times that I did go hunting it was more
31 like torture than anything, I just don't remember eating, that's the truth.
- 32 Q. That's for two weeks, no food?
- 33 A. I can't remember eating at all while I was at Moerangi Treks. I'm sure I was there for
34 longer than two weeks.

- 1 **Q.** Yeah.
- 2 **A.** I'm sure I was there for about three weeks.
- 3 **Q.** Yeah. So you talked about, kind of the, random violence, I suppose, from other, you know,
4 the staff, I suppose. Can you just talk a bit about that?
- 5 **A.** Okay, so I can't say names, so I guess at one time I'm cutting firewood, I'm using the -- I'm
6 splitting the wood with an axe and I didn't see but the boys told me, like because I got
7 whacked across the head with a spade while I was splitting wood.
- 8 **Q.** So you were whacked across the head with a spade?
- 9 **A.** Whacked across the back of my head and knocked out. And woke up a couple of days later
10 and I had a tarpaulin placed over my body, and that's when I woke up. And when I finally
11 did get up and start moving I was just looking for anyone, I was looking for anyone to just
12 talk to and someone to say something to me. I remember the boys saying far, blah blah
13 blah whacked you across the head with a spade.
- 14 **Q.** Did the boys think you were dead?
- 15 **A.** I think -- I think a couple of bros said "Oh far, we didn't think you were going to wake up."
- 16 **Q.** Yeah. You talk in your statement about other staff members just randomly punching you,
17 abusing you?
- 18 **A.** Yeah, I can remember those days, those guys names, their full names I remember. I don't
19 know what made me find out their full names, but I found --
- 20 **Q.** Yeah.
- 21 **A.** -- out their full names. So sometimes just random as, like I'll be walking around doing
22 something and these two particular guys would just give me random hits to the head. And I
23 don't mean to be sitting here with a bit of a chip on my shoulder saying this, but I'm only
24 saying it like this because if I was to see them now, far, yeah, it would be a different story.
- 25 **Q.** Yeah.
- 26 **A.** I'm not saying I'd go out there and seek revenge, but if I was going to do that I would have
27 did that ages ago, but I'm just saying it wouldn't be like they tell me. I was a good little kid.
- 28 **Q.** Yeah. Because how old were you?
- 29 **A.** 13, 14.
- 30 **Q.** Yeah. Tell us about the bathtub, because that's another thing we talk about in your
31 statement.
- 32 **A.** So where everyone had to bath, because it was near -- they used the river and at night time
33 no-one wouldn't use the river, but at night time it was time to have baths the lady, who
34 I thought was the head guy's wife, I was wrong, I don't know what she was to the head guy,

- 1 but I assumed back then that it was his wife, but it turns out I was wrong.
- 2 **Q.** Yeah.
- 3 **A.** Sometimes she used to be in the bath area, in the bathtub, and a couple of the boys would
4 be in there with her and I used to think far this looks wrong, why is she -- why is she in the
5 bathtub? Why is the boys in there naked? A couple of times it's sort of like what happened
6 at Weymouth, the boys are in the bathtub with the lady, they were all doing things and
7 they're like -- I leave, I leave, I feel totally uncomfortable, and I already don't like being
8 there to begin with and then to have all these extra things going on, man, I just --
- 9 **Q.** Yeah, did she try to touch your privates?
- 10 **A.** She didn't try to physically, but she did say "Come and hop in" a couple of times, but
11 I -- yeah, again, I -- I thought that this was the head guy's wife, but yeah.
- 12 **Q.** So did that mean you thought you had to do it, because she was the head guy's wife?
- 13 **A.** Sort of.
- 14 **Q.** So we've talked about the being hit over the back of the head with the shovel and we've
15 talked about you being knocked unconscious and talked about the random hits. I think you
16 talk about one guy who was a boxer who beat you up as well?
- 17 **A.** Yeah, I can still remember his full name and his face and everything.
- 18 **Q.** And you talk about, so you know, what sort of injuries did you have, what were you
19 picking up injury-wise with all these assaults?
- 20 **A.** Bruises, cuts.
- 21 **Q.** So where were you cut?
- 22 **A.** I had cuts on the back of my neck, on the back of my head, my knees, my elbows. And the
23 ones on my knees and my elbows might have just been from when I fell on the ground and
24 I'm trying to get back up for all I know, but at the end of the day there was no medical
25 treatment or anything, no-one ever took photos of my wounds, yeah.
- 26 **CHAIR:** Mr U, it's Coral here. It sounds to me as though you were largely hit around the head; is
27 that right?
- 28 **A.** Yeah, I was a lot.
- 29 **Q.** Was it mostly around the head or the whole body?
- 30 **A.** The whole body, but yeah, a lot of my hits were to the head.
- 31 **Q.** Yeah.
- 32 **A.** A lot of hits I took them to the head.
- 33 **Q.** Yeah, thank you.
- 34 **A.** Yeah, sorry.

