

Witness Name: TYRONE MARKS

Statement No.: WITN0293035

Exhibits: WITN0293036 - WITN0293044

Dated: 10 March 2021

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

WITNESS STATEMENT OF TYRONE MARKS

I, Tyrone Marks, will say as follows: -

- 1 My name is Tyrone Marks, and I was born on [GRO-C] 1960. I am 60 years old. I have four daughters with my first wife. They are [GRO-B], [GRO-B], [GRO-B] and [GRO-B]. I have another daughter, [GRO-B], and a [GRO-B] son, [GRO-B], to my second wife. I currently live in Hamilton. I am a survivor of Lake Alice.
- 2 I was one of the claimants in the Grant Cameron proceedings. I made two statements about my time in Lake Alice, one in 1998 and one in 2001 (T Marks Statements for Grant Cameron and Cooper Legal Proceedings dated 1998 and 2001 [WITN0293036]). I endorse what I said in those statements, and they are to be read as part of this evidence.

Early life

- 3 I am one of 13 children. My mother is Veronica Marks, and my father is Louis Mark. Both have passed away now. My early home life was traumatic and

neglectful. My father beat me severely every day, and my GRO-B also beat me. My mother would throw me around just for crying, so I soon learnt not to cry.

- 4 I came to the attention of Child Welfare when I was about six or seven, and straightaway, they wanted to order assessments on me, take me away from my family home, and put me in institutions. Their reports say my parents had a lot of stress and strain about their marriage and family finances. My first placement was at Sunnybrook in February 1969, but this only lasted about six weeks. I officially became a ward of the state on 22 May 1969. After Sunnybrook, my cycle of institutions continued. Child Welfare ended up placing me in Campbell Park, Epuni, Holdsworth, Hokio, Kohitere, Owairaka, Dunedin Boys' Home, and of course, Lake Alice. At each of these places, I was treated cruelly, beaten, drugged up, and sexually abused.
- 5 In July 1971, while I was at Campbell Park, it was recommended by a psychologist that I be put in a foster home, as it could help with social adjustment. It was noted that I reacted well to strict discipline and loving care and attention. But those recommendations were not followed, and I was admitted to Hokio and Holdsworth. On 29 Feb 1972, I tried to run away from all the abuse I was getting there but got hit by a car while I was on my bike. I ended up being hospitalised and was in plaster from neck to knee. The doctors didn't think I would walk again. I was discharged on 8 May 1972.

Admission to Lake Alice

- 6 My first admission at Lake Alice was not long after I was released from hospital on 15 June 1972. One of the caretakers from Holdsworth dropped me off and said I would only stay a couple of hours. I was admitted through the back door, straight into the adult villa, Villa 5. I did not get a medical examination when I first arrived. I was put into a ward with terrifying mentally ill adult patients. I was sexually abused my very first night there. When I complained the next day, I got paraldehyde injections.
- 7 I was put into pyjamas, given largactil for two days, anaesthetic for the next three days, and over the whole time, was getting ECT. I was essentially knocked

out all the time I was there. Looking over my notes, I believe I was being experimented on. The nurse notes on file show how much my weight went up during this period because of all these drugs. (Nursing and medical notes, various dated while in Lake Alice [WITN0293043]).

- 8 I had only just got out of hospital from my bike accident and my wounds still hadn't healed and were weeping. Dr Brandon dressed them while I was there. I was visited by the Housemaster. (Note re Visit to Tyrone at Lake Alice dated 30 June 1972 [WITN0293037]). Dr Leeks made notes about me while I was there. (Medical Notes from Lake Alice 8.7.72 to 13.11.73 dated July – August 1972 [WITN0293038]).
- 9 My first admission ended on 14 August 1972 with my discharge back to Holdsworth. My second admission was from 20 September 1973 until 30 January 1974. During this time, I was in the children's villa (Villa 11). Although Leeks diagnosed me as having "antisocial behaviour disorder", "character disorder" and queried "cyclothymic character disorder", the notes on file say I was admitted to Lake Alice just because I kept running away and committing burglaries – so, being naughty. (Medical Notes from Lake Alice dated 8 July 1972 – 13 November 1973 [WITN0293038] and Nursing and medical notes, various dated while in Lake Alice [WITN0293043]).

