

Witness Name: Bryon Malcolm Nicol
Statement No.: [WITN0350001]
Exhibits: [WITN0350002 – WITN0350007]
Dated: 24.03.2021

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

WITNESS STATEMENT OF BRYON MALCOLM NICOL

I, Bryon Malcolm Nicol, will say as follows: –

Introduction

1. I am a survivor of Lake Alice. I am married to [GRO-B] and together we have four children. We are also grandparents.

Early life

2. I was born on [GRO-B] 1961 (aged 59). I was the seventh out of eight children. My sister [GRO-B] who has supported me in this claim, is the oldest.¹ [GRO-B]
[GRO-B] My father was an alcoholic [GRO-C]
We moved around a lot to various places in the South Island. That made it hard to settle and have friends. Basically I didn't have a good family life as a child.
3. What made it even worse for me was that I was a super-hyperactive child. I was wired all the time. I was just about jumping off the walls. I had so much energy. I think it would be called ADHD today. I was always being punished for it, but I couldn't do anything about it. Because of this, I had a pretty hard time at school.
4. By the age of 11, I was in child welfare care. I was wired all the time and very emotionally insecure because of a troubled family life. Two other siblings, [GRO-B]

¹ I am to grateful [GRO-B] for getting my notes and helping me to be able to give this evidence.

and GRO-B were in care also. My twin sisters were being bought up by my auntie.

5. I was in other homes besides Lake Alice, but Lake Alice was way worse. Being in care made me feel I was just a piece of shit to staff and authorities; there was never a caring environment, and I never felt cared for or that anyone valued me.
6. I had a disability. Instead of love and care and help with it, I got cruelty and torture and was made to feel a worthless human being.

Stanmore Boys' Home

7. My first placement was in Stanmore Boys' Home in Christchurch. I don't remember anything that happened there. After a couple of months there, I was moved on.

Holdsworth

8. I next went to Holdsworth. I acted up even more than usual at Holdsworth because of being so upset at being taken away from my family. I was homesick. I ran away from there. I was returned and put into a secure room.

Barbadoes church incident

9. When I was 12, I was back with the family for a break. I got into trouble breaking and entering. There was also an incident when I climbed to the top of the Barbadoes Street cathedral in Christchurch. I was just being naughty. When I got to the top, I thought it would be funny to call out that I was going to kill myself. I was just trying to get attention. I was upset because my parents were taking my sister to see her husband in an Invercargill borstal. I had a lot of troubles in my life. My parents were not really capable of looking after us. I had been in care and hated it.

How I came to be in lake Alice

10. I remember being taken to Lake Alice by a social worker from Holdsworth. I think it was because they did not know how to control me. I was only 12. I

understood I was going there because there was something wrong with me and Lake Alice were going to fix it.

Admission to lake Alice

11. The notes say that I was admitted on 10 July 1973 because of "hysterical character disorder and suicidal gestures". [WITN0350002] It was an "informal admission". There is also a record that Dr Leeks saw me on 26 June 1973 and told me he wanted me to come to Lake Alice. I don't have any memory of this. The first memory I have of seeing him is when I had a rubber guard in my mouth and he was about to give me ECT for the first time. I think I was there from 26 June 1973 as I don't recall being taken away and brought back. I was discharged on 20 December 1973. I was there for six months.

Electro-convulsive Therapy

12. I regularly received ECT at Lake Alice. The first time I didn't know what I was in for, so when they called my name when we were all in the day room, I willingly climbed the stairs with the nurse. After that, I was like the other boys. I had to be dragged up. I was terrified all the time of getting it. I got it heaps of times.
13. The ECT was always unmodified. I never got an anaesthetic or muscle relaxant beforehand. It usually happened on a Friday. I believed it was for punishment. If I did something "bad" during the week, I would definitely get it. Some weeks, I got it even when I didn't think I had done anything wrong.
14. I would be in the dining room having lunch, and if my name was called out, I had to stay. Once everybody else left, I would be called a second time and taken to the day room where we were locked in so we couldn't escape. After a while, the nurses would come and drag me upstairs. I was often so petrified that I had soiled myself. They would put a mouthguard in my mouth and hold me down while Dr Leeks gave me ECT.
15. The ECT would give me vicious pain in my head and make me feel dizzy. As it continued, the pain got worse and my arms and legs flailed about. It was absolute agony. You would have fuzzy lines running through your brain. I'm not

sure how long the ECT lasted each time. It was is very hard to keep track of time. It seemed that how long you got it for depended on how "bad" the staff thought you had been during the week.

