

Lake Alice case study

Executive summary (simplified English version)

It's been more than 40 years since Lake Alice Psychiatric Hospital closed. But the survivors who were there as children and young people still feel the pain of the torture¹, abuse and neglect they suffered there². Many survivors never should have been sent to Lake Alice at all. This case study looks at what happened at the Lake Alice Child and Adolescent Unit from 1972 to 1980.

Lake Alice was in the Manawatū, and within the region of Ngā Wairiki and Ngāti Apa. The unit at Lake Alice was set up to treat children and young people with mental distress. Instead, it became a place of abuse.

The psychiatrist who was the head doctor was Dr Selwyn Leeks and he was an abusive man. For many survivors, Lake Alice was a place of misery, neglect and terror.

Government departments supported the set-up of a unit including the Department of Health and the Department of Social Welfare. The Department of Education supported setting up a school at Lake Alice. Dr Leeks convinced public and mental health professionals he was giving safe and useful treatments to the children and young people.

Many children and young people at the unit at Lake Alice came from troubled or poor backgrounds. Some had speech difficulties, and some had behavioural problems. For some children and young people if they were frustrated or stressed, they showed this through disruptive or aggressive behaviour.³ Not many had a diagnosis of mental illness and never should have been placed there.⁴ People in charge of their care rarely examined them, or tried to understand the cause of their behaviour. Staff didn't get much professional support.

Children and young people were sent to the unit at Lake Alice from all sorts of places like their homes, schools and State or foster homes. Some were transferred from other hospitals. We will never know how many disabled people were sent to the unit at Lake Alice or what their cultures were because of bad record-keeping and people being given the wrong diagnoses. But we know there were many Māori children and young people who were unfairly put in the unit.

It is not clear what legal right there was to place children or young people at Lake Alice. Placing children and young people in the hospital for any reason other than to be looked after was wrong, and against the law. It is unlikely the Department of Social Welfare could admit, treat or hold people without the child or young person saying yes. The government organisations meant to help children, young people and their families, failed them.

For eight years Dr Leeks and other staff caused or oversaw serious abuse. The unit at Lake Alice was a place where people were treated badly, experienced physical violence, sexual and emotional abuse, neglect, threats, shame and other types of hurt. The acts of torture

¹ In this report, we have adopted the definition of torture used by Solicitor-General Una Jagose at our public hearing into the unit.

² A Report on the Impacts of the Lake Alice Psychiatric Hospital on the Health and Wellbeing of the Whānau, Hapū and Iwi of Ngā Wairiki and Ngāti Apa, p 46.

³ Ibid, p 32.

⁴ Ibid.

included electric shocks to the head and all over the body. People were punished with extremely painful injections of medication that meant they couldn't move. Children and young people were held in solitary confinement, which meant they spent a lot of time alone and lost their freedom. The feeling in the unit at Lake Alice was one of intense fear.

Dr Leeks said he wanted a healing community at Lake Alice. But, instead of helping each child or young person with their needs and challenges, Dr Leeks tried to fix what he said was bad behaviour. Dr Leeks said he was treating underlying psychiatric problems but instead he often used electric shocks and painful injections as punishment. Lake Alice was not the healing community Dr Leeks said he wanted to create.⁵

Dr Leeks thought he could do what he wanted in the unit at Lake Alice because many children and young people were thought to be too difficult.⁶ Dr Leeks said they were "bottom-of-the-barrel kids". At the unit there was a lot of discrimination against disabled people, racism towards Māori and Pacific children and discrimination against people from the LGBTQIA+ community. The unit was led by mostly men who used their power to hurt others. The unit was so violent, that even those who weren't abused still experienced trauma because of what they saw happening to others.

Dr Leeks had almost total control over the nurses and staff, some of whom also misused their power against children and young people in their care. Physical, sexual and emotional harm happened a lot and was ignored.

Children and young people suffered physically, mentally and spiritually. Māori and Pacific children couldn't connect with their whānau and culture. They faced racist bullying and worse treatment. The unit's Western approach to mental health treatment ignored the taha wairua (wellbeing) of young Māori and Pacific children. This led to them being over-medicated, labelled evil and sick, and punished more.

Although a school was set up at the unit, not many people received an education during the time they were there. Some were so affected by the electric shocks and other forms of abuse that they couldn't concentrate, learn and remember.

Children and young people sent to the unit suffered from stress, anxiety, shame, guilt, fear, sorrow and anger. Most were deeply traumatised, and many are still affected by all the horrific ways they were treated.⁷

Survivors' mental health has been badly affected by the abuse they saw or experienced themselves. Some people who did not have mental distress before being sent to the unit at Lake Alice have since been diagnosed with a mental health condition. Survivors from the unit still show the effects of the abuse they suffered. Long-term symptoms many survivors of the unit have experienced include uncontrollable outbursts of anger, memory loss, hypervigilance which means extreme alertness. They are scared they will be sent back to Lake Alice, even though they know the hospital closed a long time ago. Many survivors said they became dependent on drugs and alcohol, sometimes from a young age, to numb the emotional pain

⁵ Affidavit of Dr Selwyn Leeks, CRL0100116 (22 September 1995), p 9.