Electric Convulsive Therapy

- 10 I received ECT on both admissions to Lake Alice. During my first admission in 1972, I received it over a period of five days while I was anaesthetised. (Nursing and medical notes, various dated while in Lake Alice [WITN0293043]).
- 11 During my second admission, I received ECT multiple times. On the second and third occasion, I was fully awake and not anaesthetized. The ECT took place upstairs in Villa 11 and usually for something we did wrong – as a punishment. The staff threatened me with ECT or injections for not doing something. It was always for trivial things like not making our bed properly.
- 12 The ECT began with staff forcing me to prepare the electrodes myself. We had to wrap bandages around a pair of steel headphones. I then had to dip them in

salt water so the shocks would not burn my skin. The staff would then hold me down and administer shocks for several minutes. They only administered it to me on my head.

- 13 I remember Dr Leeks and his staff administering my ECT. I do not know the names of his staff other than someone named GRO-B-400. There were also nurses present when I received it. It certainly seemed as if they enjoyed giving it to me.
- 14 I cannot describe the pain of receiving ECT. It felt like somebody was smashing my head open with a hammer, and it used to make me scream. It was the most terrible pain I have ever felt in my life. I would have honestly rather died on my bike accident than receive it.
- 15 The terror of receiving ECT was my biggest fear at Lake Alice, especially the fear of not knowing if or when I would receive it. To me, it was clear the staff enjoyed giving it to us. When I would beg or cry for them to stop, they would just laugh.
- 16 Some of the kids I knew at Lake Alice got ECT on their head, their arms, and their genitals. I know this because they told me when they came back downstairs from getting ECT. Some of the kids who got ECT would end up a "shell" of their former selves – their moods, their conversations, everything about them had changed.
- 17 One minute they are normal, and the next minute they are in another world. They were traumatised.

Drugs

- 18 I got a lot of paraldehyde injections. The nurses seemed to just give them to me (and others) randomly whenever they felt like it. They would do it in the dispensary in Villa 11. I specifically remember Nurse GRO-B giving it to me.
- 19 The injections caused unbearable pain in my leg or backside, wherever I got it. In my leg, it would cause pain in my entire leg. It was the most severe pain that lasted a long time.

- 20 We also received drugs in liquid form. Like I said previously, I received largactil and a mix of other drugs. I don't know what they were for or what they were called, but they were either designed to knock us out, like a tranquiliser, or to cause us pain.
- 21 My friend [GRO-B] would get a drug that made his neck twitch to one side, and then a few hours later, the nurses would give him another drug to put it back to normal. I heard that another guy got knocked out for days. It was like we were guinea pigs and they were just experimenting on us.

Solitary

- 22 I was in solitary four or five times. Each time was for no real reason, just as a punishment because it seemed the staff felt like it. I was in there for a few hours to a day and had no food, no water, no toilet, and nobody checked on me

Sexual assaults

- 23 The sexual abuse I suffered didn't start at Lake Alice. I was sexually abused in Campbell Park and at Holdsworth by John Drake.
- 24 One of the adult patients sexually assaulted me at Lake Alice in 1972. It happened frequently while in the adult unit – each night and sometimes during the day. He would fondle me and grope me but never raped me. I felt he took advantage of the fact I was smaller and more defenceless. I told the nurses, and they just told me to shut the fuck up.
- 25 When in the adolescent unit, another patient named [GRO-B] would fondle me and kiss me and try to get me to do sexual things to him. I used to resist a lot, and I think it scared him that somebody would find out because of the noise I made. I never said anything about [GRO-B] to the staff because it terrified me that they would give me ECT shocks for telling tales or because they thought I made it up.
- 26 It made me angry about being sexually assaulted. I was 12 or 13 years old, and this was an older boy and an adult man doing sick perverted things with a child. It made me so very angry.