- 1 **QUESTIONING BY MS COOPER CONTINUED:** So talk about now -- is there anything else
2 you want to say? What were the other boys like? Something we haven't really talked
3 about.
- 4 A. Some of them thought that they were like -- they used to come across like they were
5 like -- like they'd just been sent there like me.
- 6 Q. Yeah.
- 7 A. Because they had been there for so long some of them, some of them, to my understanding,
8 some of the boys had been there for like a long time.
- 9 Q. Yeah.
- 10 A. Like some of them had been there for like six months, a year and longer. I remember they
11 used to brag about it, "I've been here for 12 months, I've been here for two years", and far,
12 stuff was --
- 13 Q. What were those boys like?
- 14 A. They used to think they were like -- they used to think they could tell me what to do. They
15 used to try being intimidating to me. And I used to think far out, like -- like, yeah, I used to
16 just think far man, one day I'm going to bump into you fellas, far, and usually and if it's me
17 and my cousins or me and my bros, far you'se are going to know what I've been through
18 when I bump into you'se.
- 19 Q. So were they also violent to you?
- 20 A. Um, yeah --
- 21 Q. You've talked about the big beating and you've talked about crash, but otherwise?
- 22 A. There was a side to these boys where they used to look at me and they were thinking far I
23 think he's had enough. That's how it looked. Like they used to come across like they were
24 sort of -- even though they were trying to be intimidating in one sense, they were also
25 like -- I could be wrong, but I thought I was picking up a bit of like they were -- like they
26 felt sorry for me.
- 27 Q. Yeah, yeah.
- 28 A. Maybe I'm wrong but that's what I thought at the time.
- 29 Q. So how did you get out of Moerangi Treks, because you've got a bit of a story about how
30 you got out?
- 31 A. So when we were coming back from the bush, from the bush road back to where it was
32 started, back at head guy's house (inaudible), on that day we all came back, they were
33 cooking a feed. Like see when it comes to food that's the only meal I remember is that last
34 feed being cooked. That's the honest truth. While they were cooking the food, as it's nearly

1 ready the head guy's yelling out to everyone, "Everyone go to the kitchen area, the food's
2 nearly ready." I sort of hide myself away a bit, and everyone goes into the kitchen area for
3 the food. As soon as I know it's clear, and I thought I was the only one left in the shed
4 where the phone was, I was wrong, there was someone else in there with me too. Anyway
5 I get on the phone and I ring home and I tell my mum, she's like "Why the fuck have you
6 never run for so long? The last time you called you said you ran away." And I said "Yeah
7 mum", and I told her what was happening, I said "I've got black eyes" and all of this sort of
8 stuff. She gets my father involved and then she sends my old man down and he comes
9 down and picks me up. It takes him a few hours, but he --

10 **Q.** So tell us about, so your father arrives, do I remember rightly he comes with an uncle?

11 **A.** Yeah, he brings, because my father was --

12 **Q.** He was a gang member?

13 **A.** Yeah, he was the GRO-B of the GRO-B Club and he brought one of his
14 members -- I just said that, can I say that?

15 **Q.** Yeah, we might cut that thank you, yeah. We'll just cut that reference to the gang, that will
16 be cut out. It's all right, it's okay.

17 **CHAIR:** Don't worry.

18 **MS COOPER:** Don't worry, there is a delay on the live feed, so that will be cut, okay.

19 **CHAIR:** We've got safeguards here so don't beat yourself up about it please.

20 **A.** Yeah. So he brings one of his members that's -- he brought someone -- he brought
21 someone with him that was from the area and he knew the head guy, he knew what this
22 place was about, what it was like, and, yeah, when they arrived he just looked at me and
23 told me to hop in the car.

24 **QUESTINOING BY MS COOPER CONTINUED:** So you go into the car?

25 **A.** Yeah, I sat in the car for what seemed like an hour or maybe two, and then my father, the
26 head guy, my father's bro and everyone that was -- has been sent to his place, they all come
27 out and they're all like watching them. And then we left. And yeah, I just -- yeah.

28 **Q.** So what sort of state were you in when you -- by the time you left?

29 **A.** My black eyes were fading, I still had just bumps and bruises on me, bits of bruises here
30 and there. But, yeah, my father could still see that I had -- what I said to them on the phone
31 was true because he could see all my wounds and, yeah.

32 **Q.** So you tell your social worker about what's happened, is that -- your father takes you to see
33 your social worker or does your social worker come to visit you?

34 **A.** I think she came to our house.

- 1 **Q.** Right.
- 2 **A.** And I still had -- obviously I still had -- my black eyes were fading, I still had bruises and
3 stuff, a few cuts here and there. She could see them. Why didn't she take photos back then
4 I have no idea, but I read in one of her things that she says that, that she can see the black
5 eyes are fading.
- 6 **Q.** And so then an investigation starts into Moerangi Treks?
- 7 **A.** Yeah.
- 8 **Q.** Just one thing in terms of your own personal file, so the only things that are on your
9 personal file about that are two documents. So the first one is just the fact that CYFS was
10 paying bed nights for you to go there to Moerangi Treks, and the only other document that's
11 on your personal file is a letter from the Police and we're just going to look at parts of that
12 document. So this is 291016. So it's a letter to the head of Youth Justice in South
13 Auckland. It's July 1995, and just it's saying there at the top that on 29 June this guy,
14 Mr Vincent, reported to the Police an alleged assault on you who were -- and at that time
15 you were in the care of Moerangi Treks in Whakatane. And then if we can just shift down
16 to the last three paragraphs please thank you, call those out. So a Constable Mutich had
17 spoken with your mother.
- 18 **A.** Yeah.
- 19 **Q.** Who had advised that she and her husband had talked the matter over but had no intention
20 of making a complaint and that she felt you would not make a complaint. Do you agree,
21 would you have just wanted this matter to go away, or would you have cooperated with the
22 Police in complaining?
- 23 **A.** I would have cooperated with the Police, yeah, to deal with my complaint.
- 24 **Q.** So effectively that choice was taken away from you by your parents?
- 25 **A.** Yeah, shall I touch on that?
- 26 **Q.** Yeah.
- 27 **A.** So, without saying the wrong word, so my family always looked at it as snitching because
28 my family are gangsters.
- 29 **Q.** Yeah.
- 30 **A.** And that's pretty much what that says to me that, just not in those words, but that making a
31 statement was snitching.
- 32 **Q.** So it says because of that, and also because you had absconded, that Police would not be
33 taking any further action, but it would be filed and it says there at the end that the matter
34 would be reconsidered if Police received a complaint from you. Did you know any of that?

