

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
LAKE ALICE CHILD AND ADOLESCENT UNIT INQUIRY HEARING**

Under The Inquiries Act 2013

In the matter of The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

Royal Commission: Judge Coral Shaw (Chair)
Ali'imuamua Sandra Alofivae
Mr Paul Gibson

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Ms Ruth Thomas, Ms Finlayson-Davis, for the Royal
Commission
Ms Karen Feint QC, Ms Julia White and Ms Jane Maltby
for the Crown
Mrs Frances Joychild QC, Ms Alana Thomas and Tracey Hu
for the Survivors
Ms Moira Green for the Citizens Commission on Human
Rights
Ms Susan Hughes QC for Mr Malcolm Burgess and Mr
Lawrence Reid
Mr Michael Heron QC for Dr Janice Wilson
Ms Frances Everard for the New Zealand Human Rights
Commission
Mr Hayden Rattray for Mr Selwyn Leeks
Mr Eric Forster for Victor Soeterik
Mr Lester Cordwell for Mr Brian Stabb and Ms Gloria Barr
Mr Scott Brickell for Denis Hesseltine
Ms Anita Miller for the Medical Council

Venue: Level 2
Abuse in Care Royal Commission of Inquiry
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TRANSCRIPT OF PROCEEDINGS

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1 I also acknowledge your line about your children, you're a father, you're a
2 grandfather and your children, you acknowledge they now see you for who you are not who
3 you were. And that's fantastic, you are the rangatira, kaumatua and that they are your
4 priority.

5 If there is a -- I hope when you talk about those roads that this event, your gift to
6 us, can be a turn in the road, a bend in the river and the gift you say your children are your
7 priority, that we can recognise in Aotearoa that this should be our priority as a nation, our
8 tamariki. Fred, kia ora and thank you for your contribution.

9 A. Thank you.

10 **CHAIR:** Thank you so much. We'll bid you goodbye.

11 **MS A THOMAS:** Hei tapiri noa a Fred, hei tapiri noa i terā kōrero Hiahia ana ahau ki te tuku
12 mihi atu ki a koe anō hoki, kei te rongō au i o tupuna, e noho ana kei muri i a koe hei
13 taituarā mou, e mōhio ana āu e hara i te mea he mea ngāwari tēnei huarahi; he huarahi roa,
14 he huarahi uaua, i takahia ai e koe, e koutou katoa ngā mōrehu o Lake Alice. (Waiata).
15 Tēnā koe.

16 A. Kia ora Alana. Thank you.

17 **CHAIR:** We will adjourn before the next witness. Thank you.

18 **Adjournment from 2.11 pm to 2.59 pm**

19 **CHAIR:** Welcome back Ms Joychild.

20 **MS JOYCHILD:** Good afternoon Commissioners. Ms CC who, for the purposes of today, we're
21 going to call Donna, because she has name suppression, is going to speak about her
22 experience being married to her husband who was a survivor of Lake Alice. Donna's
23 husband was 13 years old when he first went in and then 14. He was there for nearly two
24 years -- sorry, 14 months he was there, Lake Alice.

25 **MS CC**

26 **CHAIR:** So before she starts I'll just get her to say the affirmation. Do you mind if I call you
27 Donna?

28 A. I don't mind if you call me Donna.

29 **Q.** That's good. So welcome, thank you for coming and thank you for providing your brief of
30 evidence. Just to let you know that we have read it already. So if you take the affirmation
31 please. Do you solemnly, sincerely, truly declare and affirm that the evidence you'll give
32 today will be the truth, the whole truth and nothing but the truth?

33 A. I do.

34 **Q.** Thank you.

1 **QUESTIONING BY MS JOYCHILD:** Donna, could you start at paragraph 1. We know your
2 name and that you work as a carer and you're a subcontractor. But now if you can start at
3 that sentence on the second line "I am the widow".

4 A. So I am the widow of my husband, and he was a survivor of the Lake Alice Hospital. He
5 died of emphysema in 2016 just three months short of our 30th wedding anniversary. He
6 started in the first group represented by Grant Cameron but ended up in the second group
7 that was paid out by the Government.

8 **Q.** Then if we leave the next paragraph which is just a reference to the documents and read
9 again from paragraph 4.

10 A. My husband was born in June 1958 to a Samoan father and a Rarotongan mother. They
11 were unmarried and his birth mother couldn't care for him. When he was 4 months old his
12 mother's cousin's family took him on as a whāngai child. At that time they had four
13 children and after him they had another six. The family spoke Rarotongan and Māori and
14 he had very poor English when he started school so he was considered a slow learner.

15 My husband was severely beaten and neglected by his whāngai mother in
16 particular. He told me, and the records show, that he often had cauliflower ears from
17 beatings and ear pullings. His records show a teacher complaining about bruises and cuts
18 when he was 5 years old, letter dated 6 August 1969 from G Schmidt from Department of
19 Social Welfare.

