

**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'Muamua Sandra Alofivae

**Counsel:** Ms Anne Toohey, Mr Simon Mount QC, Ms Kerryn Beaton,  
Mr Kingi Snelgar, Mr Simon Waalkens and Ms Julia Spelman  
for the Royal Commission  
Ms Rachael Schmidt-McCleave and Ms Juliet White for the  
Crown  
Ms Katie Lane for a survivor  
Mr Stone and Ms Watene for survivors

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

**Date:** 3-11 May 2021

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**TRANSCRIPT OF PROCEEDINGS**

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1 looking – that will look after you. So for my brothers and sisters, kia kaha, be strong and  
2 let's stand tall. Thank you.

3 **CHAIR:** A fine note to end on. We'll take the adjournment. Thank you very much Mr X and to  
4 you your loyal supporter.

5 **Adjournment from 2.37 pm to 2.50 pm**

6 **TONI LEE JAMES JARVIS**

7 **CHAIR:** Good afternoon Ms Lane. Before we start I'll just ask Mr Jarvis will you take the  
8 affirmation Mr Jarvis, or can I call you Toni?

9 A. Yes you can.

10 **Q.** Thank you. Toni do you solemnly, sincerely and truly declare and affirm that the evidence  
11 you give before the Commission will be the truth, the whole truth and nothing but the truth?

12 A. I do.

13 **Q.** Thank you. I'll leave you with Ms Lane.

14 **QUESTIONING BY MS LANE:** Toni, you want to give a voice to your statement and read that  
15 out for the Commission, but there are some matters that you want to highlight before you  
16 do that. The first thing you have asked is to be able to acknowledge some people today.

17 A. Yes, I'd just firstly like to acknowledge all my brothers and sister survivors who have  
18 passed on that never got this opportunity to have questions, answers or even see a hint of  
19 justice. But I particularly want to point out two who are very close to me. One was my  
20 stepdaughter who died 11 years ago, her name was, GRO-B and to my daughter-in-  
21 law who passed away just over a year ago, GRO-B

22 Now just before GRO-B passed she came to me and said "Toni, I rang the  
23 Royal Commission of Inquiry and I've taken my details and I'm going to come forward and  
24 tell my story", but unfortunately she passed away. So I just want to acknowledge those  
25 two. Also the families of the deceased brothers and sisters, because they have the ongoing  
26 legacy of carrying what their family members are not here to do so.

27 **Q.** Up on the screen there's a picture of a little boy, can you tell me about him?

28 A. I refer to him as little Lee and little Lee's story is, without undermining the abuse of any  
29 survivors in State care, but his story is from the bottom of what you call the pecking order.  
30 There was no bigger boys, he was at the very bottom. And this is the reality. I'm here as a  
31 man today turning 60 years old, but this is the story of this little boy and I've asked for this  
32 photograph because, as you hear evidence it's hard to connect with the stories and I thought  
33 this is reality. This is what we were when the State took us and took us into these places  
34 and, although I'm a grown man, this is his story that I tell today.

1 **Q.** And little Lee is you, isn't it?

2 **A.** Yes, it is.

3 **Q.** How come you call him little Lee?

4 **A.** Because he was the littlest in State care and he was at the bottom of the pecking order. And  
5 when I say that, as Mr X, brother Mr X gave evidence, you got hidings and it got meted  
6 out. But when it got to little Lee at the bottom of that pecking order you took the lot,  
7 because there was nobody below you to pass that on, whack at, throw your fists at, and get  
8 your frustrations, so although as I said, I don't undermine any abuse in State care but it was  
9 a unique story for little children in state care, and it was a different story to the others I  
10 believe.

11 **Q.** Your legal name is Lee but it's Toni now?

12 **A.** Yes, it is.

13 **Q.** Why is that?

14 **A.** 2002 I won a case in the Invercargill Family Court because Judge Noel Walsh where he  
15 discharged my legal adoption that was made through the Māori Land Court of  
16 New Zealand. I'd just like to point out on that note, I am the last child adopted through the  
17 Māori Land Court before they rescinded the power for them to adopt children and it was  
18 placed in the hands of the Family Court.

19 **CHAIR:** Toni, I don't want to curb new anyway but remember we've got signers.

20 **A.** Sorry.

21 **Q.** And our stenographer and we must record it. So if you can just keep an eye. If I just do  
22 that, it's not to stop you just to slow you down, is that all right?

23 **A.** That's fine.

24 **QUESTIONING BY MS LANE CONTINUED:** How old were you when this photo was taken?

25 **A.** I estimate around somewhere around 8 to 9 years old.

26 **Q.** Do you have any many other photos of your childhood?

27 **A.** No, none at all.

28 **Q.** And where did you go after this photo was taken?

29 **A.** Well, I went to a lot of places and I believe this is what I looked like, 9 years old when I  
30 was placed in Cherry Farm, adult psychiatric asylum.

31 **Q.** When you spoke to me about this photo you told me as a survivor you carry something  
32 around inside of you. Can you explain what that is?

33 **A.** Yes, I can't speak on behalf of all survivors, but personally I've carried little Lee around  
34 with me all my life screaming out inside, crying out for answers, crying out for justice,

1 crying out to be heard. Yelling out the question; why?

2 **Q.** Since you swore your statement, there's been a development for you through the Waitangi  
3 Tribunal. Can you update the Commissioners on this?

4 **A.** Yes, I gave evidence at the urgent inquiry of the Waitangi Tribunal in Hastings last year  
5 about being stolen through the Māori Land Court, but also giving evidence how I've raised  
6 two little girls as an extended great uncle, adopted great uncle. But also I've just received  
7 an e-mail yesterday from my lawyers for the Royal Commission Inquiry and I've been  
8 extended an offer from the Waitangi Tribunal to help establish the Māori Transition  
9 Authority that they've recommended come in place. To me it's a great blessing and an  
10 honour.

11 And I'm actually quite blown away, to be honest, because it gives me an  
12 opportunity to effect change for the future of children in care, in this platform, particularly  
13 tamariki Māori, but it also, for me as an adult, in a way I cannot get my childhood back and  
14 what happened. But it certainly leads the way to me opening the door to make change  
15 today. I gave evidence in a video – I mean I did for the Royal Commission of Inquiry some  
16 two years ago about making sure that no other child went through the horrific abuse that we  
17 did in State care. So to have this invitation extended by the Waitangi Tribunal to  
18 participate in this new Māori Transition Authority is huge, it's huge for me and it's – how  
19 would you put it, sort of in a way vindicates my past and makes me feel like I truly do  
20 actually have something to offer.

21 **CHAIR:** Congratulations.

22 **A.** Thank you.

23 **QUESTIONING BY MS LANE CONTINUED:** You have before you your statement. Can you  
24 read that slowly to the Commission please?

25 **A.** My name is Toni Lee James Jarvis. I was born at Queen Victoria Maternity Home  
26 Invercargill. I am now 59 years old. I was known as – I won't repeat my name if that's  
27 okay, my former identity – up until 2003 when my adoption order was overturned as it was  
28 illegal and my former identity was removed from the records. I am of Māori and Pakeha  
29 descent.

30 My evidence is about the abuse I experienced in my adopted home, Cherry Farm  
31 Hospital, Hokio Beach, Holdsworth and Invercargill Borstal. My birth parents had a casual  
32 relationship. My mother was Pakeha and my father was Māori. His iwi is Ngāti Toa  
33 Rangatira and my paternal grandmother's is Ngā Puhi. My birth mother asked my  
34 grandmother for support to help raise me but she did not assist my mother. My adoption

1 was arranged prior to my birth by a social worker involved. My mother was not even  
2 aware this was happening prior to my birth. And the wheels were in motion without my  
3 mother's knowledge.

4 The adoption officer was my birth mother's teacher at school. Her name was  
5 Mavis Betty Evelyn Treloar. She badgered my mother, my birth mother to give me up for  
6 adoption and set my adopted parents up to meet the standard required for my adoption prior  
7 to my birth. Under the current law at the time my mother could not be approached for  
8 consent to adoption until at least ten days after I was born. Mavis influenced my mother  
9 towards adoption while she was still pregnant telling her she could not keep me. This  
10 continued when I was born. The adoption initially occurred through the Department of  
11 Education Child Welfare division. It was then moved to the Māori Land Court on 8 August  
12 1961. I do not know why or how the adoption was moved to the Land Court.

13 The adoption process did not legally recognise my birth father. My mother's  
14 ethnicity was changed so I was legally three quarter cast Māori of Ngāi Tahu descent. At  
15 that time there were still rules around who could be Māori. The consent that my mother  
16 signed was later ruled by the Family Court to be fraudulent as details within the documents  
17 were changed after my mother signed it.

18 It was changed after my mother signed it to change and remove the denomination  
19 clause which prevented me being placed with carers who had been selected prior to my  
20 birth as they were Mormon, my mother was Presbyterian.

21 **Q.** Thank you Toni. There's a Family Court decision that's attached to your statement by His  
22 Honour Judge Walsh and it's dated 17 January 2003. Can you please turn to paragraph 22  
23 and read that out please?

24 **A.** These are the words of Judge Noel Walsh in my ruling. "It would be trite to say that T's life  
25 during the period of time that he was cared for by his adopted parents and by relevant  
26 agencies of the state has scarred his life significantly. But as I said at the start of this  
27 judgment, T is a remarkable man and at the age of 41 chose wonderful attributes of insight,  
28 forbearance, forgiveness and understanding. In my view, T has a lot to offer the world, and  
29 particularly those less fortunate than himself."

30 **Q.** Continue reading your statement please.

31 **A.** Back to where I was?

32 **Q.** Yes, paragraph 12.

33 **A.** Sorry, I've lost where I –

34 **CHAIR:** I think if you start from 14 because you've covered the Family Court decision.