1 A. No, I didn't.

2 Q. And when was the first time you knew any of that?

3 A. That my parents had said?

4 Q. Yeah, and that the Police were involved.

5 A. I just found out this year. And, yeah.

6 **MS COOPER:** It might be a good time to take a break. I'm going to go on to other documents
7 now, and that just might take a bit of time.

8 **CHAIR:** That's fine. Mr U, we're going to take a break, 15 minutes or so, you can take your time
9 and then we'll come back and carry on, is that okay?

10 A. Okay, thank you.

11 Q. Thank you. See you soon.

12 **Adjournment from 11.25 am to 11.50 am**

13 **CHAIR:** Hello Mr U, all back again okay? Can you hear me?

14 A. Yeah, I can hear you'se.

15 Q. Okay, all ready to go again?

16 A. I'm ready.

17 Q. Thank you. Thanks Ms Cooper.

18 **QUESTIONING BY MS COOPER CONTINUED:** Thank you judge. So we're just going to
19 now look at the statement that you made to the investigator. So three days after your father
20 picked you up, you made a written statement to the social worker and we're just going to
21 look at parts of that document. So I can see the first page is now up. If we can just look,
22 yes, that first part thank you.

23 So this is you saying that you wanted to make a complaint about your stay down at
24 Moerangi Treks. You admitted to running away on the first day, you did not steal the truck
25 but you took part in the ride that took place, and you talk about being caught the next day,
26 taken back and beaten up by the boys that stayed and did not run away. You talk about, "I
27 was punched first and kicked to the ground by at least nine boys. One of the boys told them
28 to stop. They stood you up, walked you over to somewhere else and that person started
29 hitting you in the face, chest and stomach." So any comment on that? Do you want to
30 comment on that part of your statement?

31 A. Only that it was -- only yeah, that's what happened, that's true.

32 Q. Just in this part of the story, because you talk about actually running away, so did you
33 mention that, that you'd actually tried to run away and you'd been dragged back?

34 A. Like, sorry, did you mean when --

- 1 **Q.** In your statement, yeah.
- 2 **A.** That I mentioned that --
- 3 **Q.** That you tried to run away and you'd been dragged back? It's all right.
- 4 **CHAIR:** Ms Cooper, I just wonder what's happening here, are you just getting him to agree with
5 the statement and the contents of it, or is there some particular aspect you want to
6 highlight?
- 7 **QUESTIONING BY MS COOPER CONTINUED:** Yeah, I think we'll move on from that. So
8 you talk about then the game of crash further down, so if we can just highlight that. So
9 you've got Tuesday the 13th heading into the bush and playing the game of crash, see that
10 there? And then again you're talking about being tackled to the ground, punched, kicked by
11 the tutors and then the next day the same thing happened. So that's what you've described
12 with the game of crash, isn't it?
- 13 **A.** Far, yeah, yes, sorry.
- 14 **Q.** And then we go on to the horse incident, so it starts down at the bottom of the page, about
15 hunting and that you accidentally fell off your horse because you couldn't catch it?
- 16 **A.** Yeah.
- 17 **Q.** And then if we're looking at the top of page 2 there, just call out down to "a few minutes",
18 and then you've talked about being punched in the face. And then you'll see there there's
19 another thing you're accused of going through a tramper's pack where you're taken into a
20 room and someone got a wood and started hitting you on the head for a few minutes, do
21 you remember that?
- 22 **A.** Yes, I do, yes, I do remember that.
- 23 **Q.** So can you just talk to us a bit about that one?
- 24 **A.** Yeah, a few of us were left alone in the area where we were meant to sleep at night and
25 someone was actually going through people's stuff, but it wasn't me, and I don't know,
26 someone just pointed the finger at me and next minute I'm -- I started getting hit and one of
27 the guys that was helping run the place started whacking me with a stick.
- 28 **Q.** And that's on your head again?
- 29 **A.** Yeah.
- 30 **Q.** And then you talk about another tutor called you back into the room and locked the door
31 and started punching your face and you described really starting to bleed, but he continued
32 punching your face and you said it went on for about 10 to 15 minutes.
- 33 **A.** Yeah, I can still remember his name and everything, yeah, I do, I remember all of this,
34 that's true.