20 **Q.** Yes, you don't need to read those ones in brackets.

21 A. Sorry.

22 **Q.** That's all right, go on at paragraph 6.

23 A. In 1969 there was another complaint from a teacher when my husband had just turned 11.
24 It was recorded that he had a swollen eye, hair missing, new scratch marks and a
25 cauliflower ear. He was also difficult to manage at school and he was removed from his
26 family at that time and placed in Ōwairaka Boys' Home in 1969.

27 **Q.** Then up to paragraph 7.

28 A. After an unsuccessful return home where he got into trouble due to violence, he was placed
29 at Hokio Boys School for close to two years. Then when he was around 11 to 13 -- from
30 around 11 to 13. The records show that he was sexually assaulted over a period of time at
31 Hokio by a teacher who was convicted of sexual assaults on several other boys at Hokio.

32 He was then moved to Kohitere for six months. After he had assaulted boys there
33 he was moved to Lake Alice.

34 **Q.** Paragraph 9.

1 A. Yeah. My husband spent 14 months in Lake Alice from 1974. He was admitted aged 14
2 and left aged 15. On 16 June 1973 he was diagnosed by Dr Leeks as suffering from
3 aggressive character disorder, apparently based on his history of violence.

4 In paragraph 28 of his statement he says that not long after he was admitted John
5 Blackmore, one of the nurses, started taking him to his place in Marton on the weekends.
6 When he did so he forced him to do sexual favours on him. He sodomised my husband on
7 several occasions and then he would simply bring him back to Lake Alice as if nothing had
8 happened.

9 Q. That's from your husband's statement which he made to Grant Cameron, isn't it?

10 A. Correct.

11 Q. And then could you -- or do you want me to read paragraph 29 and 30 from his statement?

12 A. Yeah, you can if you like.

13 Q. Okay, this is what your husband says. "I brought -- this is the abuse -- I brought it up with
14 another staff member, Steve Hunt, but nothing seemed to happen. I was still allowed to go
15 home with Blackmore in the weekend. John Blackmore would sexually abuse me all
16 weekend and then during the week I would simply be rejected by him as though nothing
17 had happened.

18 I was so angry with what had happened that about three months into this I started
19 taking my anger out on the other boys by physically and sexually abusing them. Sexual
20 gratification became a real need for me and John Blackmore's abuse of me was the
21 beginning of the problems I had at Lake Alice."

22 Now if we go to paragraph 12 where you're talking about ECT.

23 A. My husband was subjected to a horrific level of ECT and a lot of time in seclusion because
24 of his sexual assaults on other boys. He describes his first experience of electric shocks this
25 way.

26 "The first time I experienced electric shock I was led upstairs where the treatment
27 was being administered. I had no idea what to expect as I was a pretty tough guy at the
28 time and could not see what everyone was afraid of. I didn't believe the others' fear
29 thinking they were just wimps.

30 Upstairs in a seclusion room I was laid out on a bed. One nurse put a rubber gag
31 in my mouth and the others were restraining me, physically holding me down on the bed.
32 Tongs were dipped into a bowl of water and then placed on my temples. While this was
33 happening, psychiatrist Selwyn Leeks said 'You've been quite naughty. Some of the other
34 patients have been complaining that you've been bullying them.' I tried to deny this but

1 I couldn't because of what was happening to me. A little silver box was just to the side of
2 the bed. I didn't know what was happening, merely curious. I then saw Leeks turn the dial
3 on the silver box.

4 A flash of bright light went through my head with intense pain and I could not see.
5 Leeks kept turning the knob talking quietly in between, making it very difficult to hear
6 what he was saying. The pain went through me around nine or ten times and although I am
7 not sure of the exact time, the whole session seemed to last 30 minutes in total. This
8 seemed to be the length of time most people were subjected to this cruelty. This was my
9 introduction to ECT; short shocks then long ones. Leeks regulated them, speaking to me
10 after each shock and saying I was bad and naughty.

11 I was totally shattered afterwards and withdrew into myself. I felt half drugged
12 and had to be assisted down the stairs and put into an armchair. I couldn't eat dinner that
13 night. I felt lost, totally dazed and could not care for myself. I was in bed by around 5.30
14 pm and it took me a few days to get over the treatment. I soon realised that this was no
15 holiday camp."

16 My husband says that after the first time there were many more. He fought all the
17 way upstairs after the first one. His second shock was a lot longer and more drawn out. It
18 was more intense and harsher than the first but thankfully for him only 5 minutes long.
19 Anything anyone did that was unacceptable to the staff was put in the day book and brought
20 up weekly when the weekly ECT happened.

21 My husband described being herded into the day room and waiting for names to be
22 called. Staff had put names down during the week for misbehaviour. He describes terror,
23 sweaty palms, pacing and changing chairs while waiting for his name to be called.