16. After ECT, I would be in a state of shock for several hours – that is how long it would take me to recover. I would normally be taken to the day room, but if I was really bad after it, they would take me to bed.
17. I tried to run away once, and Dr Leeks gave it to me on my feet as a punishment. I recalled the memory of this when I was being interviewed by the police last year. In some ways, the pain was worse because it ran up into the rest of my body, whereas when you had it in the head, it stayed there. I believe that is why I have trouble with pins and needles in my legs. My nursing notes say that I received ECT three times. I received it way more than that. [WITN035003]

Sexual assaults

18. Not long after I'd arrived at Lake Alice, another patient who was about 14 or 15 named [GRO-B] "came on" to me and made advances. He asked me to perform indecent acts on him. I wouldn't and told the staff, but they punished me for lying by making me have more ECT.
19. A few days later, [GRO-B] raped me. He did this about three times over the next six weeks. When I told the staff, they just laughed and called me a liar. He stopped when he found somebody else to do it to. All the boys knew what he was up to and cringed when he'd walk by.

Drugs

20. I don't remember being given any drugs at Lake Alice. However, there is mention in my medical notes that I received paraldehyde. [WITNO350003] I believe this is true as I know I have blocked out so much. The worse things I recall was getting ECT and being raped.

Seclusion

21. Except for being locked in the day room before ECT, I don't recall ever being put into seclusion or cells.

Dr Leeks

22. I only met Dr Leeks when he gave me ECT. I was terrified of him. I would see his Combi van pulling up to the grounds, and terror would run through me. I don't remember meeting him at any time one to one.

Other observations about Lake Alice

Other boys

23. I don't remember the names of any other boys. I didn't make any friends. I was in such a state of terror and misery every minute of the day that the only thing I could focus on was survival.

Staff

24. I don't remember the names of any other staff for the same reason. I do remember there being one who was nice to me. He took me out a few times on outings, and he took me to Wellington. However, now I wonder if he was not grooming me for sex.

Schooling

25. I don't remember ever going to school at Lake Alice. I left my final school, and I could not read or write. I only learned to read in jail. I taught myself.

Tuck shop

26. I vaguely remember getting credits if we were good that we could spend at the shop.

Disabled residents

27. I will always vividly remember once at meal time a mentally disabled boy was masturbating under the table, and all of a sudden, a staff member came over and injected him in his penis, right there in the dining room. I was at the same table and saw the whole thing. The boy screamed the most horrifying screams

I have heard apart from those of us having ECT. It was the most horrible thing. It is one of the memories that won't go away.

28. I also remember another mentally disabled boy who would laugh all the time. I remember watching him get ECT and he was laughing even after it. Then Dr Leeks pushed the bottom and knocked him out completely.

Māori/Pacific residents

29. I don't recall thinking that the Māori boys were treated any different to the rest of us.

Visits, phone calls, and complaints

30. You were allowed to call home, and I rang Mum often. I told her what they were doing to me, but she didn't believe it. I would also complain to Mum when I went home for the holidays. I told anyone and everyone what was happening to me.
31. My mum wrote to Dr Leeks to complain about the lack of information about my progress when I was in Lake Alice. [WITN035004] There is no date on the letter, but it would have been when I was there. There is a 1977 letter to Dr Pugmire (the medical superintendent at Lake Alice) from Dr Mirams asking about an allegation that Mum called Lake Alice at Christmas 1973 and was told my care was none of her business as I was a state ward. The response from Dr Pugmire accepts this is the sort of thing she would have been told at the time. [WITN0350005]

After Lake Alice

32. I was discharged from Lake Alice on 20 December 1973. I was 12 years old. [WITN0350006] I was released to foster care in Levin. That did not last very long before they asked for me to be removed.