1 A. I was placed with my adopted parents ten days after my birth. They initially lived in  
2 Invercargill. I will refer to them as my parents. I grew up calling them mum and dad and  
3 still do to this day. My adopted family had one child, my older brother who's two years  
4 older than me. My parents were told due to my mother's health problems they would  
5 struggle to have more children. My adopted father was Ngāti Kahungunu and my adopted  
6 mother was Ngāi Tahu. My earliest memories were when I lived at Invercargill. My  
7 parents were able to purchase this property as their first home as, by adopting me due to my  
8 mother's health issues preventing further biological children, they were able to meet the  
9 State requirement of having two children to be able to use their benefit for a deposit for the  
10 home.

11 My father worked at Ocean Beach freezing works. He was also a bushman and  
12 would fell trees around Southland. He was a violent and abusive man. This violence  
13 progressed as further biological children were born in my family.

14 Once my youngest brother was born, 18 months after I was born, I felt rejected by  
15 my family. It was not expected that my mother would have more children. My father told  
16 me that he only adopted me so my older brother would have a playmate. I remember him  
17 bouncing the other children on his knee and feeling left out and unloved.

18 I remember one of my earliest memories at one point being forced to eat my own  
19 faeces as a small child by my father. I think I was about one and a half years old. We were  
20 at a place called Kapuka South and we were in buses that were decked out as  
21 accommodation. I got up one morning. I vividly remember my uncle sitting in the driver's  
22 seat of the bus, dad realised I had poohed my nappy. Dad yelled and screamed at me and  
23 he made me eat my pooh.

24 Even at the young age something told me that was not right. There was a large  
25 man screaming at me to eat it, so I did. Recalling this incident the trauma wasn't actually  
26 eating the faeces, but the look on my uncle's face watching what his older brother did to me  
27 and being helpless to stop the abuse. Jake the Muss had nothing on my father.

28 My parents did end up – and conceiving, my younger brother was born. I was sent  
29 to Bluff to live with my mother's extended family, to one aunty and uncle to another aunty  
30 and uncle to another aunty and uncle. They all lived in Bluff. It was a couple of years  
31 before I returned home and my father never gave my aunts and uncles money to look after  
32 or support me.

33 When I returned home my older brother finished kindergarten and started school.  
34 My younger brother was at kindergarten. I was never afforded the opportunity to attend

1 kindergarten, and could not understand why my brothers got to attend and I couldn't.

2 We had no toys, only a swing. I used to wander the streets while I was pre-school  
3 age looking for toys and stimulation. I didn't get fed very much so I would steal food.  
4 Physically my father would beat me black and blue to the point where I couldn't – wouldn't  
5 be able to walk for weeks. He would pick me up and throw me like a missile at the walls.  
6 One of the worst memories is the leather barber's strop my father would keep in the  
7 warming drawer of the oven. He called it the "strop". When he wanted to beat me with it  
8 he would make me go get it for him and beat me with it. It was like a double whammy.  
9 The physical abuse of being beaten with it was just as bad as the psychological abuse of  
10 having to go fetch it and anticipating what was going to happen.

11 My father would get into a frenzy when he was beating me. The beating would  
12 increase in intensity. After years of getting the strop, often daily, I eventually cut it into  
13 pieces so he could no longer swing it and hurt me with it. The worst thing was my father  
14 then used a Hoover cord, which was more painful and all I could think of while I was being  
15 beaten with it, why did I cut the strop.

16 The welts and the pain was incredible. The Hoover cord would give me lumps all  
17 over my body. I regret cutting up the strop. All the while my father never laid a hand on  
18 my siblings. If I could just add a wee bit in here it's not actually in my statement, but as  
19 I grew older, a poem popped into my head and I'd like to share this if I may. It goes  
20 something like this. "I remember a day when I was a boy my dad threw me around like I  
21 was a toy. Bounced me off walls, thrashed me near dead, forced me to vomit and sent me  
22 to bed." And that's just something that popped into my head as I got older.

23 All the while I just wanted to be like my siblings and not to have to hide in a  
24 corner. I wanted the love and affection that they received. It had to go to the stage where I  
25 would pee myself, it got to the stage I would pee myself when dad walked in the door and  
26 then I'd get a hiding for peeing myself. I am lucky to be alive.

27 After one beating I was so – it was so bad I could only turn my head and it took  
28 three to four weeks for the bruises to go away. My father would also grab me by my  
29 clothes and he would choke me. My mother started to try and stop my father beating me  
30 when I was older. But this never happened when I was a small child.

31 My first social worker was called Ms Betts, I know it's Mrs Betts here but I think  
32 she was a spinster. She documented incidents of visiting my household and finding me on  
33 the bottom bunk of a set of bunks beaten black and blue. She noted that she could not tell  
34 whether the severe bruising on my body was from a previous beating or from a new one.

1 I did not think that this violence was abnormal. Our neighbours were also violent.  
2 I didn't know anything different. I started at Kew School in Invercargill. Never fitted in.  
3 In my view it's due to the abuse I suffered from my father. The headmaster, Mr Bun, made  
4 the first notification to the Social Welfare because I started to run away from home. One  
5 night I ran away from home and slept rough for the night. My mother called the school the  
6 next morning to ask if I was there. The headmaster asked if she had called the Police and  
7 he made the notification at that point. He noticed I'd been sleeping rough, stealing lunches  
8 and eating out of bins at school. Social Welfare started to visit my home in an official  
9 capacity, but nothing happened. Ms Betts, the social worker, spoke to my mother but not to  
10 me. I do not recall ever being spoken to about the abuse.

11 My best recollection is that I went to Trent Street Family Home after I started  
12 school. I also recall going to a farm with a family called—redacted—were lovely, no abuse  
13 happened there. Then I thought I went from the family home to Cherry Farm, but the file  
14 documentation says I went to the family farm, to Trent Street to Cherry Farm. I think I was  
15 in Trent Street in various other placements when I was about 7 or 8, so in 1968 and 1969.  
16 I went to Cherry Farm five days after I turned 9 years old in 1970.

17 I was also abused by my adopted father's family home by my grandfather. They  
18 lived in Whakakī near Wairoa. My adopted father had — they put 15 siblings, but there  
19 was 13 actually, I correct that. I was about 8 years at the time — old at the time. My  
20 grandparents would argue, and my grandfather would get kicked out of their bedroom. He  
21 would come to sleep in the spare bedroom that I stayed in. He molested me three or four  
22 times and sodomised me twice.

23 I packed a bag and I ran away. I stole his 22 gun, as a result of that — as a result  
24 of one of the instances of abuse. My grandfather caught me and put a dog collar around my  
25 neck and dragged me back to his house. He beat me the once on this occasion.

26 I felt so ashamed by the abuse I didn't understand what had really happened or  
27 how to tell anybody about it. I remember I used to go on the tractor with my granddad and  
28 he made me sit on the frame between the tractor and the disks. I believe it was so if I fell  
29 off it would be an accident and his secret would be safe.

30 My grandfather then phoned the social worker and said I could no longer live there  
31 and that I needed another placement. But that it could not be with my father. I was sent  
32 back to my father regardless.

33 It states in my file that Social Welfare wanted to send me to Cherry Farm Hospital.  
34 There is obviously notes attached from the hospital file. The doctors were Dr Franklin and

1 Dr Moore. Dr Franklin advised Social Welfare that they did not have the facilities for a 9-  
2 year-old boy and that I would be placed and locked with the adult patients. The doctor  
3 advised that the adult patients would corrupt me and the facility was not made for children,  
4 because it was an adult psychiatric asylum.

5 Social Welfare sent me anyway. I remember being take then by a lady and a man  
6 in a white car. For as long as I remember, Social Welfare had little attitude of doing—had  
7 the attitude of doing what they wanted and not what was best throughout my childhood.  
8 I did not have any understanding of why I was taken to Cherry Farm. I was not told where  
9 I was going other than the name of the institution. I did not know what it was. When we  
10 drove there I noticed it was a massive complex but being the 9-year-old that I was I was  
11 looking for a farm with cherries.

12 I was excited to go to Cherry Farm, all I could think about was the tins of fruit  
13 salad where there would be one cherry. Growing up with my siblings we always fought for  
14 the cherry. I was excited that I was going to a farm of them. I now know Cherry Farm was  
15 a transit place for me until there was a spot for me at Hokio Beach.

16 To this day I cannot understand how the State could expect for me to go to Cherry  
17 Farm and then at a later stage to manage to fit back into the community. When I arrived at  
18 Cherry Farm I remember being spoken to by a doctor. I cannot remember if it was Dr  
19 Fraser or Dr Franklin. Dr Franklin was the head of the hospital. The doctor wore a white  
20 coat and I asked him where the cherries were. A mean male nurse then took me away from  
21 that room. He grabbed me by my arm and forcibly took me out of the door. When he said,  
22 "Come with me", fear went straight through me and I couldn't understand why he was  
23 hurting me.

24 I cannot remember his name, but I could easily identify his photo. He had blond  
25 hair, was about 20 or 30 years old, he wore all white, white top, white pants, white  
26 sneakers. I couldn't understand what was happening and kept thinking where are the  
27 cherries? What is this place?

28 He told me to take my clothes off which I didn't do quickly enough, so he tore the  
29 remainder of my clothes off me. I was given a set of blue and white striped pyjamas that  
30 were too big for me. The top hung to my ankles and the bottoms went up under my arms. I  
31 had to roll the arms and legs up and pull the draw string real tight. Adult institution, adult  
32 pyjamas.

33 When I was in my 20s, I watched a documentary about the holocaust, the world at  
34 war. I had my first flashback of this memory when I was watching it as the pyjamas

1 reminded me of the holocaust survivors. The Jews that wore the striped blue things, very,  
2 very similar to the pyjamas they gave me at Cherry Farm.

3 The door was then unlocked, and I was taken through another door into the main  
4 area and locked in. When I entered the locked main area, it was like welcome to the horror  
5 show for a 9-year-old boy. All the adult patients stopped and gave me sickening looks. I  
6 was placed in a room with about 20 adult psychiatric patients. To me they were about my  
7 parents' age. The patients were very disturbed and mentally unwell. They were making  
8 noises, wailing, and such and making unusual movements with their bodies and faces.