24 He describes having to watch other children being dragged, screaming and crying
25 out of the room and up the stairs to get ECT. They had to listen to the sounds of people
26 screaming, crying and yelling.

27 My husband said he thought he was going to die in villa 11. He could not trust
28 anyone at Lake Alice except the other boys. After two months he ran away. He was caught
29 and brought back and put into seclusion. He described what happened to him in this way.

30 "Leeks saw me and said 'You're in for it now'. There was a mattress on the floor
31 and the ECT machine was brought in. Leeks would say things like 'Why did you run
32 away?' Zap. Leeks asked several questions of me and then zapped me before I had a
33 chance to answer. All I could do was scream and cry until they went away. I think I was in
34 seclusion for three days and I cried all the time."

1 My husband described having therapy sessions with Dr Leeks in this way.

2 "After I had been in solitary confinement for running away, Dr Leeks started
3 giving me more electric shocks, but this time it was different. Leeks started putting the
4 electrodes on other parts of my body. I was taken to the medical block where the medicines
5 were stored. Here prongs were put on to my legs and around my knees and again I was
6 asked questions and then given short sharp shocks. This occurred while I was sitting down
7 and the shocks were enough to make me leap out of the chair uncontrollably. One knee
8 was done after the other.

9 Also, during the sessions in the medical block I was shocked on my hands as well.
10 The sessions would last around 20 minutes and there would be approximately 15 shocks on
11 each limb. At times Leeks would move the electrodes up each leg from my knee. If the
12 prongs came off, Leeks made me pick them up and put them back on my leg. Each shock
13 would leave red marks on my limbs and I had to keep moving the electrodes higher each
14 time. Sometimes Leeks would also hold on to the top of the electrodes when they were on
15 my hands and shock me.

16 Leeks would call these my therapy sessions and these would occur three times a
17 week on Mondays, Wednesday and Fridays. These therapy sessions lasted approximately
18 three to four weeks and to my knowledge I was the only one getting this type of treatment.
19 I felt like I was being punished. While receiving the treatments on my limbs some of the
20 other patients were brought into the medical block and were asked to shock me."

21 **CHAIR:** Take your time, take a breath.

22 A. My husband believes that GRO-B did an experimental sleep treatment on him.

23 "On another occasion I was taken up the stairs again to have the shock treatment
24 but this time it was different. I was given an injection and informed that I was going to be
25 put to sleep. Sometime later I came to calling my sisters' names and crying heavily. Two
26 of the other guys there were sitting beside my bed trying to comfort me because they were
27 fearful for my life. To this day I had no knowledge of what the doctor did to me while I
28 was injected to sleep. I have heard of some children being given Deep Sleep Therapy and
29 I wonder whether I was given some version of this."

30 My husband described one incident where the doctor physically attacked him
31 while he was locked in a cell in seclusion. It was after he had sexually abused boys in villa
32 11 and the doctor was upset at having to explain to the parents what had happened to their
33 boys because of him.

1 "At one point I was transferred to the adults unit, villa 8. I was locked up in the
2 seclusion room but this was different to the adolescent unit. There was nothing in the
3 room, it was like a holding pen. The doctor visited me there and physically assaulted me.
4 He came into the room by himself and started swearing at me. He punched me in the head
5 several times and pulled my hair and while I was on the floor he kicked me a couple of
6 times as well."

7 **QUESTIONING BY MS JOYCHILD CONTINUED:** I'm going to pause you there, GRO-B,
8 and could we put up exhibit 007, because your husband has given a statement to the
9 Citizens Commission of Human Rights which is quite a detailed statement of this incident.
10 And I thought -- would you like me to read this? Okay.

11 "So when the doctor came to see me he came into the room by himself and started
12 swearing at me. He was upset it happened" -- so you've said to explain to the parents.

13 **CHAIR:** Ms Joychild, are you putting it on the screen? Just wait for it to come up.

14 **MS JOYCHILD:** Sure.

15 **CHAIR:** Just before it's put up, I believe, from signals afar, that Donna's name might be
16 mentioned in this document. Shall we just hold it for a moment and double-check.
17 Because if it was --

18 **MS JOYCHILD:** It's not in document 007.

19 **CHAIR:** Hang on, I'll just ask Rachel, what is the situation? Find out from Rachel please.

20 **MS JOYCHILD:** I wonder if the people doing the live stream could redact a name that I said, that
21 I just said.

22 **CHAIR:** And they have. Three thumbs went up in the air at the back.

23 **MS JOYCHILD:** I thought they'd be on to it.

24 **CHAIR:** They are absolutely on to it, thank you. Just so that you understand what's going on,
25 Donna -- take a breath, you are allowed to breathe. The live streaming is some minutes
26 behind us, so if something like that happens accidentally, the very clever people at the back
27 of the room know and they take out the bit that shouldn't have been said so it's not
28 broadcast. Does that reassure you? Thumbs up from you too, excellent. And thumbs up
29 from the back as well. This is good news.