Schooling

- 27 I never had any schooling while at Lake Alice. Later, in adult life, I would teach myself by reading the paper or a book. For anybody who wanted to learn, it was just tough luck. In Lake Alice, the focus was definitely not on education.
- 28 During the second time I was in Lake Alice, I remember the Holdsworth housemaster, Mr Watson, coming to visit me. He spoke to me alone, and I told him about the ECT.
- 29 When I left, a letter was written about me to Epuni Boys' Home. (Letter to Epuni Boys Home dated 7 September 1973 [WITN0293039]). Dr Leeks wrote one to the management at Hokio Boys Home. (Letter from Leeks to Hokio Boys Home dated 8 February 1974 [WITN0293040]).

Complaints and compensation

- 30 I was in the first group of those who filed claims. It is my understanding that there were about 95 claimants; however, we were all different. I was awarded \$94,886 by Justice Gallen, and I received \$53,886. I had \$41,000 deducted. I wasn't happy about the amount or the deduction of fees. There was no negotiation. It was take it or leave it.
- 31 I have not settled the Ministry of Education claim or MSD. Though the Ministry of Education admitted I was sexually assaulted on many occasions by John Drake, a social worker at Campbell Park, they have offered only \$22,000 to settle my case. MSD have offered me \$15,000. They do not accept that I was in fear of John Drake when I was at Holdsworth because of what he had done to me at Campbell Park.
- 32 I got no education when I was taken into care. Education was never a focus of being in the welfare institutions. When I finally went to college, I was way behind and had no idea what was going on. I had to get special permission to leave school at 14 as I was not coping. The Department of Education agreed I was so far behind I would never catch up. I had to teach myself to read and write as

an adult. I was written off as a toddler. The records show this. I have rejected the offers. They in no way reflect the damage that was done to me in care.

- 33 On 5 May 2001, a psychiatric report was prepared for the purpose of assessing the claim that I suffer from a mental injury as a result of being in Lake Alice. The whole report is seven pages long and was done without even meeting me. (Confidential Psychiatric Report for Grant Cameron dated 5 May 2001 [WITN0293041]). It does say that I shouldn't have been treated the way I was.
- 34 On 24 November 2001, I was part of a group of survivors who wrote to the government, voicing our concerns about how we were not satisfied with the outcome. We requested them to address our concerns. (Letter to PM re concerns at inequity in outcome of proceedings dated 24 November 2001 [WITN0293042]).

Life after Lake Alice

Employment

- 35 I left the care of Social Welfare on 17 December 1976. During the late 1970s, I worked odd labouring jobs into the 1980s and went to Brisbane with my [GRO-B] in 1982 doing the same. I ended up in jail there too and came back to New Zealand around 1986–87. As I say below, I have been a sole father since then and that has involved me full-time. In 1998, I started a business trying to sell smoke detectors but never got very far because I did not have the start-up money.

Becoming a parent

- 36 I met my ex-wife in 1990, and we married in 1992. We ran a massage business together. We had four daughters [GRO-B]. My wife left me in 1995, and from then on, I became a full-time solo Dad to all of them. That was a turning point for me, becoming a Dad. They are now adults, and two live in the same city as me. I have a great relationship with them all and am also a grandfather.

- 37 I then had a second partner and have two more children, a boy and a girl. They are [GRO-B] going well. The relationship with their mother also broke up, and I have been sole parenting them.

Studying

- 38 I started studying at Waikato Institute of Technology in 2005 in the Counselling and Social Work Course. After three years, I graduated with a Diploma in both counselling and social work. I then started studying at Waikato University and gained papers in sociology and social policy and international relations. My second family came along then, and I had to stop. (Tyrone Marks, Qualifications and Certificates dated 2006 - 2008 [WITN0293044]).