9 I remember thinking to myself, what the hell is this? And I was still wondering  
10 where the cherries were. I went into a corner, into a foetal position. The patients started  
11 coming at me from every direction. To the left the door opened and an old Māori man  
12 came in. He reminded me of my grandfather. He shuffled towards me, he had his pyjamas  
13 around his ankles. He also had a handful of shit and he was eating it. I was freaking out.  
14 The man offered me some of his poo in his hands. As I was so small, I drew all the  
15 patients' attention, the man rubbed the poo in my face and head. I was screaming. Nobody  
16 came.

17 While I was screaming one of the other patients was masturbating and he  
18 ejaculated all over me in the corner. And being backed into a corner there was no escape,  
19 there was nowhere to go but just pull your knees up to my chest and try to cover myself up.  
20 I was covered in shit and semen. All the while thinking where is the farm, where are the  
21 cherries? This retraumatized me. I was there because my father had made me eat shit.

22 I can't remember where my bedroom was, but it was a cell with a slot where they  
23 could look in. When I was first put in there I screamed, so they sedated me with Mellaril. I  
24 had no mental health diagnosis, no assessment and no understanding of why I was at  
25 Cherry Farm.

26 Some of the patients were normal and could have a conversation. I was initially  
27 drawn to one of them as he played Ten Guitars on his guitar. It was the first piece of  
28 normality that I'd experienced there. It was the first connection to the outside world that  
29 I experienced. I felt at ease with this particular patient. He asked me to sit on his knee.  
30 I sat on his knee as I felt comfortable with him and he did not seem as disturbed as the  
31 others. He was a bit more normal. He bounced me around on his knee and put his hands  
32 down my pants and his fingers up my anus.

33 Afterwards I threw billiard balls at him. I can specifically remember throwing  
34 them but it's in my file, I can't specifically—throwing them, but it's in my file. I do

1 remember ripping the pockets off the billiard table though. I was disciplined for this. I was  
2 locked in a room for one or two days for throwing the billiard balls. It was the size of a  
3 small bedroom and only had a bed in it. There were no windows, it was more like a cell  
4 than a bedroom. I don't remember what the toilet situation was when I first went into that  
5 room. I screamed constantly to try and get out of there. I started to lose the plot and my  
6 own sense of sanity.

7 They then regularly medicated me, and I became quite docile. I later found out the  
8 drug was Mellaril. I also took an orange-coloured drink for bed wetting. I was then  
9 constantly medicated. There was a hole in the wall with a shutter that I could open. I  
10 would have to line up for medication and was given yellow-coloured pills, 25 milligram  
11 Mellaril in a wee white cup. We'd have to show a hand, pop the pills in our mouth, re-show  
12 a hand and they would watch me swallow, then I had to open my mouth to show it was  
13 clear.

14 After they started the medication I don't recall a lot, including leaving there.  
15 Before being medicated, I remember the blond nurse would hit patients. He also violently  
16 body slammed a patient on the floor. It was the look on the nurse's face that scared me the  
17 most. The patient had what I now know to be cerebral palsy and had made a noise. The  
18 nurse then beat him for it, even though the patient did nothing wrong. What was worse it  
19 looked like the nurse was having fun while he was beating him. This particular nurse was  
20 ruthless with everyone but then I was drugged and don't remember much.

21 I do have one positive memory before being medicated. I was taken out of the  
22 unit and went to a place where with a record player. There were two female nurses who  
23 made me milos, played music and games and hugged and kissed me. These two nurses  
24 were the only good thing that happened to me at that place. After I left Cherry Farm later  
25 I later asked to go back, and it was because of these two nurses, as they had given me the  
26 only love and affection I had ever experienced. I never received hugs and kisses from my  
27 parents, they never nurtured me. When I got the physical affection, it was everything.

28 If I can just add a wee bit to my parents never gave me love and kisses or hugs, as  
29 a little boy music played a big role in my life, a place I could escape to. I just want to share  
30 a couple of words of a song, because this as a wee boy at that age reflect today me. "I'm  
31 nobody's child, I'm nobody's child, no mummy's kisses, no daddy's smiles, nobody wants  
32 me, I'm nobody's child."

33 I do remember I was always on edge and wary about being assaulted while locked  
34 up with adult patients. I wasn't given any toys or books when I was there, and also didn't

1 receive any schooling. Being medicated, the patients had free reign on me. I was sexually  
2 abused at least six times when I went to the toilets to urinate. Groups of men would insert  
3 their fingers in my anus and grab my penis. I would scream and protest violently in  
4 response. I don't recall receiving any protection from the staff members. I did not know  
5 who I could tell or trust. It got to the stage I would urinate in my pyjamas so I did not have  
6 to go to the toilet.

7 I can't recall the general sleeping situation in the villa. Some parts of my time  
8 there are almost total blanks. We received our medication at night and I believe this is why  
9 I don't remember much about the evenings.

10 I remember the staff were very abusive to the patients. Violence was more severe  
11 when the patients were more disabled or impaired. At one point I ran away from staff  
12 members there. I managed to dive between a male nurse's legs while he was standing at a  
13 door they had locked. I ended up in a room where patients were recovering from ECT  
14 treatment. I had no idea what it was. One patient was lying there with his tongue hanging  
15 out and a hard thing in his mouth. A staff member caught up with me and told me, "I've got  
16 you. This is what will happen to you if you don't take your medication." He wasn't violent  
17 towards me, but he was never nice.

18 I remember him being more violent to the other patients. This happened about  
19 two years before Dr Selwyn Leeks started practising ECT at Cherry Farm before moving on  
20 to Lake Alice. I was tested a lot at Cherry Farm but they never found anything wrong with  
21 me. The problem came down to my father and the State. The State kept sending me back  
22 to him.

23 While at Cherry Farm I went through various medical examinations. They put  
24 things all over my head, at the time I thought they could read my thoughts. They  
25 completed EEG testing to test electrical activity in my brain and a chromosomal testing via  
26 blood test. All tests came back as being normal, so the medical staff were aware I was just  
27 acting out rather than medically unwell.

28 I was discharged from Cherry Farm after about six weeks. After a discharge  
29 I stayed with a doctor in Invercargill for one or two nights. He was the doctor at Tiwai  
30 Aluminium Smelter. No-one told me I was leaving Cherry Farm or where I'd be going.

31 **CHAIR:** Ms Lane, I'm just wondering, we're going to move on to residential care, would you like  
32 to take a break now or keep going for a while? It's up to you.

33 **MS LANE:** A break now thanks, ma'am, it would be a good time.

34 **CHAIR:** All right then. Toni, how do you feel, if we take 15 minutes to take a deep breath and let



1 I went from being okay being there to complete fear. This was my welcome to Hokio  
2 Beach, after what I learned later was the initiation. I had a lump and then I started to fit in.

3 Redacted—was the next youngest boy to me, he was two years older and about 11  
4 years old. We were three younger boys. The other two were at least two years older and  
5 we hung out together and spent a lot of time at the creek but that didn't last long.

6 I was first sodomised by an older pākehā boy. He groomed me with lollies. He  
7 had paid for the lollies using pocket money we could earn as part of the rewards system.  
8 He got me to walk away from making tracks at the creek with the other boys with him to  
9 make a hut and then he sodomised me. I remember the exact location of where it  
10 happened. There is now a tree. He told me to lie down so the other boys wouldn't see the  
11 location of the tree hut, secret hut we were going to build.

12 When we were both lying down he got up, pulled my pants down and I felt  
13 something big and hard shoved up my rectum. I cried out, it was incredibly painful. He  
14 put his hand over my mouth. At the time I didn't know anything about what was happening  
15 and kept wondering why he was hurting me. Afterwards he told me not to tell anyone and  
16 if I did they would think I'm homo. He gave me a raspberry drop lollies.

17 After this I started doing chores for money and could buy my own lollies so  
18 I actively avoided him. This then opened the door for others to rape me. I believe being  
19 told on more than one occasion that people would think I'm a homo led to promiscuity in  
20 me as an adult with various women. I have five children to four different women.

21 The same boy abused me a second time on one occasion when he came into my  
22 room. By that time, however, I was getting regularly abused by another bigger boy  
23 called—redacted—who was the kingpin at Hokio. He gave the pākehā boy a hiding when  
24 he caught me in my room. It made me feel comfortable with him, but reality was he was  
25 annoyed that the pākehā boy was taking away what he wanted.

26 He would come into my room after the night watchman had been through and he  
27 would rape me regularly. It was not only him that would abuse me. Some nights when the  
28 night watchman left my room I could count the seconds before three or four boys would  
29 come and rape me.

30 Any time that I could be isolated by the older boys, I would be abused. During the  
31 day the abuse was opportunistic, but it was very regular at night. I don't recall any of the  
32 names except—I can't say it, its redacted. But to this day I would recognise the faces of  
33 those that sodomised me.

34 At nights the night watchman would do two to three checks a night. After the first

1 check I would wait for my door to open and the first boy would come in and rape me. I  
2 was often raped four to five times a night by different boys. They told me not to tell  
3 anyone or people would think I'm a homo. I usually used to fight and squeeze my buttocks  
4 tight, then just became a rag doll. And what I mean by that is when you fight and you're  
5 tense, the pain is exponentially sorer, so you learn to try and relax and make it easier for  
6 your perpetrators to rape you just to save the sheer pain of it.

7 As soon as the night watchman did his check, I used to spit on my hand and wet  
8 my anus and lie with my pants down as that way it hurt less. I was participating in my own  
9 rape and I felt like I was allowing them to do it. At Hokio there was an art and music room.  
10 It had a colourful red light. There was a boiler room there. Most days I would be dragged  
11 into the boiler room, other boys would watch me get dragged in there. I was sodomised  
12 and forced to give oral sex. I was not sexually assaulted by any of the staff at Hokio.