- 1 **Q.** And it goes on, because you talk about when he stopped he walked out and then a boy came
2 in and started hitting you. You see that?
- 3 **A.** Yeah, yeah.
- 4 **Q.** And then you're talking about another incident where you've packed your gears wrong on
5 your horse and you talk about a tutor coming over and grabbing you by the throat and
6 throwing you on the ground, punching you, stomping you in the face, do you remember that
7 one?
- 8 **A.** Yeah, I do.
- 9 **Q.** So this is another incident, is it, in relation to the horse, sorry, in relation to horses?
- 10 **A.** Yeah, sorry. Sorry I'm reading it and I'm just trying to remember everything as I'm reading
11 it.
- 12 **Q.** That's fair enough, you just take your time.
- 13 **A.** Just my answer to that is, yeah, that's what happened, I can remember all this.
- 14 **Q.** Yeah. So these are in addition to the things you've already told us about, aren't they?
- 15 **A.** Yeah, yeah.
- 16 **Q.** And you go on to say that this person, this staff member kept telling you to get up and
17 whenever you got up he kept on punching your face, that everyone saw what was
18 happening, but they were too scared to say or do anything.
- 19 **A.** That's true.
- 20 **Q.** Just want to move over to the last page, because this is when your dad comes. And I just
21 want to ask you about this, when you're hanging up, so it's the top paragraph. So you're
22 talking about your father ringing and he said he was coming to get you and you say that
23 when you hung up the phone, I think it's the head guy and his wife told you that you were
24 gutless and that you couldn't handle it. Do you remember that?
- 25 **A.** Yeah.
- 26 **Q.** So does that mean you were heard on the phone?
- 27 **A.** Remember how I said I thought I was alone in the room?
- 28 **Q.** Yeah.
- 29 **A.** And but there was someone else there, yeah, there was someone else in the room, but that
30 someone else was scared too and wanted to ring home to their family. I don't know if that
31 person did because once I made my phone call, got off my phone call, I don't mean to
32 sound selfish or anything, but I didn't care what happened to anyone else, I just wanted to
33 get out of there.
- 34 **Q.** Yeah.

- 1 A. Because all that abuse that was happening to me, far, it was overboard big time.
- 2 Q. And just the last thing I want to just ask you about in terms of the statement, so we've got
3 somebody saying to you that if you ever try to run away that he would hunt you down and
4 he said not to tell anybody -- anyone what went down, and he said he didn't like losing at
5 anything and that no-one would beat him.
- 6 A. Yeah.
- 7 Q. So is this the head guy saying this?
- 8 A. That's the head guy saying that. That was the head guy up the top too that said that
9 I'm -- that I'm weak when I hung up, didn't say it there, but his words were I'm weak and
10 gutless for -- after I got off the phone with my mum. (Inaudible).
- 11 Q. So were you worried that you might be tracked down?
- 12 A. At the time, yes, yeah. Definitely.
- 13 Q. So after that, you're visited by the head guy from Auckland at Weymouth, because your
14 reward, I suppose, for getting off early from Moerangi Treks is to go straight back to
15 Weymouth and we'll talk about that. And we'll just go a little bit through his letter just
16 because I just want to get you to comment on some of the things he says. So this is 291018.
17 So if we just look at the last paragraph first on page 1. So he talks there about coming to
18 visit you at Northern Residential Centre and getting you to confirm your written statement.
19 He says there that he formed the opinion that the essence of your complaint was likely to
20 have substance even if some of the facts did not check out. Anything to say about that?
21 Now looking at that statement, was everything that you said there true?
- 22 A. Everything that I said in my statement was true, I think I could have exaggerated it heaps
23 more, that was sticking to facts, not --
- 24 Q. So you were just being factual, and actually listening to what you've said today, there's lots
25 of things you actually didn't talk about, did you?
- 26 A. Yeah, to be honest I can't remember everything off the top of my head.
- 27 Q. Yeah.
- 28 A. But everything I'm telling you about the abuse is the truth.
- 29 Q. And by the time he comes to visit you, he says that he noted that the only visible sign of
30 any injury was a rapidly fading black eye and bruised and swollen nose, left nostril clearly
31 full of congealed blood. Do you remember his visit to you at all?
- 32 A. Far, to be honest far, I don't.
- 33 Q. And you'll see there that he's then filed the complaint with the Police for their investigation,
34 which is down the bottom of that. I then want to go over to page 2, the last paragraph

1 please. So this talks about the fact that he goes out to the programme himself and that a
 2 large number saddled their horses and gallop off. But they take a group of them back to
 3 Auckland.

4 What he says there is, "although it was impossible to actually interview any of the
 5 young people on the way back to Auckland, I gained sufficient information to satisfy
 6 myself that it was likely much of your complaint had substance", and he described the treks
 7 operating by the rules of the school of hard knocks and it being an atmosphere where there
 8 was a thin line being hardness and abuse. Do you agree there's a thin line there being
 9 hardness and abuse, or yeah, what's your comment on that?

10 A. All I remember is violence. I just remember all the violence.

11 Q. And just going over to the last page, if we look at the top paragraph. So it compares it with
 12 the Whakapakari programme at Great Barrier and it's saying it operates in a harsh
 13 environment with limited creature comforts. And then it said "We know from our
 14 experience with the Fa'afouina Trust the effect on the young people living under such a
 15 harsh regime." Now you knew about the Fa'afouina Trust, didn't you?

16 A. Yeah, I did. And I remember seeing the - when we did an investigation on GRO-B
 17 --sorry, sorry, on the Fa'afouina- Trust, saying how they had that guy sit down on the chair
 18 and she's telling me to beat him up in Samoan. That's pretty much what happened to me on
 19 that first hiding we got, just more and more boys coming in putting in hits and --

20 Q. So it's a worse version of that?

21 A. Back then, yeah, it was, definitely. Because, yeah, I know about the Fa'afouina Trust and
 22 I knew a lot of people there, that was my mate that was in that investigation (inaudible).

23 Q. And he goes on to say that "What the long-term effect of such a dog-eat-dog type of
 24 existence is we don't know. We do know that in the short--term such behaviour becomes
 25 accepted as normal within the group almost regardless of the type of -physical - sorry-, the
 26 degree of physical pain experienced by individuals." Do you think it did become normal
 27 within the group?

28 A. Yeah.

29 Q. For everyone or just the ones who were dishing out the violence?

30 A. Far, I don't know.

31 Q. Right. And you say then it becomes increasingly difficult from those outside the group to
 32 convince those within that their behaviour is wrong. That's one of the things I wanted to
 33 ask you, you know, you did complain afterwards. But do you think that you could have

1 complained there?