Hokio

33. I was sent to Hokio Boys' Home. I think I was sent there because my behaviour had still not improved. I was irritable and angry because of what happened to

me. When I first arrived there, I was rolled in a blanket and the other boys beat the shit out of me.

34. I remember at Hokio I had done something wrong. I may have broken into a staff member's car. I was made to be in a push up position (holding my body at half mast) for over an hour. It was agony.

Kohitere

35. I was then then sent to Kohitere Boys Home in Levin. Again I had an initiation ritual. This one did not involve a blanket. I was beaten up badly. I still have a scar on my face from it. I did about 18 months in Kohitere. The staff knew it was happening, but they turned a blind eye.
36. I lost a finger at Kohitere in an accident. I was working in the wood shop, and someone came up behind me and said "All going okay?" and gave me a pat on the back. My hand went through the blade on the bench saw I was using at the time. I got ACC cover for it but it was only a \$1,400 lump sum. After that incident, I tried to do a runner and ended up being put in the pound for it.

Home with parents – 15 years old

37. At the age of 15, I was sent back to my parents in Gore. I remember again telling my parents about the ECT in Lake Alice, but they never believed me. They thought I was making up stories.
38. I went to St Peter's College but only lasted a few weeks before getting expelled. I rebelled against authority because of Lake Alice. I tried to run a teacher over in my friend's Mini because the teacher threatened to cane me, which I saw as a form of authority. The police were involved.

Lookout Point Boys' Home in Dunedin

39. Social Welfare then sent me to Lookout Point Boys' Home in Dunedin. Eventually, I was sent back home.

Family Visits when in boys homes

40. In all my time in boys' homes, apart from Stanmore Road, I can only recall two visits from family.

Leaving state care

41. When I first started working. I worked twice as hard as anyone else as I was always trying to prove myself. I was always trying to please people too. I would do anything for anyone. Later that was to the detriment of my family. I also couldn't handle stress. I started heavy drinking and taking drugs. I was trying to block out everything that had happened to me

Invercargill Borstal

42. In 1977, I was imprisoned for 11 months at Invercargill borstal for driving while disqualified. I went through so many hidings as Borstal. I can't remember why. My head was smashed by another boy on one of the times.

Drinking and wandering

43. For the next seven years, I roamed up and down the South Island. I was really lost because of what my childhood and especially Lake Alice had done to me. Over those seven years, I got one driving conviction for drink driving and a jail term for driving while disqualified.
44. My eldest child, my daughter GRO-B was born on GRO-B 1983. In 1985, I voluntarily went to Claremont Recovery Centre to sort out my alcohol problem. I spent four or five months there and then decided to start a new life in Oamaru. I did spend one last time in jail over Christmas 1985 in Christchurch for failure to pay court fines.

Meeting my wife and settling down

45. While in Oamaru in 1986, I met my wife, GRO-B She had been in state care as a teenager and forced to give up her baby, which she conceived while in care. She understood me. She was endlessly patient with me. I believe I would be dead long ago if I hadn't met her.

46. Our son [GRO-B] was born on [GRO-B] 1987. [GRO-B] and I got married on 11 June 1988, and things really began to settle down for me. My youngest child, my son [GRO-B] was born on [GRO-B] 1989. I spent most of the 1990s working in construction, transformer maintenance, and dairy farming. We moved to Southland in 1995. I loved dairy farming, and I was very good at it. You would have to work 80 hours a week in spring but only 15 to 20 hours a week in winter.

Taking a claim about Lake Alice

47. I was working in the cow shed in 1977 when I heard on the radio that some people were taking a claim about their time in Lake Alice. I listened again that night and rang the station straight away. I was put onto John Edwards [GRO-B] [GRO-B]. Eventually he handed the case over to Grant Cameron as there were too many of us.
48. In October 2001, I received a \$64,912 settlement from the Crown for my abuse at Lake Alice. [WITN035007] Grant Cameron charged me \$27,546.94 in legal fees. I thought this was way too much and unfair and thought the government would pay for them in the settlement. Later I learned that the government had paid for the second lot of claimants but not ours. This is totally unfair.
49. After giving my statement for the case I had a breakdown. I was reliving all the trauma. My doctor at the time gave me an anti-depressant Aropax, and his attitude was that "shit happens" and I had to "get on with my life". I had a severe allergic reaction to it.