13 I didn't feel I could talk to anyone about the abuse. I felt I was homosexual  
14 because of what they were telling me. My life up until that point had been full of pain and  
15 suffering and this felt like a continuation of that. No-one amongst the staff spoke to us to  
16 ask how we were getting on. They also used older boys as disciplinarians.

17 I was also physically abused at Hokio. If I ever opened my mouth to speak to  
18 someone bigger than me and they didn't like what I had to say, then I would get hit. Lots of  
19 the older boys at Hokio were also survivors of abuse and so they were angry. They would  
20 just line up someone else to take out their anger on and the abuse was often just passed  
21 down the pecking order, food chain. The older boys used to call me a wop. I don't  
22 understand what that means but it was just a derogatory name I'll never forget.

23 The assaults were often random and executed so I did not get hit on the face or  
24 nose where it could be obvious. Often I would get hit on the side of the head where it could  
25 not be seen. I got a lot of hidings while at Hokio from older boys, but it was nothing  
26 compared to the rape. I had already been conditioned by my father for hidings.

27 Sometimes the boys would rip my clothes off and throw me in the deep end of the  
28 pool. They would then throw rocks at me and taunt me "swim little fish". I soon learned to  
29 swim the whole length of the pool underwater without taking a breath so the rocks wouldn't  
30 hit me.

31 The culture at Hokio was to shut your mouth and not complain. Most of the time  
32 staff were not around. They did a roll call and the various bell times during the day, but we  
33 had a lot of free time.

34 In terms of physical abuse from staff, when me and two other boys got caught

1 running away we were strapped in front of the whole school. I don't remember being  
2 subjected to abuse by staff but do recall them directing other boys to do it. I was also  
3 subject to physical punishment. I had to dig a hole in the sand dunes, fill a wheelbarrow  
4 with sand, take the wheelbarrow a short distance, tip the sand out and repeat for around  
5 three hours. Also when you'd done that for three hours they would make you fill that  
6 wheelbarrow up with that sand, wheel it back to the hole and fill the hole in again.

7 There were about 60 boys at Hokio when I was there, ranging from me at age 9—  
8 12 up to about age 15 and then they went to Kohitere. It was the wrong placement for me  
9 given my age and diminutive size.

10 The boys were mostly Māori. I didn't know Islanders or Asians at Hokio. There  
11 were no cultural practices at all. I don't recall anyone in there with obvious disabilities.

12 There was quite a strict daily routine at Hokio. We would get up, have breakfast  
13 and go out for an inspection and a parade every morning. We were issued with a black  
14 comb, a hanky and Brylcreem for our hair. The hanky had to be wrapped around the comb  
15 in a particular way. We had a comb like this and we'd fold our handkerchief around it, hold  
16 it between our thumbs and have our nails extended like that, parade every morning, they'd  
17 walk past and look at your nail inspection.

18 The hanky had to be wrapped around the comb in a particular way and if our  
19 fingernails were dirty or the hanky was wrapped incorrectly we would get a whack from the  
20 staff. We had to groom ourselves to look a certain way in a military fashion. I don't recall  
21 when we showered but I know that we did.

22 After the morning routine we would go to school. I don't remember learning  
23 anything. We had an hour siesta after lunch where we were locked in our rooms to rest for  
24 our lunch to go down. I was safe from abuse during this time.

25 We ate our meals in a large dining room and around tables. I remember  
26 sometimes they would put movies on in there. I don't recall what we ate or the social  
27 environment around meals. After dinner we were allowed a bit of leisure time. I would  
28 listen to music in the music and art room. I don't recall what time we went to bed, but it  
29 wasn't late.

30 The night watchman would check on us two or three times a night but always  
31 followed a routine. I remember being raped by a boy and then the night watchman coming  
32 in shortly after. I remember thinking that my abuser must have been very close to being  
33 caught.

34 My bed-wetting continued at Hokio. I was picked on for it and called names by

1 the older boys and staff. I got no help for the issue. I remember having lots of free time in  
2 the weekend. I also recall occasionally playing games with the kids from Kimberley  
3 Hospital.

4 I had one significant illness at Hokio where I got sick with a gastric bug. I was put  
5 in the sick bay with the matron for a week. I was also sent to Kohitere to the dentist.  
6 I wasn't on any medications at Hokio.

7 We had regular chores to do like cleaning. The chores were reasonable. When  
8 I realised I would be rewarded for doing chores I would choose to do extra. There was  
9 some tattooing but this resulted in very strong discipline. I recall one boy being given  
10 coarse sandpaper by a staff member telling him to sand the tattoo off his skin.

11 I remember this boy crying his eyes out and I couldn't understand why he was  
12 doing this to himself, crying and it was hurting and the sandpaper you used, it wasn't fine, it  
13 was wood sandpaper, coarse that you would—rough, and he's crying and he's doing this and  
14 he's bleeding and for the life of me I couldn't understand, why are you doing that to  
15 yourself? Until I found out later what was the reason why.

16 Smoking was also common. I remember one staff member coming around with an  
17 industrial sized can that we all had to spit in. He then added water and cigarette butts to it  
18 and told some boys he had caught smoking to drink the water as a punishment for smoking.

19 I don't recall getting any visitors. I may have had one home visit while I was  
20 there. If I can just briefly come back to smoking. I suffer from chronic obstructive  
21 pulmonary disease today and I directly attribute that back to Hokio Beach. The big boys  
22 would get butts, make me smoke them, do the draw back, turn green, vomit everywhere and  
23 laughed at me. That led to a lifetime addiction of nicotine that I only managed to give up  
24 14 years ago, but the damage had been done to my lungs, so that's where I learned to smoke  
25 cigarettes.

26 When it came to time to leave Hokio Beach I was just told I was going somewhere  
27 that day, but I didn't know where to. I believe I was in Hokio for just under a year. I was  
28 still 9 years old when I left. I can't exactly say how many times I was raped while I was  
29 there, but my guess is 200 times.

30 Last year when I gave evidence to your investigators I was asked this question  
31 directly, how many times I was raped at Hokio Beach. It was the first time in my life I'd  
32 ever contemplated that question or even had to think about it and it caught me off guard  
33 that day. But instantly in my little mind that's the sum that came up to, based on my  
34 experience of being raped every day and every night for the amount of boys that were doing

1 it. And, you know, I stand here today, how would anybody like to be raped 200 times in  
2 just one place?

3 Awatea Street Family Home. After Hokio I went to the Awatea Street Family  
4 Home in Levin. I was there for around a year. It was run by Mr and Mrs Pratt.  
5 I remember meeting Mrs Pratt for the first time, she gave me a big hug. Moving to the  
6 family home was a good experience for me. Mrs Pratt was the first person who ever gave  
7 me what I needed. To me she was like the mother I never had. There was another boy  
8 there that I knew there—redacted—as we'd been in Trent Street Family Home in  
9 Invercargill together.

10 The Pratts treated me with respect. We did baking. I baked my first cake and it  
11 felt more like a home. Mrs Pratt taught me things and gave me cuddles and kisses. She  
12 even took me ballroom dancing while I was there—dancing. While I was there I went to  
13 Taitoko School. My abuser, one of my abusers, then arrived at the family home after I'd  
14 been there for about six months. He had been my main abuser at Hokio and my life turned  
15 to hell again. And I was scared again. The shivers and fear set in. He was only there two  
16 days before the abuse started.

17 When he arrived, I ran out of the home because I was so scared. After getting  
18 back I went to my room and he followed me in there. He threatened me and told me that I  
19 had to shut my mouth and not tell anyone what had happened at Hokio. I did not tell  
20 anyone what had happened.

21 He continued to abuse me at the family home. The first rape happened when  
22 I came out of the room and I walked past the bathroom. The door was open, and my abuser  
23 dragged me in and shut the door. He put me on my knees and made me give him oral sex.  
24 He told me I had to swallow what came out of his penis. He would push me into the toilet  
25 or onto the floor of the shower and force me to perform oral sex on him or sodomise me.  
26 I felt like he was lying in wait for me when he knew the Pratts would be out. He abused me  
27 at least 30 times over the five or six months I was there with him.

28 I didn't tell anybody about the abuse. I felt threatened and scared. Things went  
29 downhill again and my usual feeling of my 10 years of mistrust set in. I had to scope  
30 hallways, sprint to the kitchen so I didn't pass him and stay in the living areas as I was safe  
31 there. But there were still many times he got me.

32 About five or six months after my abuser arrived at the family home, I stole my  
33 best friend's bike from school and went to his house, then proceeded to smash it up when  
34 I knew the family was all out. I did this because I knew they would take me away from the

1 family home for my behaviour. Mrs Pratt begged Social Welfare to let me stay with her. It  
2 was really difficult for me because I wanted to stay with her, but I also wanted to get away  
3 from my perpetrator.

4 I went back to Levin and met up with the Pratts about ten years ago. I was truly  
5 blessed to meet them. They were in their 90s. I told them about the abuse and they felt  
6 very guilty about what happened. As a child they showed me love which was very  
7 different to what I experienced in my lifetime of abuse. I was taken from Awatea Street  
8 Family Home to Holdsworth Boys' Home in Whanganui. I was transported in the same  
9 black van that had taken me to Hokio.

10 On arrival I was taken to a room where I met Mr Smith who was my housemaster.  
11 At Holdsworth, I was identified as either number 15 or 30 as stated earlier, I can't  
12 remember which number I had at each. I was assigned to Weka dorm which was for the  
13 youngest boys. I was 10 years old when I arrived and I think the other boys in my dorm  
14 were probably around my age. This time I realised I wasn't outnumbered by my size or  
15 age. The other dorms were called Tui and Kiwi dorms.

16 The other boys I remember from Weka dorm are Tyrone Marks, who I'm blessed  
17 to know today after many years of being in care, and a boy called—redacted. I met some of  
18 these men as adults. I was later transferred to Kiwi dorm but I can't remember how much  
19 later this happened.