2 A. No.

3 Q. And that's because, why couldn't you have complained there?

4 A. It would have just led to more hidings. I would have got looked at like I was a snitch,
5 narking. That would have resulted in more hidings for sure.

6 **CHAIR:** Did you use the word snitch then Mr U?

7 A. Yeah, sorry.

8 Q. Yes, I wasn't sure, thank you.

9 **QUESTIONING BY MS COOPER CONTINUED:** So the next document I want to refer to is
10 that another office goes to look at Moerangi Treks, another office, CYFS office goes to
11 have a look at Moerangi Treks and there are just some quite different statements about the
12 programme, and again I'm going to ask you to comment on that from your experience. So
13 this is 291019. And if we can start with paragraph 3. So the first thing that they're telling
14 this other CYFS office, so these are the people who run Moerangi Treks, is that neither the
15 head guy nor the tutors condoned or used violence. Do you agree that's a truthful
16 statement?

17 A. Far, sorry, sorry, while you were reading that out, my thoughts were just going wild.

18 Q. Yeah, I know. So the first thing I'm asking you, so this is the head guy saying that at
19 Moerangi Treks neither he nor the tutors condoned or used violence. Is that truthful?

20 A. Is that what they told me?

21 Q. Yeah, that's what they told another office, another CYFS office.

22 A. Yeah, sorry, yeah.

23 Q. So was it true they didn't use violence? That's my question?

24 A. No, no, it wasn't true, sorry, jeez.

25 Q. Yeah, that's okay. And so this guy said that because he was such a physically strong person
26 that they could quite easily break a boy's neck if they wanted to hurt them, but that they
27 were trying to teach them to think their way through a problem and set things up in such a
28 way that the boys learned a lesson. What do you say about that?

29 A. I don't know, yeah, one of the guys there was huge as and he -- one of the guys there
30 (inaudible) he was, he was a -- he was a big machine and he used to -- he was the one that
31 was -- I mean, yeah, he could have easily broke our necks, broke my neck or someone
32 else's neck. He banged me up a few times.

33 Q. And just moving to the next paragraph, the second part of that, the "he did not deny". So
34 "He did not deny that the boy may have got a back-hander around the ears but denied that

1 the boy had been assaulted. He said that fighting among the boys was not condoned and
2 that the bigger, more senior boys were expected to stop any scraps that developed." How
3 does that square with your experience?

4 A. Not true at all.

5 **Q.** And just then moving down to the next paragraph, sorry, starting with "Gerry explained"
6 and from "he explained that we were impressed." Again, this is this other office. Their
7 view is they're impressed with what they've seen, but they could not give a guarantee that
8 Head Office wouldn't direct to move the boys as the programme was not officially
9 approved and the issue of institutional abuse was of serious concern currently. Any
10 comment on that? That might be a hard one for you to comment on. Let's move over to the
11 next page, the last page. Just there is some interesting statements there.

12 So the first one describes the programme. Thank you, if we could just call out 1
13 and 2. "The programme is an excellent character building one for those boys who are able
14 to cope with the elementary down-to-earth lifestyle of a shared whānau existence." Do you
15 agree that it's an excellent character building programme, was it for you?

16 A. No, it wasn't for me.

17 **Q.** Do you think it was for any of the boys?

18 A. Yeah, those guys they looked real comfortable and were always acting all big and strong
19 standing next to the guys that were running the programme, yeah, it looked like it might
20 have been for them. But again, for myself I'm not trying to sound like a -- I'm not trying
21 to -- I'm not trying to give me sympathy or anything from anyone, but all I can remember
22 there was what I've been sharing with you'se for the last hour, just the violence.

23 **Q.** Yeah. So other thing is the second paragraph which says, "The lifestyle is hard, rugged and
24 physical, and the boys have a very healthy appearance which comes from working hard and
25 eating well in a positive environment." And again, that wasn't your experience either, was
26 it?

27 A. No, and I don't remember eating once while I was there.

28 **Q.** I think just the last thing that I'm going to ask you to look at is paragraph 6. It says that,
29 "We did not think that physical abuse was structured into the programme although it is not
30 beyond belief that sometimes physical force occurs among the boys or by some of the
31 tutors. It is a tough, macho environment. This macho environment is tempered by a
32 genuine loving concern for the boys." Yeah, I can see your face, but I mean like can you
33 comment on that, did you think it -- do you agree that physical abuse wasn't structured into
34 the programme?

- 1 **CHAIR:** Do you understand the question Mr U? The question is whether you think that part of
2 the programme was planned to have physical abuse in it, do you think it was planned to
3 have physical abuse in it?
- 4 A. I have no idea.
- 5 **Q.** Yeah. Do you think that that environment, those people had a genuine loving concern for
6 you?
- 7 A. I don't think so.
- 8 **Q.** Yeah, thank you.
- 9 **QUESTIONING BY MS COOPER CONTINUED:** Thank you. Just the last document then
10 that I want to just ask you some questions about, so this is 0291020. Again, thank you, yes,
11 call out the last paragraph. So it's just appreciating that "the other office may not have had
12 the experience of a Fa'afouina, but I would have thought that as a generic office they would
13 have at least recognised the level of risk posed by placements with a group who clearly
14 have difficulty differentiating between hardness and abuse." I guess my question for you
15 just, do you think that the programme was just harsh, or do you think what happened to you
16 was abuse?
- 17 A. What happened to me was abuse.
- 18 **Q.** And how do you differentiate between that, why do you say that what happened to you was
19 abuse?
- 20 A. What do you say what happened to me was abuse?
- 21 **Q.** Yeah, why do you say that?
- 22 A. That's abuse. If I did to that to someone that would be abuse and I'd go to jail for it.
- 23 **Q.** Right, so anyone else would go to jail for it?
- 24 A. Well, I would.
- 25 **Q.** And just the next comment that's made is, "I find it hard to believe that they could hear
26 first-hand the leader inviting his young charges to seek vengeance on our young offender
27 and yet still say we did not think that physical abuse was structured into the programme."
28 Any comment on that comment, because it's essentially saying well, we're telling -- the
29 leader's telling other young ones to go out and get people who are not saying good things
30 about the programme, but not encouraging physical violence.
- 31 A. Can I just ask a question?
- 32 **Q.** Yeah.
- 33 A. Is that -- did I say that?
- 34 **Q.** No, this is a report from another organisation.