30 **MS JOYCHILD:** And I've also noticed here that there are redactions that need to happen in this
31 document.

32 **CHAIR:** So shall we not put it up?

33 **MS JOYCHILD:** Perhaps not.

1 **CHAIR:** I think it's probably wiser if we don't show it and you just read the relevant parts, Ms
2 Joychild.

3 **MS JOYCHILD:** So Donna read paragraph 1, which was about how he came into the room and
4 punched, pulled his hair, and when he was on the floor he kicked him. This is what the
5 doctor did. And Donna's husband said that he seemed to have totally lost control, which
6 was unusual because he was always usually so cool about everything. So this is day 2 of
7 Donna's husband's time in seclusion.

8 "When the doctor came to see me he brings the ECT machine and he set the ECT
9 machine up. There were other staff there that came in with him. I think there were at least
10 two other staff. I was very scared at this time as he came to see me with the machine
11 instead of me coming into a room where the machine was already in the room.

12 At that time I was restrained by the other staff. I was lying down and he starts to
13 shock me. The level of pain was a lot more than what I had received on other occasions. I
14 was shocked on my arms, legs and body. I was moving around trying to get away. I was
15 yelling out in pain and terror. It was higher than an electric fence. He would alter the
16 amount of jolt I would get."

17 **CHAIR:** Stop, sorry. I'm not sure if this is to do with redactions or whether it's to do with
18 technicalities.

19 **MS JOYCHILD:** Hopefully it's technicalities.

20 **CHAIR:** I'm being asked if we could take a break, I think it's best if we stop, get it right. You can
21 have a quiet time for a moment. We'll get all these technical problems sorted out and then
22 we'll come back so we don't get interrupted again. We'll just take a brief adjournment
23 thank you.

24 **Adjournment from 3.20 pm to 3.30 pm**

25 **MS JOYCHILD:** Donna, could you please read from where I last left off.

26 A. "The doctor would alter the amount of jolt I would get so I wouldn't be expecting it.
27 Sometimes it could be a small jolt then he would give it a big one. The dial would be
28 turned up for 3 to 4 seconds then back down, then turned right up for some period. My
29 body would tense right up and the pain and the effect would stay with me for around 20
30 seconds, then shock again. I think it would have been about two shocks per minute,
31 approximately five to seven times on each leg or hand before moving on to the next. At
32 one point I was cowering in the corner. He had turned the dial up and was pushing the
33 prongs on parts of my body. I thought I was going to die. I remember the cool, blue eyes
34 looking through me.

1 Day 3. On this day the doctor came in first. I was spooked because of what
2 happened the day before. The doctor brought the ECT machine and two other staff. I was
3 in shirt and trousers to start with and was lying on the mattress. I got a glimpse of other
4 boys outside the room. The ECT box was on a trolley, the prongs had a long cord and I
5 was given about 12 shocks by Dr Leeks on the arms, legs, etc.

6 Then the boys were asked to come in one at a time. Dr Leeks rubbed his hands
7 together and said 'You know who these boys are'. I can remember and Leeks got them to
8 turn the -- sorry, the doctor got them to turn the dial in turns. Some turned it longer than
9 others. I was so traumatised, it felt like forever possibly, I could not escape.

10 I remember that I was finally knocked out with the special button that can be
11 pushed to knock you right out. The next thing I knew was that I was alone in the room and
12 that I was very dry around my mouth. I was taken to maximum security at Lake Alice the
13 next day."

14 **Q.** Thank you, Donna, now we're up to paragraph 22.

15 **A.** My husband was also shocked with ECT by Dr Leeks when he was placed in maximum
16 security. He said Dr Leeks used the knock-out button and that was the last time he had
17 ECT or saw Dr Leeks.

18 My husband talked about his time in seclusion in villa 11 and described the room
19 etc. He spent three periods of time in seclusion there when he first arrived after he ran
20 away and after he had sexually assaulted other boys. He was also in seclusion in villa 8.
21 He spent the last six to eight weeks of his stay in Lake Alice in the maximum security block
22 where hardened adult criminals were kept. He was in solitary confinement for the first two
23 or three weeks of that time, but after that allowed to mix with the others, many of whom
24 were lifers who would never be released.

25 My husband did not receive Paraldehyde but did observe another boy receiving it.
26 He would see the boys were in pain after receiving it from the way they walked or tried to
27 walk. They also told him it was very painful and smelled bad. He was put on Mellaril
28 when he was in the secure block.

29 My husband told me about Dr Leeks pretty much as soon as we met and we
30 continued to talk about it during our marriage, especially when it came on the news. His
31 primary focus during our marriage was bringing the doctor to justice and making public
32 what had happened to him as a young person in Lake Alice and other boys' homes.