20 I was initiated at Holdsworth. A group of boys made me lie in the middle of a  
21 paddock at the back and jumped all over me after covering me with grass so I couldn't see  
22 and so I couldn't see who they were. As a result of the attack my ankle was injured and I  
23 had to get treatment for it.

24 I started to develop a taste for music which I really enjoyed. We would play songs  
25 in our dorm at night. John Drake was the Deputy Principal at Holdsworth. He would play  
26 music and had a lot of musical technology and would play it over the dorm speakers at  
27 night. He would also play the guitar. If I can, just add a wee bit about John Drake. When  
28 I first met him, he reminded me of Buddy Holly, same haircut, glasses and everything, so to  
29 me he was Buddy Holly because he played guitar. He would come around Kiwi dorm and  
30 kiss us on the lips full and sloppy. He would then fondle us, including putting his finger in  
31 our anuses. He would do the same thing to everyone as far as I was aware.

32 This would happen every night in Kiwi dorm. He would only ever say good night  
33 to us, never anything else. At this stage I had been raped so many times I was conditioned  
34 to being raped and fondled so it was like—so it was the kiss that disturbed me the most. It

1 was the part I found the most disgusting. And what I mean about the kiss, he tried to stick  
2 his tongue in your mouth the same time and it wasn't a peck on the cheek good night, it was  
3 a full kiss on your lips, like this. I'd never been kissed in that manner by anybody, so  
4 I found that quite traumatising. As I said, I'd been raped and abused so much that just  
5 didn't seem so disgusting to me anymore.

6 The night watchman, Mr Mercer, who was a big man, he would come and get us  
7 up in the middle of the night to take us to the toilet. This was to break the bed-wetting  
8 habit. He would give us cakes after getting us up and he was never abusive. Out at  
9 Holdsworth I remember Mr Mercer very fondly, because he would get us out of bed at  
10 night, take us to the toilet and on the way back he'd go, and you'd turn and here was a cake  
11 or a biscuit or something like that. And it was a special treatment in the face of such bad  
12 abuse going on. So that's why I have fond memories. He never hurt us in any way and his  
13 name was Mr Mercer.

14 John Drake lived on site near the kitchen area. He would play his guitar with the  
15 door open and we would all hang around near his doorway to listen to him and gradually  
16 we crept in. I didn't stay in the room but I know that one of the boys that did stay was  
17 raped by John Drake. John Drake was unmarried. I recall he showed us videos of Papua  
18 New Guineans when he went on holiday over there. I found it fascinating because the  
19 culture was so different.

20 Mr Powierza was the principal of Holdsworth then when I was there. He was not  
21 abusive. I recall him, he had a big Tom Selleck moustache and, like I said, he was very  
22 easy to get along with. Mr Smith, my housemaster, never really provided any pastoral care.  
23 The cook at Holdsworth was nice. She was a Māori lady. I remember working in the  
24 kitchen and doing the dishes. We had to wipe down the industrial stainless-steel kitchen.  
25 I remember she gave us chocolate ice cream one night.

26 Two other staff members were abusive when I was there. One was—redacted. He  
27 was pākehā, tall and skinny with a bald patch and clean shaven. He took me fishing twice  
28 in his car. He touched and fondled me on both occasions. On one occasion I hooked a  
29 trout and the rod snapped in half. He then took me to a hill where I could see the sea and  
30 no-one else was around. He fondled me in my pants both times. I remember thinking,  
31 “Not you too”.

32 It was mentally degrading and I remember thinking all I'm good for is being badly  
33 hurt all the time, you know, and understand I'm 10 years old and that's all my life had ever  
34 been. There was no sense of nothing, normality. So every time I went to a different place

1 and these things it was just exasperated more.

2 After these two times I didn't want to go anymore and then he turned his attention  
3 to someone else. The other staff member was Mr—redacted. He would physically beat us.  
4 He enjoyed making us stand on the tennis court line in one spot at attention for hours. As  
5 soon as he[sic] faltered he would beat us really bad, often with his gym shoe. He would  
6 continue to hit us every time we faltered. This mainly happened redacted and myself.

7 One day—redacted—and I ran away from Mr—redacted—and climbed a tree  
8 after—redacted—told him to fuck off. While we were in the tree the matron pulled up in a  
9 taxi by the tree and—redacted—threw a seed pod and it hit her in the glasses. I recalled it  
10 was quite funny it hit her there and her glasses fell off and on to the asphalt below, and we  
11 were laughing up the tree thinking it was a great joke.

12 Redacted—went to throw another one at her and fell out of the tree and hit his  
13 head with blood pouring around him, suffering a significant brain injury, facial injury and  
14 limb damage. If Mr—redacted—hadn't been trying to physically abuse us, we wouldn't  
15 have been in that tree in the first place. We were trying to protect ourselves and would  
16 often climb trees to get away from the abuse. The bigger abusive boys also couldn't get up  
17 the tree.

18 And around the perimeter of Holdsworth were old man pines and they were huge.  
19 And me and a few other little boys, we'd climb right to the very top and they'd be swaying  
20 around in the wind and yet it was a way that none of the others could climb that high, they  
21 were too big. And in a sense for me it was empowering: "See look, I'm tougher than you, I  
22 can climb to the top of this tree", so we'd sit up there swaying around in the breeze.  
23 Anyway.

24 There's attached a thing for this picture of Holdsworth. The tree to the right of the  
25 top building is the tree he fell out of. After it occurred I complained about the incident to  
26 Mr Powierza at his house which was off site. Mr—redacted—followed me there and denied  
27 the issues. On the trip back to Holdsworth Mr—redacted—apologised profusely to me, but  
28 after the complaint calmed down it started over again.

29 Mr—redacted—went on to abuse—redacted—who was in my dorm and had  
30 smacked him around the ear. Redacted—too said "fuck off" and about nine of us ran  
31 through Victoria Park then stole some bikes and rode south across the Whanganui River on  
32 the highway. A car hit Tyrone Marks and dragged him with him being stuck under the car.  
33 I remember him with the bike handle coming out of his head. There was brain matter and  
34 the dragging had stripped all the flesh off his back, I could see his spine.

1           We were picked up by John Drake and returned to Holdsworth. We had to stand  
2 above Weka dorm at attention and got physically belted by John Drake for the entire night.  
3 We did not get any sleep. John Drake then took us to see Tyrone Marks in hospital. He  
4 was in a whole-body cast, I mean from here his whole thing, his arms from his neck down  
5 was one big cast of plaster. I could smell rotting flesh. It's the first thing I noticed when he  
6 took us in there, what's the smell it's so horrid, and I later learned it was the rotting flesh  
7 and dead flesh on Tyrone, he was covered up with this cast so he was sweating underneath  
8 which was giving off a disgusting smell. Anyway.

9           I ran away—sorry, I never saw Tyrone again and thought he had died until I saw  
10 him at Parliament on 6 July 2017 through Dame Susan Devoy. I ran away from  
11 Holdsworth a second time but got caught not too far down the road.

12           Daily life involved getting up, going down to breakfast, going to school from  
13 Monday to Friday. We were given a proper education at school and I say that because I  
14 had nothing before that. So I didn't have any sense of normality what a classroom or a  
15 school was. So when we got there it was the most structured of the places that I'd been in  
16 for a school. That's why I said that, you know, it was better than the other places. There  
17 was a swimming pool with a taniwha painted on the bottom of it.

18           Apart from school we were left to our own devices. There was an old car with no  
19 engine that we used to push around. I don't remember doing any chores outside of the  
20 kitchen or physical training. There was no morning line up like at Hokio. Once we went to  
21 a dance with the girls from Sacred Heart School.

22           There were two kingpins at Holdsworth. Their names were—redacted—and—  
23 redacted. I recall they fought once to determine who was the stronger and they both ended  
24 up severely injured. The day that happened they had hunks of 4 x 2 they were bashing each  
25 other out trying to be the top dog. They injured each other, they were bleeding, swollen,  
26 and they were boys quite a lot older than me. I found that very traumatising watching them  
27 do that. You know, I'd never seen people bashing around with hunks of wood hitting each  
28 other like that. They were both crying. It was a traumatic experience for me.

29           We were physically beaten by the big boys every time we got smashed or talked  
30 back. This was just normal. Two boys would take me down to the basement and sodomise  
31 me. I don't remember the names. I think it happened about four times. Two different boys  
32 on two different occasions. The older boys would tell horror stories about the basement to  
33 keep people away. I was dragged down there. The horror story was along the lines of the  
34 Hounds of Baskerville. They said that the dogs, their ghosts were living in that cell, so

1 nobody went near it. But that's where they would take me down, the big boys, and rape me.  
2 I think personally it was a place there they felt comfortable nobody was going to come  
3 looking or any of the other boys.

4 This was the only sexual abuse I received from the older boys at Holdsworth. I  
5 believe it was because the dorms were open plan. I didn't tell anybody about the physical  
6 or sexual abuse from the older boys. It was well ingrained in me by that stage to shut my  
7 mouth and not to speak. I don't remember there being a solitary confinement or secure unit  
8 at Holdsworth. Holdsworth was for younger boys. It was a boarding school under  
9 education legislation and an alternative to sending boys to Hokio.

10 From my understanding, Holdsworth was created for the little boys like me  
11 because they were taking us out, these big boys, because our size and age, and I was led to  
12 believe that Hokio was come about for us younger boys. I think there were between 30 and  
13 40 boys at Holdsworth aged from 10 to 14 or 15.

14 I remember there being a lot of Māori faces but there was no cultural education.  
15 There wasn't any tattooing at Holdsworth. Some of the boys smoked but not very much.  
16 When I arrived at Holdsworth it was still fairly new. There were a lot of other boys like me  
17 there and I had friends whereas at Hokio I only had associations with the two other younger  
18 boys. The vibe of the institution was different to Hokio.