⁶ The Dominion, "Psychiatrist Stands by Shock Decision", 12 July 1977.

⁷ Witness statement of Alan Hendricks, EXT0016825 (RCAIC, 2021), para 48. e

and ignore hurtful memories. Many have been convicted for drink-driving and cannabis use.⁸ Some found the pain so unbearable they hurt themselves or took their own lives.⁹ Survivors have physical scars and impacts on their bodies, like migraines and headaches from the electric shocks, back pain, and permanent bowel injuries from sexual abuse.

Many survivors did not feel very connected to whānau and culture. Those closest to them – parents, children, grandchildren, partners, friends, whānau, hapū, iwi, hapori and aiga – also suffer. Many Māori, Pacific and disabled survivors had trouble reconnecting with their whānau and culture after they left the unit. Most survivors have said their trust in others has been broken. Survivors find it hard to trust people in authority, and have difficulty forming healthy, long-term relationships. As well as not having had access to education, survivors' lack of trust in people in authority like NZ Police, teachers or other leaders in society. An impact of this is many survivors struggle to get or keep jobs. One survivor had to leave a job because the sound of workplace machinery triggered memories of the electric shock machine Dr Leeks used to hurt them.¹⁰

The Department of Social Welfare did not regularly monitor and evaluate whether the unit was a healthy place for children and young people. Survivors and their families found it hard to make a complaint. When they did, the Department of Social Welfare and the Department of Education failed to respond properly to. District inspectors and official visitors to the hospital were only there for a short time and did little to prevent the abuse.

In the following decades, survivors tried many times to hold Dr Leeks, staff and the responsible government departments accountable. Survivors wanted justice. This included going to the courts, speaking with people in power, public calls for inquiries and complaints to NZ Police.

Survivors asked the following organisations to act: the Ombudsman, a commission of inquiry, NZ Police, the Medical Association, the Medical Council, the New Zealand branch of the Royal Australian and New Zealand College of Psychiatrists, the Department of Health, the Department of Education, the Department of Social Welfare, Cabinet, Crown Law, the Health and Disability Commissioner and ACC. Even though survivors tried many times to get justice, the people who hurt and abused them were not punished.

None of the government organisations who received complaints at the time, or afterwards, did much to stop the abuse or punish those who abused people in the unit.

When complaints were investigated the people carrying out the investigations did not have what they needed or the power to properly look into what happened. The Crown defended court cases even though, as Solicitor-General, Una Jagose, said, “the proof was right there in the file”.¹¹

Some settlements were reached beginning with 95 survivors in 2001, after many years of talking with the Crown. But the apologies the survivors got were late and not good enough.

⁸ Witness statement of Bryon Nicol, WITN0350001 (RCAIC, 2021, para 43; Witness statement of Leota Scanlon, WITN0355001, (RCAIC, 2021, para 75.

⁹ Ibid.

¹⁰ Witness statement of Mr JJ (RCAIC, 2021), WITN0329001, para 47.

¹¹ Solicitor-General Una Jagose add footnote details.

The people from this group of survivors got some money paid to them as compensation for their experiences at Lake Alice but they got nothing to help with their wellbeing.

The most recent NZ Police investigation tried to fix the failures of three previous investigations. Charges were laid against one former staff member of the unit at Lake Alice. But, it was too late to lay charges against Dr Leeks and other suspects, who had either died or were too old and sick to face charges.

Dr Leeks was never held criminally accountable before his death for the abuse and hurt he caused.

In 2020 on a complaint by Paul Zentveld and in 2022 on a complaint by Malcolm Richards, the United Nations Committee Against Torture found that Aotearoa New Zealand had not done a speedy, fair and independent investigation into what happened to the children and young people in the unit at Lake Alice.

Like all inquiries, this Royal Commission does not have the power to make findings of criminal or civil liability—only the courts can do that. But from the earliest days there was evidence to justify criminal charges against Lake Alice staff, and our investigation has highlighted failings in the police investigations in the 1970s and 2000s.

The children and young people at the unit were not protected. They were tortured and abused. Survivors, their whānau and communities suffered lifelong harm because of so-called professionals.

It is so wrong that no one has ever been held accountable and that survivors are still waiting for justice. The story of the Lake Alice child and adolescent unit is a shameful chapter in the history of Aotearoa New Zealand. It must be faced head-on, without excuses or explanations. There must be a promise given to Aotearoa New Zealand to make things better and make sure this never happens again.