- 1 A. It wouldn't surprise me one bit, but I don't know.
- 2 **Q.** Right. One thing that I just -- I think we've -- I think we're just now going to move over to
3 the last page and we're just going to, I think, look at the third paragraph there actually,
4 we're just going to go to my experience. So it says there, "My experience of Moerangi
5 Treks to date suggests it would be unwise to rely on the other office to recognise the
6 problem at an early stage and respond to it appropriately. Unfortunately it isn't practical for
7 Youth Justice Auckland to closely monitor placements as far away as Whakatane. If the
8 local CYPS or CFA are not regularly monitoring a placement on our behalf then how safe
9 is it." Would you have expected this programme to be regularly monitored?
- 10 A. Yes.
- 11 **Q.** And when you were there, did anyone from CYFS come to visit?
- 12 A. Not that I can recall, and most of my time there was spent up in the bush.
- 13 **Q.** Right. Do you think if people had come to see the programme and seen what was
14 happening to you, that they would have concluded it was a safe programme?
- 15 A. No.
- 16 **Q.** Do you think social workers would have thought, if they'd seen what was happening to you,
17 do you think social workers would have thought it was safe?
- 18 A. No, I don't.
- 19 **Q.** So is there anything else that, before we leave Moerangi Treks, that you want to say about,
20 I guess, what it left you with?
- 21 **CHAIR:** How did it effect you?
- 22 **QUESTIONING BY MS COOPER CONTINUED:** How did it make you feel?
- 23 **CHAIR:** Yeah, how did Moerangi Treks affect you, Mr U?
- 24 A. Because I never got any like proper healing for it or anything. You know, I was always
25 questioning myself, wonder if I'm ever going to run into those people again, was anything
26 ever going to get -- is this ever going to get dealt with properly. And like many of my other
27 issues that I had going on, I just covered it up with drugs and crime and I ended up living a
28 lifestyle of crime and drugs and gangs and prison and --
- 29 **QUESTIONING BY MS COOPER CONTINUED:** Yeah, we've talked about the fact that you
30 finished Moerangi and you go straight back to Weymouth to finish your sentence. And
31 then you spend a lot of that time in secure, don't you?
- 32 A. Yeah.
- 33 **Q.** And you've talked about the strip-searches and things that were going on at Weymouth. So
34 if you can just voice an answer, yeah?

- 1 A. Yes.
- 2 Q. So you then get released from Weymouth and not long after that you've got a serious crime
3 and then you get back into Weymouth and then you're released again and then you talk
4 about basically staying in trouble with Police. And then at 16 you're transferred from the
5 Youth Court to the District Court, and that's when you do your first adult prison sentence,
6 isn't it, at age 16?
- 7 A. Yeah.
- 8 Q. And like with lots of people who've talked, you've spent a lot of your life going in and out
9 of prison, haven't you?
- 10 A. Yeah, I have, I've been in and out of jail for 24 years, 25 years.
- 11 Q. And you talked about drug and alcohol addiction, so that's including using meth, hasn't it?
12 How's that affected you?
- 13 A. It's had a huge affect on my partner and my children, more than myself really.
- 14 Q. And as you said, that's one of the things you started pretty much straight after you left
15 Moerangi Treks, isn't it?
- 16 A. Yeah.
- 17 Q. And I know that one of the things that's bothered you is that you've had lots of parts of your
18 children's life in prison?
- 19 A. Yeah. I did, yeah, a couple of years in and out of boys' homes, foster homes, and 25 years
20 in prison.
- 21 Q. Yeah.
- 22 A. This is the longest I've been out of prison now.
- 23 Q. And one of the things you talk about is having major trust issues, so can you talk a bit about
24 that?
- 25 A. I'm okay now.
- 26 Q. Yeah.
- 27 A. I mean for a long time, because my mum and dad weren't the best role models or the best
28 parents, and my old man was pretty heavy-handed, I guess I didn't really trust him much
29 and then -- sorry, I'm giving you'se the fast version.
- 30 **CHAIR:** That's fine.
- 31 A. (Inaudible). It's like in the boys' homes, like Moerangi Treks and stuff thinking, you know,
32 being told you're going to be -- here you're going to be all right here, they'll look after you,
33 it will help you with your -- what you've been going through. And then to go through
34 everything that I went through with them, yeah, (inaudible) it was hard for me to trust

1 adults, yet I could look at -- I could look at other people my age or a bit older who were
 2 thugs and bloody naughty as and I could put my trust in them straight away, I know it
 3 sounds wrong, but yeah.