19 I didn't have any visitors while I was at Holdsworth but think I went home a  
20 couple of times while I was there. When I was home during the holidays my father wasn't  
21 so aggressive as he knew the rest of the family was happy to see me and probably also  
22 knew that I was going away again. After two years of institutional care and at the age of 11  
23 years of age the State did the thing they always did, they sent me back to my dad.

24 I left Holdsworth after I had been there about 12 months and went back to my  
25 adopted family. By then they had left Invercargill and moved to Dipton. I didn't realise  
26 they had moved before I went back. If I can just add, I went to school with Bill English the  
27 former Prime Minister at Dipton Primary School.

28 My dad was a shearing contractor in Dipton. The violence from him started again  
29 pretty much immediately. My mother had health issues. He would also physically abuse  
30 her because she was too sick to get up and cook him breakfast. My family was blamed for  
31 anything that went wrong in Dipton and my father would immediately blame me. There  
32 was one incident where all the kids were left at home together and two of my siblings burnt  
33 out our mother's car. My father beat me as a result even though I was not involved. When  
34 I say beat me, I just remember this day he's picking me up and throwing me into pine trees

1 that line the entranceway to the house, the pathway. That day was the first day he went  
2 from hitting me with open hands to closing his fist.

3 My dad's friend—redacted—stepped in during this incident to stop my father from  
4 beating me. He had me on the couch and was punching me in the head with closed fists.  
5 He was knocking me senseless. Redacted—got in between us and got my dad into the  
6 kitchen.

7 When I made the statement before, Jake the Muss had nothing on my father, I  
8 don't say that lightly. My father was a big man, even today in his 80s this is the size of one  
9 of his fists. That was the first time I met her. I went into care in her home in Alexandra  
10 about 12 months later.

11 I stayed with my adopted family for about 12 months after Holdsworth. I kept  
12 getting into trouble in Dipton but I also think -- redacted -- said something to Social  
13 Welfare about my treatment. I would get into trouble with Bob Gibson who was the  
14 Lumsden Police Officer. Often it was my *brother* who did the offending. Dr Fraser  
15 records in my file that I was a scapegoat for my family's frustration. My life ended up  
16 when -- redacted -- was born. It wasn't his fault and I love all my siblings.

17 One time my dad held me up by the front of my shirt and he continuously  
18 backhanded my face like this. My cheeks swelled and were blistered. What made him stop  
19 was those blisters were – this [gesture] – on my face and they burst and all the fluid come  
20 out and it must have touched his hand and -- but also my mother jumped on his back. Mum  
21 then jumped on his back and I got outside and was so dazed I fell down the bank that  
22 bordered the back of our property – it's a bank that went down to the creek below – and I  
23 was so dazed from that beating and senseless that I was stumbling around and I fell over the  
24 edge and rolled down the bank. Both my cheeks were blistered, they burst and peeled red  
25 and I wasn't able to go to school.

26 39 years ago my paternal grandmother died. My dad got drunk and slapped my  
27 cousin in the face in front of me. I grabbed my father and pushed him into a wall and my  
28 uncle told my father he wasn't going to hit anyone anymore. My father then told me  
29 "I never wanted you, you were just a playmate for your older brother." I'll never forget  
30 those words because it's the first time he actually openly admitted – I knew all the time he  
31 never liked me, it was pretty obvious – but to hear that this day it was still traumatising to  
32 hear it come straight out, the admission. But he did.

33 I was taken to court and asked whether I would prefer to go to my aunt's place on  
34 the Chatham Islands or to -- redacted -- in Alexandra. I chose -- redacted. I'm not sure of

1 the details of the court order that was granted for me to go live with her. I believe Social  
2 Welfare were involved because my mother had requested that all of us go into care because  
3 she couldn't look after us anymore, physically or financially. My father had gone to live  
4 with a rousie from his shearing gang by this point. Through all my life that's one thing  
5 I always remembered, my mother stuck beside my father thick and thin, through  
6 everything, but even through his infidelity, I guess.

7 Redacted -- also received regular clothing grants and we would go to Hallensteins  
8 to get the clothes. Redacted -- was a solo mum with two of her own kids. She also looked  
9 after her niece and two nephews as her brother-in-law had strangled his wife, the mother of  
10 these children, and killed her. I moved into the house and went to school in Alexandra. I  
11 was the new kid in town and the only Māori at school. I was 12 at the time.

12 Redacted -- looked after me and cared for me. She was fair but firm and  
13 I remember her saving me from my father. She bought me a Raleigh Chopper bike and for  
14 the first time people were envious of me. Redacted -- also supported my rugby. Now when  
15 we talk about a Raleigh Chopper, it had ape hangers, banana seat, and it's the first bike that  
16 had gear shift. And when I got that I never felt so high in my life and "Yeah, look at this",  
17 everybody wanted that bike, "Gosh you're lucky", I just beamed "Yeah, it's me, I've got it."  
18 And it was the only one in Alexandra.

19 She also supported my rugby and I did things for the first time and all with her  
20 encouragement and support. Redacted -- made me feel pleased and blessed. It wasn't  
21 something I had felt before and I opened my heart and had the desire to please her. I did  
22 not know it at the time but she was romantically involved with my father. And if I can just  
23 add to that, in my file there is a statement by the Department of Social Welfare and it reads  
24 "We are aware that my father and -- redacted -- share a continual relationship." And they  
25 were aware of this before they placed me with her, without any regard to what would  
26 happen if that came out.

27 We lived at several different properties with -- redacted -- when I first moved with  
28 her we lived in a house on -- redacted -- Street in Alexandra. The house had a fire so we  
29 then moved to a large station where her brother and sister-in-law lived. The house was like  
30 a castle. After that we went to -- redacted -- with her brother and then to Omakau into a  
31 converted shearers' quarters.

32 I found my father and -- redacted -- in bed together when I was taking a cup of tea  
33 and toast to her. We made -- she did preserves with a lot of fruit in Alexandra and we made  
34 apricot jam and I decided I'm going to make you some toast and cup of tea and we're going

1 to take it to you in bed. So I made it that morning, put it on the tray, and walked into bed to  
2 find my father in bed with her.

3 I felt betrayed as she had ended up treating me like everyone else. I even asked  
4 her to adopt me. I then took an overdose of Coldrex tablets. Redacted -- found out and  
5 filled a glass with salt and water and made me drink it to force me to vomit.  
6 Redacted -- told people I was attention seeking. Now I'll say attention seeking? No, it was  
7 betrayal. It was betrayal of what I walked in and found. Conveniently even in my file it  
8 states that I only took a few. No, I took a whole box of them. At that age I thought I'd die  
9 if I took them all. So I took them all and I think she had an understanding what was going  
10 on, but rather than admit the truth, said I was just attention seeking.

11 I went berserk after finding them together. I didn't tell anyone about the incident  
12 but I acted out. I started fighting people, particularly when they were being racist. I felt  
13 like everyone was going to betray me and I was angry about it.

14 I stayed with -- redacted -- until the end of the 3rd form. I was 14 at the end of  
15 that year while I was at Dunstan High School. While I was at Dunstan High School I was  
16 once again the only Māori there. In fact I was so -- stuck out so much that Bill Rowling,  
17 the Prime Minister, who took over from Norman Kirk when he passed away, he came to the  
18 school and opened the hostel, the new hostel for out-of-town students. He spied me in  
19 assembly and I got to meet him at lunchtime. And he asked me some questions about what  
20 it was like for me. The principal didn't like my response so he was pretty quick to get the  
21 Prime Minister away from me, about my response as being the only Māori in school.

22 The high school refused to have me back the next year. I acted out at school and  
23 was not doing well. I lost sight of my education and was no longer motivated with rugby.  
24 The year before I caught them in bed together I played for the Otago rugby team and  
25 I excelled and I enjoyed it. In fact I had aspirations of being an All Black and Sid Going  
26 was my idol, I wanted to be like him. And I had the skills and I tell you I gained skills  
27 when I lived with my grandparents in the North Island. He had a horse, a big black stallion,  
28 he had it in a five-acre paddock and he'd say to me, "Kid, go and get the horse down the  
29 other end." So I'd go and get this horse and bring it up to granddad with the halter at the  
30 other end. This horse would bolt, then it would change direction. So I'd be learning to cut  
31 it off, running one way then stepping off, and that's how I learned to side-step. When  
32 I started to play rugby it became quite apparent I learned that skill because I'd step and run  
33 rings around them. And like I said, I played for Otago the first year but everything, all that  
34 enthusiasm for it, went out the window with that.

1 I have now apologised to some of my old teachers as an adult. I went to a school  
2 reunion at Dunstan High School, and – I was out of control there – and I went and  
3 apologised to some of my teachers because I was horrific to them for the anger, the betrayal  
4 that I carried, and being isolated once again as the only Māori.

5 And they copped the brunt of my frustrations. But as an adult I went to the school  
6 reunion and lucky enough to meet some of them. I apologised for my behaviour but it also  
7 gave me the opportunity to tell that I wasn't a normal kid and that I just didn't know how to  
8 tell anybody what was going around in here [gestures to head].

9 I still wonder how the State thought a 14-year-old boy could fit into a normal  
10 school and live in a community after being in State care. I was angry, bitter and twisted.  
11 I lost the plot and all feelings for -- redacted. Yet again, I returned to my adopted family  
12 who had moved to Lumsden for a fourth and fifth form at, no – fourth form and I wasn't at  
13 the fifth form at Northern Southland College – I only did the fourth form, in my last year  
14 I turned 15, I completed that year and I left school.

15 In 1976 I left immediately after getting my leaving certificate and took off to  
16 Invercargill. Freedom. I hooked up with a lot of other boys like me who were also trouble.  
17 Three of them were ex-State wards.

18 After leaving school and going to Invercargill I ended up in Invercargill Borstal  
19 pretty quickly. I was living pretty rough in Invercargill and had no involvement with Social  
20 Welfare. I spent a lot of time with the other bad boys. I never tried to get close to anyone  
21 because I was never in one place for long enough. I went to Invercargill because I didn't  
22 want to continue to slave for my adopted father in one of his shearing gangs.