33 He told me he had been sexually abused by one of the male nurses at Lake Alice
34 and that such behaviour didn't seem unusual there. He told me about how one of the nurses

1 would regularly get into bed with the oldest boy in the hospital. I see from his notes that it
2 is recorded that he was also sexually abused by a staff member at Hokio Boys School. That
3 man was later convicted of several offences in relation to boys at Hokio.

4 My husband also told me he was taken to a photo studio when he was around 11
5 or 12 and living at Hokio and filmed in sexualised photos with nothing but underpants on.
6 These photos are part of the evidence in his statement in relation to abuse in residences. I
7 believe this photography is part of the sexual grooming to which he was being subjected
8 while in the boys' home.

9 My husband told me that in such a sexual environment he, in turn, began to
10 sexually abuse other boys. He was caught by Dr Leeks asking -- asked after -- sorry; he
11 was caught. Dr Leeks asked some other boys if they wanted to give him ECT as pay-back.
12 Some of the boys did. They gave him ECT on his genitals. They didn't use any
13 anaesthetic. The whole point was just to inflict terrible pain. My husband told me it was
14 horrifically painful.

15 There are many aspects of the notes that are available that concern me. For
16 example, on 2 May 1973 a staff member at Hokio would --

17 **Q.** I'll pause you there, Donna, and just correct that. It should be Kohitere, not Hokio. That's
18 not your mistake.

19 **CHAIR:** That's in paragraph 29?

20 **QUESTIONING BY MS JOYCHILD CONTINUED:** Yes. Sorry, continue after --

21 **A.** A staff member at Kohitere would not give details of sexual abuse at Kohitere to his social
22 worker and tried to absolve the school from any liability on the basis that my husband had
23 misbehaved prior.

24 **Q.** To Hokio?

25 **A.** To Hokio.

26 **Q.** So we're now going to put up document 009 which is a senior counsellor from Kohitere
27 reporting on your husband. So your husband's social worker was called a Mr Schmidt and
28 this is a record of a conversation between Mr Schmidt and the counsellor at Kohitere. And
29 he noted that Mr Schmidt had, in visiting the Auckland office, had spoken about your
30 husband. Have you got that document?

31 **A.** It's on the screen.

32 **Q.** Do you want to read paragraph 2?

33 **CHAIR:** We can make it bigger for you.

34 **A.** "Mr Schmidt was concerned about some comments in my husband's progress report that

1 were not elaborated on in the report, nor in any subsequent correspondence. From his
2 limited knowledge of the situation gained from when he escorted my husband to Kohitere,
3 he suspected that the reference related to sexual offences committed on my husband by a
4 staff member at Hokio when the boy had been in residence there."

5 **Q.** Then paragraph 3.

6 **A.** "I indicated to Mr Schmidt that we had no details of the effect of the offence in respect to
7 my husband, and that the ex-staff member had been prosecuted for offences on several
8 boys."

9 **Q.** And then we'll go to paragraph 5.

10 **A.** "The latest movements concerning my husband and his admission to Lake Alice Hospital,
11 which are the subject of a separate memo, indicate the seriousness of his problems in this
12 area. I think it could be acknowledged that the incidents at Hokio were just a continuation
13 of the problem rather than perhaps being the precipitant factor in my husband's incidents of
14 sexual misbehaviour on his discharge from Hokio, or following his admission here to
15 Kohitere. The problems seem to be much more basic than could be attributed to being
16 exposed to the opportunity in Hokio."

17 **Q.** Okay, then if you read paragraph 30.

18 **A.** There is no acceptance by Dr Leeks that a temporary housemaster having sex with a
19 12-14 year old boy in the care of the State was sexual abuse of that boy. Dr Leeks
20 described it as my husband being involved in homosexual activity. To me that is an
21 unbelievable attitude. My husband was being abused in the care of the State.

22 **Q.** Now I'd like you to pause there and we'll put up document 5. This is a note from your
23 social worker whose obviously seen an article in the newspaper about your husband's
24 sexual offending in 1978 and your husband was obviously before the courts. And this is
25 what -- have you got that document? Would you like to read that document?

26 **A.** "I am unable to locate my husband's personal file. It was over nine years ago when I took
27 my husband on warrant. Ears were black, swollen, soft from recent injury, patches of hair
28 were missing from his scalp and he had a contusion of the eye.

29 Several years ago I can recall being ordered late one Friday afternoon to escort my
30 husband to Kohitere. We arrived at Kohitere after 11 pm and the following Saturday
31 morning I made some inquiries regarding the reason and urgency for the visit. I learned
32 that my husband had been sexually assaulted over a period of time by a housemaster at
33 Hokio Beach School.