Effect of Lake Alice on me

- 39 Ultimately, the way Lake Alice shaped me led me to commit the crimes I did in the 1970s and 1980s. What I had to put up with and what happened to me without my authority, with no consent from my parents and being institutionalised from a very young age, had a major effect on all my later actions.
- 40 I would have been better off just being left with my family all those years ago. I set out the particular effects below.

Fear of being returned to Lake Alice

- 41 After I left Lake Alice, I was continuously scared of being locked up there again. In fact, I have seen my file, and in there, there was communication that I was going to go on holiday from Lake Alice, but if I played up, I would be brought back to get shocked. That type of anxiety continued for years after I was discharged. The trauma we all suffered, and continue to suffer, from being in Lake Alice is immeasurable.

Stigma

- 42 There is major stigma of being associated with Lake Alice. You are always afraid that if people hear that you were in Lake Alice, they will treat you

differently. For example, they won't employ us because they think we have mental issues. I never told my children about any of this until they saw it in the media recently.

Sexual abuse trauma

43 Then there is the abuse. Sexual abuse is a lifetime sentence for me, the survivor.

Fear of electricity

44 I have a fear of electricity and light switches because of the ECT I received.

Fear of injections

45 I have an absolute fear of injections from the paraldehyde. I once remember two or three people having to hold me down while I got a tetanus booster.

Mistrust of authority / trust with other people

46 I also have a mistrust of authority and have trouble with relationships.

Loss of education

47 I had no schooling at Lake Alice. I was bored the whole time. We did odd chores and spent a lot of time doing nothing.

ACC

48 I don't think I have had any psychiatric problems because of Lake Alice, but ACC did pay for me to see a counsellor called Barry Sweden in the mid-1990s. I had gone to them to make a claim about the after-effects of the car accident, and they said I didn't have cover because it happened before ACC came in. But they gave me lots of counselling hours that I used with Barry Sweden.

Who I blame for what happened to me at Lake Alice

49 To me, there are two defendants in my claim against what happened to me at Lake Alice. One is the hospital and Dr Leeks and the other is the Department

of Social Welfare. The department put me there when I had no mental health problems at all. They put me there when I wasn't even properly healed from the major injuries I received in the car accident. They never told me I was going there. The groundsman dropped me off and told me I would be there for two hours – I was there for weeks.

- 50 My wounds from the car accident were not even healed when I was getting paraldehyde injections and electric shocks. I knew I was on my own. I had no protection from anyone. I had to be watchful all the time and protect myself.
- 51 I have fought over the years for what happened to us in Lake Alice to come out in the public and not be hidden away. I am pleased this commission has been set up. I would like to die in peace knowing that I and other survivors did what we could to help survivors and ensure the government are now doing the right thing. I want families to have the right tools to help their family who have come out of these institutions so that this pain and this trauma does not continue. I want that to be out there for them.

What I want from Royal Commission

- 52 We need to make sure that the support is there from the start until its finished. The after-care is the most important thing at the moment for all people who come forward.
- 53 Thousands of kids went through state care and suffered abuse, but we are not seeing them all come forward. We need to set up processes that make them want to come and share their experiences and be involved in the commission.
- 54 This is the thinking I have, not just as a survivor, but as a professional in counselling and social work.
- 55 Over and above that, this is what I want from the commission:
- a. appropriate compensation for each survivor and reimbursement of legal fees;

- b. the option of rehabilitation that is designed to address the trauma of each survivor;
- c. survivors to be recognised by ACC without having to go through such a rigorous process;
- d. I don't want an apology. It's too late. But somebody needs to take responsibility for what happened;
- e. Most of all, I don't want this to ever happen again, to anyone.

Statement of Truth

56 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.

Signed _____

Dated: _____

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