23 We would steal cars and I would end up taking the rap. We would also break into  
24 rugby clubs and steal their alcohol. I'd become conscious of alcohol around my adopted  
25 father at shearing parties and shearing contractors' parties. One night we broke into a rugby  
26 club between Invercargill and Winton to steal the alcohol. We took it around to one of the  
27 guy's places. I got drunk, then set the fire to the car in Queens Park before falling asleep  
28 next to the car.

29 While I was in Police custody, Police Officer -- I would love to mention this  
30 name's man (sic) but it's redacted, and he's a very prominent Police Officer that's been very  
31 prominent in the public eyes over the years for his involvement in a certain thing. But this  
32 prominent Police Officer, he was a detective in the Invercargill CIB. He would handcuff  
33 my hands behind a chair like this and so that I couldn't move my arms -- I had my arms like  
34 this. He would get the Yellow Pages and when you're handcuffed like that he'd say, "You

1 did it, own up." "I didn't do it." Wham around your head with this telephone book. You  
2 couldn't go anywhere. In fact, there's a couple of times he hit me so bad I went over the  
3 chair, handcuffed to the chair, on the floor – they had to pick me up again.

4 While he was hitting me with the phone book I could see stars. He kept doing it  
5 until I admitted and confessed to the crime. Sometimes – that crime I didn't even commit.  
6 But because of his treatment, I didn't think he was going to stop unless I said I did it.

7 I agreed with him to make him stop. I was only 15 years old at the time. I have  
8 recently seen -- redacted -- presenting on -- redacted. After that incident Judge Anderson  
9 remanded me to the borstal basement until I was 16 years old – so for four months – and  
10 then committed me at 16 years as I was old enough to go into the main area.

11 When I say that, I was held in the Invercargill Borstal, it was separated by  
12 two -- there were two parts to it. There was one which was called NAs, or New Arrivals,  
13 and they were down one end of the institution and then down the other end it was  
14 called -- it was another wing where you had more opportunities. Now I was locked in that  
15 basement for four months, in a cell, no contact with anybody else apart from the screws that  
16 would come around and until I turned 16 so Judge Joe Anderson could put me in borstal.  
17 I remember him telling me "You're not going back to State care this time Mr" -- redacted.

18 The custody area was known as the pound. So there were two layers to the New  
19 Arrival, there was upstairs where the new arrivals come, and then down the stairs was the  
20 pound area where other cells were where the *bad* young people were taken and punished. I  
21 was locked down in that same area on remand while waiting for my sentence.

22 It was segregated from the other parts of the borstal and it was at least partially  
23 underground. I learned how to fold my mattress, blankets, polish my boots and march  
24 every day. We had to prove we could follow the rules.

25 My cell had a hole in the door and it wasn't very big. It also didn't get any natural  
26 daylight. There was a pot or a bucket in there for me to go to the toilet, so we didn't have  
27 flush toilets. The pot I'm referring to is potties, like you would train a baby to go to the  
28 toilet on. That's what they supplied us with for our toiletries in our cells. One day I was  
29 taken to the ablution block, I would empty my pot and then was taken back to my cell.

30 I wasn't allowed any exercise time for those four months. So referring back to the  
31 previous witness, yeah, we were just locked in, there was no nothing. And you were left  
32 with this [gestures to head] wondering like him, going mad with no stimulation. But a very  
33 small cell to walk to that end and walk back to the cell door and back again.

34 We were given three meals a day but I was always hungry. I'm not sure why, I

1 don't think the portion's that big, but I used to lie on my bed at night and think come on  
2 breakfast and dream of *food*, dream of just food. I was given books to read but no formal  
3 education. There was also no interaction with other people until I was old enough to be  
4 sentenced to borstal training.

5 I remember the staff member in the pound was a Māori warden with my adopted  
6 father. My adopted mother came to visit me in the pound a couple of times. She was my  
7 lifeline at that time even though she hadn't always been there for me in my life.

8 I feel -- I just want to mention my mum, she also had the care of her other siblings with a  
9 husband that was very dominant and, you know, today it says she wasn't there all the time  
10 but she did her best, she did the best for my other siblings and the best she could do with  
11 me with the hand that she was being dealt before her.

12 She would also bring me bags of fruit. I used to give it away for protection. And  
13 she would also bring me two pouches of Port Royal, I can say this now, that I would trade  
14 for favours. It was illegal, I used to take my sock off and put the tobacco under my foot  
15 and slip it back on and put the thermal back into the thing. But anyway, such as we did in  
16 the days. Once I turned 16 I was sentenced to nought to two years borstal training and sent  
17 to the south wing. From there I had the opportunity to get some work experience on a farm  
18 and other places.

19 Now I was lucky enough to get out to the borstal farm because I come from a  
20 shearing background and that was part -- they had their own dairy, their own sheep and  
21 they did their own shearing and they milked their own cows. I ended up, so as I said,  
22 I ended up on the farm pretty quickly because I knew how to shear a sheep. I really  
23 enjoyed being out on the farms with some sense of normality.

24 I was in borstal for 10 months the first time. While in borstal I'd get the odd punch  
25 in the head by other boys, saw other boys being raped and heard the boys crying when this  
26 happened. But it didn't happen to me. I still live with the guilt and trauma knowing it was  
27 happening but not having a voice to say anything about it. And I found that very hard for  
28 me that I had no voice when I was being raped in care.

29 And I walked past a cell one day in south wing and watched them drag in a  
30 younger boy into that cell, slam that door shut and I heard him screaming. And when I did,  
31 I heard the screams of my own little boy in myself. I so desperately wanted to go in there  
32 and try and stop it. But the conditioning of shut your mouth, nark culture, don't do  
33 anything, I drop my head in shame I left that young boy to this. I'll never forget it, because  
34 I know I should have said something. I know I should have been the one to stay stop and

1 take a hiding for it, particularly with my previous history of abuse, but I didn't. It's one of  
2 my shames I live with today, I can't seem to shake.

3 I still live with the guilt and trauma of knowing this having -- I did not know at the  
4 time I had been released from Social Welfare care as no-one had told me anything. I only  
5 found out about it in my file later. When I left Invercargill Borstal, I hooked up with the  
6 same people I was with before borstal. We stole cars and during a joyride to Riverton this  
7 resulted in a second term in borstal. I was now a second lagger and what I mean by that is,  
8 it was a slang for when you did -- first went to incarceration, your first time you were called  
9 a first lagger, then subsequent incarcerations afterwards you become second, third, fourth  
10 ladders.

11 I was now a second lagger and received respect for that. And that was sort of like  
12 the culture too was that you've been in once, you've done your time as the new recruit, now  
13 you're back a second time. So, you know, you sort of stepped up that chain, if you like, of  
14 command. For the first time I went up in the hierarchy.

15 I was no longer under Social Welfare and the institution I was in was a Ministry of  
16 Justice one. It was horrible, you were locked in a cell. At least in the Boys' Homes you  
17 could move around, climb trees. But not there, you were locked up, that was it.

18 During my second lag I became secretary of the Tigers Club. It was run by the  
19 Lions Club and it says in the statement it was the only one like it in New Zealand. Well I  
20 have to reiterate, it was the only one in the world of anything where inmates went out of an  
21 institution that young and did like community work as part of an extension of the Lions  
22 Club, that's why they called us the Tigers Club. It allowed me to do work in the  
23 community.

24 I also did kapa haka, worked on the borstal farm, shore sheep and taught others to  
25 do it. I got involved with the church at that stage. It wasn't that I'd found God or anything,  
26 it was just another avenue to get out of the place and get some sense of freedom and  
27 normality. So I went to church and got chosen for what they call church parole, and  
28 Christians would come and pick you up on a Sunday night, take you to a church service and  
29 deliver you back some two hours later. So that was great because you got out for another  
30 two hours.

31 I played rugby and softball for the borstal teams. I kept so busy I was not alone  
32 with my thoughts. My girlfriend -- redacted -- visited me every weekend. She is the  
33 mother of my two older children. Redacted's mum offered for me to live in her home so  
34 I could leave borstal which I did in 1979. I didn't witness the rapes in the second lag, only

1 the first.

2 There were standard beatings but you never say anything about abuse or then  
3 you're a nark or dobbing in. "Nark" was the new "homo" name-calling that I had  
4 experienced at Hokio Beach. So "homo" was a way to shut me up when I was a little boy  
5 and progressing up to a young teenager in borstal, it was replaced with "nark" was the  
6 termination (sic), that was one thing *nobody* wanted to be branded with. Because once  
7 you're branded a nark you were alienated from everyone else and you were the subject for  
8 people to bash you and get you. So that was the new bad name.

9 Redacted -- became pregnant with my oldest child. I didn't have a job. I stole a  
10 chequebook and paid for things my unborn daughter needed. I did it fraudulently. I ended  
11 up back in court and was sentenced to borstal for a third time.

12 When I was released from my second lag, and the process which you might be  
13 aware of, you had to appear before a Parole Board at least every six months. And so  
14 I appeared before the Parole Board and I was released on my second lag, but I was given a  
15 clear direction if I didn't take opportunity of this stage and I came back to borstal, my stay  
16 would be lengthy and I took that meaning to be the full two-year, nought to two-year term.

17 So I was sent back to borstal for a third time. My sentence was changed, as  
18 I appealed it. The sentence of borstal training and it was changed to six months prison at  
19 Papanua Prison. This is one of my sad regrets. Three days after I was incarcerated my first  
20 child was born. I wasn't there to see her come into this world to comfort her mother and  
21 reassure her as we brought life into this world. It's a burden that I cannot shake. It's a guilt  
22 I cannot shake, no matter what my adult daughter, who's 40 now, tells me. I will always  
23 carry that sadness and that failure deep within my heart, my wairua.

24 I was in Papanua Prison for four months. It was not the abuse I had previously  
25 experienced. A lot of borstal and State care boys were also in prison. I did see a  
26 paedophile being severely beaten. Men were jumping on his head. I could hear his skull  
27 cracking. The beating had been set up and condoned by officers.