34 If he had in fact experienced sodomy with a housemaster at Hokio Beach School,

1 then it would appear that all the blame cannot be attributable to his adoptive parents, as was
2 stated by Mr Justice Chilwell in the Auckland Supreme Court in 1978." That's from the
3 social worker.

4 **Q.** Thank you. Now we go to paragraph 31.

5 **A.** The records show that my husband was charged with sexual abuse in relation to his assaults
6 on those other Lake Alice boys while he was still at Lake Alice. I note that in a letter dated
7 10 June 1974 Dr Pugmire wrote to the Magistrates Court and recommended that my
8 husband be dealt with as a delinquent rather than as a case of a psychiatric disorder and that
9 he be transferred to a Justice Department institution. This was after Dr Leeks had been
10 giving my husband excruciatingly painful ECT treatments without an anaesthetic or muscle
11 relaxant for 14 months. There was no justification for it as he did not have a mental illness.

12 **Q.** Now we'll pause you there and put up another document, document 0112. This is a letter
13 from Dr Pugmire to the presiding Magistrate of the Magistrates Court in Whanganui. This
14 is in 10 June 1974 when your husband is being charged with the sexual assault on other
15 boys at Lake Alice. Have you got that now, so we'll now go to --

16 **A.** On the screen.

17 **Q.** Can we go to the second paragraph and highlight the second to last line. And then the next
18 page after that. So can you read that Donna, beginning with "He came"?

19 **A.** "He came to Lake Alice 73 and at the beginning of 74, unknown to the staff, he secretly
20 practiced bullying and by..."

21 **Q.** Yeah, then they're just going to bring up the next page. Yeah. You can read that page.

22 **A.** "...threatening to kill other little boys he forced half a dozen of them to submit to acts of
23 sodomy. In due course they complained to their parents and when the offences came into
24 the open he tried to protect himself by making wild allegations of being the victim of
25 similar behaviour by Lake Alice staff. These allegations were immediately investigated by
26 the local Police who established they were a complete fabrication. Research into this boy's
27 background established he had made similar false allegations against staff in other
28 institutions. Since these offences he has been temporarily held in the security villa but his
29 presence there is strictly unauthorised and cannot continue. His false allegations have
30 aroused such antagonism among staff and patients on the open side of the hospital that he
31 cannot be housed there. In any case, the diagnosis of aggressive character disorder does not
32 indicate any treatable mental illness which would justify his further detention in a
33 psychiatric hospital. His IQ is 70 and is quite low, but he would not be welcomed by the
34 intellectually handicapped society who select only well-behaved patients."

1 **Q.** I'll pause you there and then we'll just go to the final paragraph.

2 **A.** "I recommend that he be dealt with as a delinquent rather than a case of psychiatric disorder
3 and that he be transferred to a Justice Department institution. S L Pugmire."

4 **Q.** Thank you Donna. Now go to paragraph 33 of your statement.

5 **A.** "My husband was not lying. It is recognised in his notes that he was abused at Hokio. He
6 always maintained his claims about the sexual abuse of him at Hokio and Lake Alice.

7 After he was discharged from Lake Alice to Waikeria -- he was discharged from
8 Lake Alice to Waikeria borstal after two years. After that, he started associating with
9 gangsters and consuming drugs and alcohol. For the next 10 years he was in and out of
10 prison for violent offending.

11 I met my husband when he was 28 years old. I was living with a girl called...

12 **Q.** Yeah. Just carry on.

13 **A.** ...at the time. Her boyfriend was one of my husband's adoptive brothers and I met him
14 through this connection. I turned out that I actually knew most -- sorry, it turned out that
15 I actually knew most of his family.

16 He went back to prison for two years the day after our marriage for an indecent
17 assault offence he committed before we met. This was his last conviction and jail term.
18 For the remainder of his life he stayed out of trouble. He was a good husband to me and a
19 good father to our two children, who are now 27 and 30.

20 My husband's healing was a process of steps. He described them in his statement.
21 He met his natural mother and aunty. He started doing a lot of work on himself while in
22 maximum security. He started working with a counsellor who helped him -- sorry, a
23 female counsellor who helped him to deal with all the abuse from his past. She helped him
24 come to terms with the abuse and neglect as a child, the abuse in Hokio and from John
25 Blackmore at Lake Alice. He also had to come to terms with the abuse he had perpetrated
26 on others.

27 **Q.** Paragraph 38.

28 **A.** He says that what started him on that process was meeting me. He really wanted to sort
29 himself out. Our wedding was a wonderful day and both sets of parents were present. He
30 started serving his term of imprisonment the next day. He was in solitary confinement in D
31 block for the first ten months. I visited him every week and taught him to read and write.
32 He put it this way to Grant Cameron's statement.

33 "Over the time I spent in prison I was able to look over my life and my
34 relationships and I went through a process of forgiveness and became quite accepting of

1 what had happened and who I was. I really accepted who I am, what I had to go through
2 and what I wanted to do from now on. My adoptive parents were very afraid they would
3 lose me, but I had to reassure them that all was okay.