4 **QUESTIONING BY MS COOPER CONTINUED:** And one of the things you say is you still
 5 have nightmares and flashbacks about your time at Moerangi Treks, is that --

6 A. Yeah.

7 **Q.** So what are the things that, I guess, haunt you the most about it, what are the things that --

8 A. Being up in the bush getting my head kicked in. Waking up next to a cabin with a tarpaulin
 9 over my body, yeah, that's it.

10 **Q.** And you talk about the fact that you've had depression and you've been diagnosed with Post
 11 Traumatic Stress Disorder?

12 A. Yeah. Yeah, I was doing some one-on-one counselling inside and seeing a psychiatrist, and
 13 long story short he got the doctor in and after a few more visits they, yeah, said I had
 14 PTSD.

15 **Q.** So you've talked about your involvement in gangs, so is that something that's still current?

16 A. Yeah, it is actually, but a different type of gang. Nah, nah so I'm with GRO-B under
 17 GRO-B and I went and got my - I went and got my GRO-B under GRO-B, which is
 18 another world for patch, colours, whatever you're want to call it, but we
 19 don't -do - obviously- we don't do what other underground gangs do, you know.

20 **Q.** We might need to have that bit excised as well, that probably will identify Mr U.

21 A. Jeez, sorry, sorry.

22 **Q.** That's all right. That's okay, but I think it's good to know here in the context --

23 **CHAIR:** Yes, we'll just remove the name, the identifying name.

24 A. Sorry.

25 **Q.** No, that's all right, don't beat yourself up about it, it's fine, don't worry.

26 **QUESTIONING BY MS COOPER CONTINUED:** So one thing that you also talk about is that
 27 you never got a proper education and you talk about instead just being left institutionalised,
 28 which means you have difficulty finding work. Is there anything more you want to say
 29 about that?

30 A. Nah, as you can probably see I didn't get a proper education. Yeah, it's been real hard to
 31 get a job, or a job that I like that I want to do anyway. I've been offered some work but it's
 32 not the type of work I want to be doing. Yeah, but it has been hard to get a job, and when
 33 I did get a job it was hard to hold it down because had some anger issues there in the past.

- 1 Long story short, yeah, I've lost a few jobs.
- 2 **Q.** And I think --
- 3 **A.** In saying that I mean I don't just stop there, I still keep trying.
- 4 **Q.** I think just, you know, like you are trying I think that's one of the things you talk about,
5 you're doing stuff to kind of make your life better and life better for your family, you're
6 doing counselling, you're trying to work on your drug and alcohol issues, you've joined
7 support groups. How's that helped you?
- 8 **A.** Being part of the support groups?
- 9 **Q.** Yeah.
- 10 **A.** Really good, I've been part of GRO-B for five years, six years. Jeez can't say this thing
11 here.
- 12 **Q.** It's all right. You've been part of an organisation for five or six years, yeah?
- 13 **A.** It's been really good, it's given me heaps of tools that can help me, yeah.
- 14 **Q.** Just before we finish, is there anything else that you would like to say? I know it's been a
15 difficult choice for you to come and give your evidence, but is there anything that you
16 would like to say to the Commissioners before we finish?
- 17 **A.** The Commissioners?
- 18 **CHAIR:** That's us.
- 19 **QUESTIONING BY MS COOPER CONTINUED:** Yeah, any lessons that you think can be
20 learned from this?
- 21 **A.** So am I speaking to them or to --
- 22 **Q.** Whoever you want.
- 23 **A.** Yeah, there's a couple of things I want to say. If there's anyone else out there that's gone
24 through this sort of stuff, don't be -- don't be afraid to reach out or to open up about this sort
25 of stuff. Oh yeah, to open up about this sort of stuff, and that the other thing that I wanted
26 to say was the real bummer thing about this for me is that my file and this complaint and
27 everything has been sitting there for all these years, someone's known about it yet no-one
28 was even going to do anything or say anything about it until I reached out to Sonja Cooper
29 and like what's that all about? So that will be the same for many other people too more
30 than likely. But I don't have much else to say really.
- 31 **Q.** No, that's good. Look I'm not sure if there are any questions to be asked of you, but thank
32 you for your insight that you've given, thank you?
- 33 **A.** Thank you.

1 **CHAIR:** I've just got one question for you before we thank you, Mr U. How long have you -- you
2 said this is the longest you've ever been out of prison. How long has it been?

3 A. Last year January I got released so 14, 15 months.

4 **Q.** Well done.

5 A. Yeah.

6 **Q.** Are you going to go back?

7 A. If I do it will be because someone tried to hurt my family.

8 **Q.** Okay, okay. Yeah. And we're noting your t-shirt that says "Fathers for family", yeah, that's
9 cool. Thank you. I'm just going to hand you over to Andrew Erueti now to thank you.

10 **COMMISSIONER ERUETI:** Tena koe, Mr U. I actually had just a quick question for you about
11 the number of, or the number of Māori that were at Moerangi Treks or Pasifika or Pākehā
12 kids that were there. You said there were around about 30 kids that were at Moerangi
13 Treks, so were they -- how many Māori were there, do you recall?

14 A. Far, I don't know if I can recall right man. It looked like the majority of the boys there
15 were Māori. A couple of fair skinned European Māoris but the majority Māori.

16 **Q.** Okay, and then Pākehā and Pasifika, do you think there were any Pasifika?

17 A. I don't remember there being any Islanders, definitely some fair skinned people, they might
18 have been fair skinned Māoris for all I know, but Māori.

19 **Q.** Okay, thank you. And with Weymouth too, do you think it was a similar sort of business?

20 A. The majority of people at Weymouth, even though there's a lot of Pacific Islanders around
21 South Auckland, was Māori.