28 When you first arrive to the west wing after the shower unit and through the  
29 entrance to the yards there's -- in Papanua Prison when I was there, there were three wings:  
30 west wing, centre wing and east wing. And like borstal, when you first went there, you  
31 went to New Arrivals. When you were committed to Papanua Prison you went to west  
32 wing first, and progressed.

33 In the wing -- here's the west wing -- there is an archway, probably about from  
34 where I am to that wall that leads, covered archway, stone archway out to the yards towards

1 the centre wing. And this incident – about the watching this man being beaten – they were  
2 walking in from the yard from exercise about six or seven men, they were on protection, in  
3 the protection unit. They had an officer at the front of that line and one at the back, and the  
4 new guy conveniently was put on the back of that line.

5 When they come through that archway coming back into the wing, I watched that  
6 officer walk away from the back of that line, and who were waiting there? – these male  
7 men and they were smashing his head into the concrete wall, beat him unconscious and  
8 jumping all over his skull on that concrete floor. I watched that screw walk away from the  
9 back of the line and walk up the front and keep his back to them. He could hear it, he knew  
10 what they were doing. It was part and parcel of, well, you know, the worst thing you can  
11 go to jail for is paedophilia. Even the prison wardens, a lot of them actively participated in  
12 prison justice against paedophiles. The prison officer left the back of the line --

13 **CHAIR:** Sorry, can I just stop you there for a moment. We're just approaching 5 o'clock, I'm  
14 conscious of the time. I'm just wondering what we should do at this point, whether we  
15 should continue on. About how much longer do you think we're going to be?

16 **MS LANE:** I would estimate about half an hour.

17 **CHAIR:** I'm very conscious of our signers and our stenographer. I don't want to interrupt you but  
18 I think you might understand, Toni, that there is a lot of effort going on here to record your  
19 evidence well and I wouldn't want our people to be exhausted. Would you -- do we have  
20 time tomorrow to come back?

21 **MS LANE:** We both have accommodation and flights tomorrow so there's no issue.

22 **CHAIR:** We do have other people scheduled however. What's the story?

23 **MS TOOHEY:** Tomorrow is a very full day, we actually are starting half an hour early and we  
24 have to accommodate three witnesses with substantial briefs.

25 **CHAIR:** I think we might do it this way. Ms Lane and Toni, I'm reluctant to shorten your  
26 evidence, but I can say that we have got your full brief here and we have read it. It's going  
27 on the website for people to read.

28 I'm wondering, Ms Lane, if you wouldn't mind directing Toni just to the most  
29 important parts now. If we can get that done in the next 10, no more than 15 minutes, I  
30 think that would be helpful. Otherwise we're going to intrude on tomorrow. Toni, do you  
31 understand what I'm saying here?

32 **A.** Yes, I do.

33 **Q.** I apologise for having to truncate things a bit, but we've got other survivors to be concerned  
34 about too. Is that all right with you?

1 A. Yes.

2 **Q.** I'm going to ask Ms Lane if she can just lead you now through the critical parts.

3 **MS LANE:** I'm aware you've got a copy of the statement for Mr Jarvis, I think for him he wanted  
4 to end his evidence with a song. If you're happy to rely on the rest of the statement, I think  
5 it would be more important for Mr Jarvis to sing his song as opposed to directing him  
6 through the evidence.

7 **CHAIR:** What do you think Toni?

8 A. I'm okay with that, that's fine.

9 **Q.** You're happy with that?

10 A. I know, like I said, you've got my full brief of evidence.

11 **Q.** We have it in front of us with everything?

12 A. And I do understand time constraints and everybody else that works together for this, so –

13 **Q.** That's much appreciated and thank you for your tolerance. Is there just one last thing you  
14 want to say before you close off before you sing your song?

15 A. Yes, from a personal point of view. I met Jacinda Ardern on 6 July. The picture that you  
16 had up there of me, she came down the steps behind me that day and I turned and she seen  
17 that picture, and she made a promise to me and survivors that if she became Prime Minister  
18 she would hear our cry and give us our inquiry.

19 And I want to acknowledge that because I started asking questions when I was 16  
20 years old, I'm turning 60, it's been some 44 years. Over the decades not one politician in  
21 this country wanted to acknowledge us. So when she did that she gave us hope.

22 Now I would just like to say I appreciate the opportunity to stand here and give my  
23 evidence. And, I've been a bit caught out because I was expecting something else. But,  
24 you know, under the Inquiries Act, I'll be a bit prudent here. I am aware the Royal  
25 Commission of Inquiry have the mandate to make recommendations before the end of this  
26 Inquiry. I'd just like to highlight the report of the Waitangi Tribunal, their findings. I say  
27 they're in line with the first hearings we had here with all the experts and that, they said  
28 pretty much the same thing.

29 We have two more years of this Inquiry to go through and, you know, to the  
30 average person it's not long. But to survivors, that is another life time. And, you know, I  
31 would just like to say that, you know, I think it would be in the best interests if you's were  
32 able to make a recommendation to Cabinet now regarding the same things, contents of the  
33 care of children, because why am I here today? The main reason, yeah, a bit about this, but  
34 it's about what's happening today, it *has* to stop. And, you know, two years is a long time

1 to wait for some child that's in care being abused right now. There are other children being  
2 conditioned to be like me growing into adults.

3 So, you know, I would like you to consider the report of the Waitangi Tribunal  
4 and in fact to come up with an interim recommendation back to Cabinet that this work  
5 starts as of now. You know, it's very important for the well-being of our children in the  
6 future.

7 Also I would like to recognise the older survivors, older than myself. A lot are  
8 waiting in the wings, some are very ill, and, you know, I believe it's – with enough  
9 evidence, that it would be right to look at these older survivors, to have a chance of redress  
10 and apology. Because I'll be straight up, I believe some of these older survivors won't be  
11 here in 2023 but they're watching these proceedings go on, they've been re-traumatised, it  
12 brings it all up; to die carrying this without an answer. So if there's a way that the Royal  
13 Commission can make interim recommendations back to Government to certainly look at  
14 these, particularly the unwell survivors.

15 But, you know, I just want to say that it's going to -- I've got a song I want to sing,  
16 some people will understand where I come from, it's in my evidence, I use music as an  
17 escape goat, a way to get away from things to cope with my abuse. And over the years  
18 I find myself singing, my past would come into it and the lyrics would change into telling  
19 the story about my past.

20 So I've chosen a song today, I've changed the lyrics. The song is actually  
21 New Zealand's first overseas number one hit, but I've changed the lyrics so it's no breach  
22 because it's a parody. The original song was a song called "If I Only Had Time" by Sir  
23 John Rowles. But my version of this and my lyrics, the song is called "There's a Mountain  
24 to Climb".

25 Just before I sing this song, I hope my lungs will help me get through it. There is  
26 a big mountain to climb and it's going to take honesty from the Commission, strength and  
27 courage to climb that mountain, to be honest enough what you find when you get to the top  
28 of that mountain and be courageous enough to put the right recommendations before  
29 Cabinet. And as the former witness expressed, your powers are to make recommendations;  
30 upholding those recommendations, well that's another story down the track, but -- so if I  
31 can just try my song today. Excuse me if I -- like I said, I suffer COPD, I live with it and  
32 some days my lungs play up, but it's my way of sending a message.

33 **COMMISSIONER ERUETI:** Ka pai.

34 **CHAIR:** Thank you and we'll treat that as part of your evidence.

1 A. **[Sung]** -- "Now is the time that we must climb this mountain so high and change what we  
2 find. There's a mountain to climb if we've time. So much to do if we only have time,  
3 there's a mountain to climb and things we must do, there's a mountain to climb if we've  
4 time.

5 Time like the wind it is hurrying by and the decades they fly, where to begin,  
6 there's a mountain to climb if we've time. And when you climb and see the truth you'll  
7 know how it should be. Time to change, the care for our kids you must rearrange. A whole  
8 century is where you must look if you are to see. So much to do, if you only had time  
9 there's a mountain to climb, and things you have to do, there's a mountain to climb if you  
10 have time.

11 Mmm, mmm, mmm, there's a mountain to climb, can you find the time. Mmm,  
12 mmm, mmm there's a mountain to climb you must find time. Now is the time that you  
13 must climb your mountain so high, and change what you find. The truth is revealed you're  
14 no longer blind." **[Applause]**

15 **COMMISSIONER ERUETI:** Tēnā koe Toni. E tū ana ki te tuku kōrero ki tō waiata ki mua i te  
16 Kōmihana anei mātou te Kōmihana, tēnei te mihi nui ki a koe e hoa. On behalf of the  
17 Inquiry I'd like to thank you for your time here, for your – you spoke of honesty and  
18 strength and courage, and we pay our respects to you for your strength and courage and  
19 honesty in coming and speaking your experience of the time that you were in care.

20 Listening to you today by the time you're in your early teens you've lived many,  
21 many lives, the experiences that you've had. And despite all those horrors, I've known you  
22 for some time now, and I recognise your resilience and strength and your persistence. Not  
23 only for your quest for justice but also for other survivors, and that you've been a  
24 long-standing and articulate advocate for survivors before this Inquiry was established and  
25 you continue to be so. So on behalf of us I want to thank you.

26 We did deliberate before we came out here about whether we should reciprocate  
27 with a waiata and I think actually we should, if only we had time. And we have Ngāti  
28 Whātua here, so I think together we'll stand and we'll do a waiata to mihi you for your  
29 kupu. Kia ora e hoa.

30 A. Thank you.

31 **CHAIR:** Thank you. And thank you, Kath, for being in support of Toni, I'm sure it's been a great  
32 strength to him.

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

34 **CHAIR:** Just a reminder we return at 9.30 in the morning. Thank you.

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**Hearing adjourns at 5.17 pm to Tuesday, 4 May 2021 at 9.30 am**