4 My husband also worked briefly as a labourer from time to time, including at a
5 panelbeaters. However, he had trouble taking instructions. I think all those years of
6 violence and abuse in the system made him incapable of doing that. He relied on cannabis
7 to calm himself down. If he didn't have it he would get very agitated. He wanted to work,
8 but he couldn't because of these issues. I was usually the one working regularly. And
9 sometimes we would have to borrow money from my mother to make ends meet.

10 For over three years he worked at a hospital. He learned to weave cane baskets in
11 prison and he taught his skills to the patients. It kept them calm. They were promised that
12 if they could complete a basket they did not need to have medication. He was always
13 disappointed to return after a week off and find the staff had been medicating patients. It
14 was very important to him to teach people how to weave so as to keep them off medication.

15 Once our son was born my husband stayed home and looked after him, as he
16 developed diabetes as an infant and needed extra attention.

17 My husband had emphysema and eventually died from it. It came from him
18 smoking cigarettes and weed from the age of about 12.

19 I knew him for over three decades. I cannot make this clear enough. While he
20 had issues, such as not being able to take instructions, he did not have any kind of mental
21 disorder, or anything that would justify what was done to him at Lake Alice.

22 When he was alive he was focused on doing everything he could to bring
23 Dr Leeks to justice. I know he talked with a group called CCHR, including Steve Green
24 and Victor Boyd, and they supported him. On 15 March 2002 the CCHR wrote to the New
25 Zealand Police on behalf of my husband. I don't think the Police did anything about this
26 complaint.

27 He took two claims against the Government. The first was about his treatment in
28 Lake Alice and was through a lawyer called Grant Cameron. A claim was part of a class
29 action claim commenced by Grant Cameron in the High Court in Wellington against the --
30 on 20 April 1999 against the Attorney-General.

31 **Q.** Donna, we can pause there, we don't need to read all the parts of the claim. You could go
32 to paragraph 46.

33 **A.** His second claim was for his treatment in care, including the Hokio sexual abuse, and was
34 taken by Sonja Cooper.

1 My husband got settlements for both. I can't remember how much each of them
2 were for. I do remember the first one we got, we used it to pay back my mother the money
3 we owed her and we paid off our car. He then gave the remainder of his adopted -- to his
4 adopted siblings because they had gone to visit him when he was in prison and he'd been a
5 difficult child in the family. I think he felt guilty about that. These settlements did not
6 bring him closure. He wanted Dr Leeks to be held to account. That was the only thing that
7 would bring him closure.

8 In 2006 my husband was one of the people who lobbied through CCHR for the
9 Police to charge Dr Leeks and bring him back to be tried. The Police had agreed to reopen
10 an investigation into charging him and it was widely believed that Dr Leeks was going to
11 be extradited from Australia.

12 Around this time my mother sat down with my husband to write up a story of his
13 life. It was never finished. It contains excerpts from his statement to Grant Cameron and
14 adds others in from what he told her. It contains lots of gaps and questions for my husband.
15 Mum sent it to me in 2019 after my husband had died as a record for his children. This is
16 what he says about accountability.

17 "I feel very strongly about what happened to me and the others in villa 11 at Lake
18 Alice Hospital.

19 Those who received this barbaric treatment will never forget the long-term effects
20 and the harm done to the patients. Part of the healing process will only come about when
21 these details are taken through the courts and real justice is not only done but also seen to
22 be done. The people responsible for the treatment given should be made accountable for
23 their actions and opportunity should be offered to medical staff who were actively involved
24 in the treatment and the administration of the ECT. Some may also feel the need to be part
25 of that healing process by telling their side of the story.

26 The Government and associated departments need to take a long and hard look at
27 the information supplied and to take steps to assist those whose punishment and torture
28 were considered to be treatment therapy. In this way the victims will finally be able to get
29 on with their lives."

30 **Q.** Nearly there Donna. We're at paragraph 50.

31 **A.** Anticipating a prosecution of Dr Leeks, my husband sent me and my children to live in
32 Australia. He didn't want the children to be affected by media attention around what
33 happened to him at Lake Alice and also the sexual abuse carried out upon him and that he
34 carried out. He knew it would be a big thing and he didn't want the children to be bullied at

1 school because of him at the time one was only 10 and the other was only 14 at that point.

2 After two years of the family living apart and nothing had happened, he told me it
3 looked like Dr Leeks was not going to be prosecuted after all and that was a huge let down
4 and disappointment.

5 I then had to save hard for the next two years to afford the airfares to bring the
6 family and our belongings home. My children were adult fares by then. He couldn't come
7 to visit us because of his criminal history and meant he couldn't get a visa to enter
8 Australia. In all we lived in Australia for four years separated from him. Over that time we
9 could only afford to come back to visit him once.