20/20 documentary

50. I took part in a TV documentary on what happened in Lake Alice, in 2001. Grant Cameron had asked if we wanted to talk to the media, and I had said yes. The TV people flew me up to Lake Alice, and I showed the crew around the buildings and what had happened in the buildings. There was a nurse and a journalist and a woman who had been in Lake Alice as a teenager. We pointed out dormitories, the day room, and the ECT room.

51. I fell to pieces after visiting Lake Alice again and doing the documentary. I had a total mental breakdown this time. I went from being a healthy fit dairy worker to being an old man almost overnight. I was a human wreck. I lost lots of weight. I had very understanding bosses, but I just couldn't handle the stress. I would go overboard. I could not work. I had to go onto an invalid's benefit. I have been on income support ever since.

ACC

52. In January 2002, I was granted ACC cover for the rapes on me in Lake Alice but nothing for anything else that happened there. I remember an assessor telling me that they would only cover me for the rape and made me repeat that the cover was only for the rapes.

Effect of Lake Alice on my life

Nerve and body pain

53. My life has been totally screwed up following the "treatment" I got in Lake Alice. I have lots of pain all the time – it started when I came out and has got worse over time. I have terrible pins and needles in my feet, and over the years, they have gone up to my legs. Often the only way I get relief is to tuck my legs and feet up behind me so they go numb. My muscles are all knotted up – they started knotting up in Lake Alice and have not stopped.

Intrusive memories

54. I am still haunted by the trauma of Lake Alice. I live it in my mind and body daily. In particular, the memories of being raped, of the mentally disabled boy being injected in his penis, the sight and smell of urine and faeces swelling up in our pants and dripping down while waiting for ECT, and of begging for help from being sexually abused but being called a liar and being punished for it. These are the worse memories. They flash up daily.

Severely damaged memory

55. My memory has always been totally shot, really screwed up since Lake Alice. I can't remember the simplest of things. I believe this is because of the ECT. I

will forget how to do simple things all the time, even when I have seen my wife doing them hundreds of times. I forget what has been said to me. I've been through so much trauma that it is difficult to recall everything that has happened to me.

Lack of trust of people

56. I have huge trust issues with people. My wife has suffered for this. It is very hard to be trusting and intimate. I was taught to protect myself no matter the cost to those around me.
57. We have been married since 1988 and up until recently I hadn't told her much about Lake Alice at all. I've told her details about three years ago for the first time.
58. Because I was TAUGHT that telling the truth was wrong and I was punished with ECT for it, I have gone through life lying to those I love. Because they (the government) taught me to lie, I have unknowingly taught my children to lie and they have done the same to their children.

Inability to parent well – impact on children

59. My kids suffered for this. I have led a very unsettled life with 30 moves while the kids were at home. I wasn't a good father. Nobody ever taught me how to be a father. I found the noise difficult, and I wanted to withdraw from them all the time. I couldn't cope with their needs because I wasn't able to cope with my own. I was coping with my trauma all the time.

Alcoholism

60. I am a recovering alcoholic. I started drinking to numb the memories. I am proud that I haven't drunk alcohol for 14 years.

Food

61. Because of the very limited food we were given in care (meat and three veg), I have difficulty trying new foods. It has taken 30 years to let my wife use garlic in cooking, let alone herbs and spices.

What I want from Royal Commission

62. For me this case has always been about a proper apology from the Government and to make sure it never happens to another child again. That is my priority.
63. I have had years of lost income as a result of my so-called "treatment". I think the Government should compensate me for this. I also want my legal fees returned with interest. They should have been paid by the government.
64. I want legal proceedings instituted against those who perpetrated these atrocities against myself and other residents at Lake Alice.

Statement of Truth

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Sig

GRO-C

Dated: 24.03.2021.

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