22 **Q.** Okay. Thank you, kia ora for that. So it's my job, one of the Commissioners, to say thank
23 you for today. Kua tae mai ki te wā mutunga o tō kōrero, i te kana ki a mihi ki a koe, me tū
24 ana koe ki te tuku kōrero ki mua i te Kōmihana, tēnei te mihi mahana ki a koe.

25 I want to thank you, Mr U, for having the courage and the perseverance for
26 trusting the Commission, because I know it's a big thing for you to come forward and talk
27 about your experience. So we must acknowledge that and recognise that and thank you for
28 that. And also that your experience is incredibly -- it's important for this Inquiry, to have
29 the experience of Moerangi Treks and Weymouth, but Moerangi Treks because of its
30 isolation, the lack of oversight and the violence that was meted out to children there, young
31 people, young, young people like yourself. So good to get that out in the public, so Kiwis
32 get to know about that and good for us to learn about that for us when we make our
33 recommendations to the Crown, to the Government, so kia ora, and thank you.

34 **CHAIR:** Thank you, and there's just one last thing I need to say before we go. That is that Mr U

1 has asked if he can meet the Commissioners face-to-face. I want to be open about that and
2 transparent, but we are going to come into the room with him shortly just to say hello, just a
3 greeting so that we can see him face-to-face. But I think it's important that we make that
4 public so that we don't be seen to be doing anything underhand. So thank you again and we
5 will see you in person very shortly.

6 A. Thank you.

7 Q. We'll take a short adjournment at this stage, thank you.

8 **Lunch adjournment from 12.36 pm to 2.14 pm**

9 **CHAIR:** Yes Ms Toohey.

10 **MS TOOHEY:** Commissioners, before we begin with Mr Wiffin's evidence, you'll recall that
11 there was timetabled today to be evidence for a witness represented by Ms Cooper.

12 **CHAIR:** Yes.

13 **MS TOOHEY:** I might just let her briefly address you as to that.

14 **CHAIR:** Yes, Ms Cooper, have you got a microphone there?

15 **MS COOPER:** I think I have one. Hopefully I can be heard. So the position is I just wanted to
16 introduce at least the evidence of Desmond Hurring that we took from a distance at his
17 home a fortnight ago. Unfortunately because today's run longer than expected we haven't
18 got time to actually play that today, but it will go up on to the website and so it will be
19 available for the public to watch and for you to see as well. He is another client who has a
20 story in terms of -- but he's a South Islander, so I think another perspective, I suppose, in
21 terms of Lookout Point and he also talks about Kohitere. So very valuable insights, I think.

22 **CHAIR:** Indeed and we do have his evidence and I'm glad it's going to go on the website. Do you
23 know if Mr Hurring is watching today?

24 **MS COOPER:** I had certainly let him know that it was hoped to be played today. I haven't been
25 in contact with him, I will, though, let him know.

26 **CHAIR:** What we have decided to do is to acknowledge him, and because Sandra Alofivae took
27 his private session, I'm going to ask her to address Mr Hurring. I hope he's watching, but if
28 he's not he can tune in later and have a look, so I'll just hand it over to her, thank you.

29 **MS COOPER:** Thank you, Chair.

30 **COMMISSIONER ALOFIVAE:** Thank you, Ms Cooper, thank you Chair. Desmond, I hope
31 you're watching, but if you're not I hope you will pick this message up at some point later
32 on in the week. On behalf of the Commission I just wanted to express our sincere gratitude
33 and to acknowledge the weight of your evidence, thank you for being so generous in the
34 things that you shared. The valuable insights go a long way in helping us build the case for

1 change and understanding far better than what we did before some of the deplorable things
2 that actually happened to a lot of young people like yourself when you were in care. So
3 trusting that you will stay well and continue to journey well and be in touch with the
4 Commission if you actually need any other support. We stand with you and for you and all
5 of the other survivors that have come before the Commission this week and in previous
6 weeks. Thank you Desmond.

7 **CHAIR:** Thank you very much for the work you've done on his behalf as well, Ms Cooper,
8 appreciate that.

9 **MS COOPER:** Thank you Commissioners.

10 **CHAIR:** Yes Ms Toohey.

11 **MS TOOHEY:** Yes, thank you Madam Chair. Keith Wiffin is in the witness box who is known
12 to you.

13 **KEITH VERNON WIFFIN**

14 **CHAIR:** Yes. Good afternoon Keith.

15 A. Afternoon.

16 **Q.** Welcome back to the hearing. It must be said Keith is a regular appearance and I'm sure it
17 never gets easier, Keith, but thank you for returning to share yet even more insights with us.
18 So I'll just get you to take the affirmation, is that all right?

19 A. That is right.

20 **Q.** Okay. Do you solemnly, sincerely, truly declare and affirm that the evidence you give to
21 the Commission today will be the truth, the whole truth and nothing but the truth?

22 A. I do.

23 **Q.** Thank you, thanks Ms Toohey.

24 **QUESTIONING BY MS TOOHEY:** Keith, can you tell us your full name?

25 A. My full name is Keith Vernon Wiffin.

26 **Q.** And you were born in 1959, you're currently 61?

27 A. Correct.

28 **Q.** As the Chair mentioned, you have given evidence on two occasions before to the
29 Commission. Just to recap about your evidence, your father sadly died when he was 39, I
30 think on his 39th birthday, when you were a young child leaving your mother in strained
31 financial circumstances with four children. And that is what you've previously told the
32 Commission is what led you into care, is that right?

33 A. That was the catalyst for me being put into care, the catalyst indeed for me sitting here right
34 now.