10 It was hard to be separated and it was hard to save for our fares on top of having to
11 pay rent and support the children in Australia and pay the rent back in Auckland. In the
12 end it was for nothing, because the Police never charged Selwyn Leeks. That was such a
13 betrayal.

14 My husband was careful never to tell the kids about his experiences at Lake Alice.
15 However, since he has died the kids have read 'Diary of a Victim' and I have told them
16 things. What happened to my husband still affects me a lot and, though it is very hard to
17 do, I am giving this statement for him. It was wrong what happened to him and he wanted
18 Dr Leeks brought to account and what had happened exposed so everyone would know. I
19 am doing this for him and our children.

20 **Q.** Donna, thank you very much. If you can just sit and wait, Commissioners might have some
21 questions for you.

22 **CHAIR:** Do you mind answering a couple of questions from the Commissioners? Please say if
23 you'd rather just finish now.

24 **A.** I'm okay.

25 **Q.** Are you?

26 **A.** Yeah.

27 **Q.** Okay. Commissioner Gibson wants to ask you a question.

28 **COMMISSIONER GIBSON:** Thanks Donna, I really appreciate it. Just looking, your husband's
29 life, he was a victim of abuse and became an abuser and it was like there was a healing, a
30 redemption. And as he described it, there was a turning point for him which you were part
31 of.

32 **A.** Yes.

33 **Q.** What is it that you, from who you are, your conversations with him that you can teach to
34 others, you can share with others about how to help heal, how to help redeem?

1 A. Thrown me under the bus. I'm not sure I know the answer to that question. I was just there
2 for him, listened to him, believed him. People need to believe about what happened and I
3 think, because I believed in what he was telling me, he was able to work through that
4 process. I hope that's what happened.

5 Q. Yeah, thank you, I think that sounds like you do know the answer. Thank you.

6 CHAIR: Donna, I've got no questions for you, I'm going to hand you over to Sandra Alofivae our
7 other Commissioner.

8 COMMISSIONER ALOFIVAE: Thank you, Donna, just one question if I may. Donna, that
9 was such a powerful story of healing how he put it right with his family, how he recognised
10 the wrongs that he'd done to others because of things that had happened to him, the abuse,
11 the sexual abuse in particular.

12 Do you know if it was in his heart to want to see the victims, the other boys that he
13 perpetrated against?

14 A. He talked about it, but from our family point of view, from his kids' point of view, he was a
15 little bit frightened to do that. He didn't know what the outcome would be. So he didn't
16 talk about it when we were going to Australia. He thought that he would have to face them
17 sooner or later, and he was prepared to do so.

18 Q. Donna, I am sure he's looking down right now and --

19 A. Saying "What the hell?"

20 Q. And incredibly proud of your bravery for coming forward. Your courage and your strength
21 is not lost on us. It's not easy, it's difficult, in the context of everything that we've heard in
22 this hearing for Lake Alice and other things that we've also heard in our private sessions,
23 but it's certainly a privilege and an honour to be able to thank you on behalf of the
24 Commission.

25 Everything that you've lived and walked through together, the fact that you just
26 consistently loved him, I think was a powerful motivator for him to want to change. And
27 our Chair said that we'd actually -- we've read the whole document, the booklet and the
28 many other appendices, and the lengths that he went to to try to get justice. But also the
29 lengths he went to to protect you and the family and also, as you've just said to us, he
30 wanted an opportunity to, at some point, to put it right with his own victims if the situation
31 had been different and a prosecution had resulted earlier.

32 So can I just thank you for your courage, and I hope that you and your children
33 will find peace and some form of closure moving forward. Thank you for formally putting
34 your husband's side on the record for us. I know it's been done before with other

1 documents in the High Court, but for the Commission it forms a vital part of our story here.

2 So go well and I hope that you'll accept all of the support that we can offer you at
3 this point as well for both you and the children and for others who may need it and your
4 wider whānau.

5 A. Thank you.

6 **CHAIR:** Thank you very much.

7 **MS JOYCHILD:** One more matter, ma'am. Donna, did you want to show the Commissioners a
8 photo of your husband? **[Photo provided]**.

9 **CHAIR:** How old was he in this photo roughly? He looks a very nice fellow.

10 A. Don't get carried away. He was probably just over 50 at that point.

11 **Q.** Yes, young looking.

12 A. That was later in our marriage.

13 **Q.** Right, a young looking 50, very nice.

14 A. He passed away when he was 58, so...

15 **Q.** Thank you. Clearly a man of the Pacific. We'll give that back to you. That is a very nice
16 note to close on, so we'll call for our kaikarakia.

17 **Hearing closes with waiata and karakia mutunga by Ngāti Whātua Ōrākei**

18 **Hearing adjourned at 4.07 pm to Friday, 18 June 2021 at 9.30 am**

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