

Witness Name: Kevin Banks

Statement No.: [WITN0332001]

Exhibits: [WITN0332002 – WITN0332012]

Dated: 14.04.2021

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

WITNESS STATEMENT OF KEVIN RAYMOND BANKS

I, Kevin Raymond Banks, will say as follows: -

Introduction

1. My name is Kevin Banks. I was born on GRO-C 1959. I am 62 years old and live in Australia with my wife GRO-B. We have two sons and have been together for 30 years. I also have two older daughters from previous relationships. I receive a Disability Support Pension and have not been in the workforce since 1993.
2. I spent just over 24 months in Lake Alice under Dr Selwyn Leeks when I was between the ages of 14 and 16 years old. I had three admissions: 21 March 1973 to 24 April 1973; 9 July 1973 to 27 August 1973 and 20 February 1974 to 10 December 1975. In between my second and third admission I spent 2 months at Epuni Boys home. That was hell but Lake Alice was much worse. I never had a mental illness before or during my time in Lake Alice. The only mental conditions I now have are a result of my time in Lake Alice and Epuni.
3. I suffer from memory loss, depression, anxiety and post-traumatic stress disorder. These conditions plus chronic fear of failure and not being good enough have haunted me ever since I left Lake Alice. They created continuing problems for me in holding a job until I could no longer be in the workforce. They have ruined my quality of life.
4. I have always tried to get justice for those of us who had the misfortune to be in Lake Alice while Dr Selywn Leeks was in charge. Basically, our lives and potential were destroyed in that place. I was broken by what Dr Leeks and other staff did to me and as I have grown older the impacts have got worse, not better. It is a deep grievance of mine that Dr Leeks was never brought to justice in a criminal trial.

Previous statements

5. I have made several previous statements about my experiences at Lake Alice. These are in documents filed with this evidence and I refer to them often to avoid repetition and for efficiency. In these statements I give a number of names connected with various incidents. I don't repeat the names here. The previous statements are:

a. 16 June 1977. Notes made by the Director of Mental Health, Dr Mirams after he had interviewed me after I gave a statement to CCHR. He rang me up and asked me to come into an interview.

WITN0332002

b. 29 June 1977. Statement to CIB in Wellington.

WITN0332003

c. 1978 unsworn statement. It was prepared for me by of the Citizen's Commission for Human Rights (CCHR) who had approached me previously about what had happened to me and interviewed me.

WITN0332004

d. 21 May 2001. Signed statement of Kevin Banks for my High Court class action claim against the Attorney General taken by Grant Cameron.

WITN0332005

e. 2 December 2005. Affidavit of Kevin Banks for the prosecution of Dr Leeks by the Victoria Medical Council of Australia. 15 pp. Prepared by Minter Ellison.

WITN0332006

f. 8 September 2006. Factual allegations contained in Statement of Claim filed by Cooper Legal in the High Court on my behalf alleging I was placed in Lake Alice unlawfully as I did not have a psychiatric illness and I was physically and sexually abused at Epuni Boys Home and that despite complaints no action was taken.

WITN0332007

My life before Lake Alice¹

6. I was born on **GRO-C** 1959. **GRO-B**
GRO-B she left him while my brother and I were very young. She re-partnered and her new husband, my stepfather, adopted me when I was 3 and a half. My mother and he had another child, a son.
7. My basic problem in childhood was that my stepfather and I didn't get on. He seemed to be always picking on me **GRO-B**
GRO-B My brother had a more passive nature and didn't get into trouble like I did. I had always got on well with my mother and felt loved and cared for by her, particularly because I played drums in her jazz band, Parklane.² I was very close to my grandad and spent a lot of time with him. As an older child I spent most of my time practicing snare drum rudiments and playing with the Palmerston North Garrison Band as their drummer. This was my passion!!
8. I worked at 5.30am cleaning windows before school. After school I had a paper run delivering newspapers in the local area. In short, my life was full during my youth. When I was about 12 my mother developed breast cancer which caused a great deal of stress and problems within the family unit.
9. As I grew older the tensions in the house increased. I would stand up to my stepfather. I acknowledge I got caught up in the wrong crowd but not to the extent it led to any arrest or police attention. It got to the point where it was either I leave home or my stepfather would. I recall an incident where a physical fight broke out between us.

How I came to be in lake Alice

10. After that I recall a social worker being brought in, Mrs Lithgow. For a year or so I saw her on a weekly basis but after another fighting incident with my stepfather I was told that I would be going to stay at Mariner Boys Home in Palmerston North. That never eventuated as the home was full. What happened was that one day I arrived home from school to see my mother packing a suitcase with my clothes and telling me I was going away for a while. I had thought it was to stay with a relative and was quite happy.

¹ This is discussed in more detail in **WITN0332005** para 17 -34.

² I learned to play drums as my stepfather bought a set but then lost interest. A snare drummer taught me.

11. However, instead of taking me to an aunty, mum took me to Lake Alice. This was the first of three stays. I was there for 5 weeks the first time, 6 and a half weeks for the second and 1 year 10 months for the third. It was my social worker from the Department of Social Welfare who arranged with Dr Leeks for me to be admitted to Lake Alice on each occasion. On the third occasion I was taken there by police. Throughout that time, I never had a mental illness of any sort.³ I told my social worker whenever she saw me that I was being abused and shocked. She never did anything about it.⁴

Epuni Boys Home

12. Between the second and the third stay in Lake Alice I was sent to Epuni Boys home for 2 months where I was sexually abused by a staff member, Mr **GRO-B**. He was a predator. I was physically and psychologically abused by Mr **GRO-B** the PE teacher. **GRO-B** was so violent he knocked me out on several occasions. Details of the abuse I suffered at Epuni are in my Statement of Claim to the High Court dated 8 September 2006 at paragraphs 26 to 34.

WITN0332007

Admission to Lake Alice

13. I recall that on the first day of the first admission, when I got out of the car I was grabbed by two male nurses. My mother walked as far as the office but was cut off there. I was walked into my villas and a short time later I was taken upstairs by three staff nurses, **GRO-B**, Johnnie Blackmore and either Steve Hunt or Terry Conlan. Dr Leeks was there and he explained what the 'shock box' was and how it worked. He then gave me my first ECT. There was no anaesthetic and the male nurses held me down while it was being given.⁵ On my second and third admissions I also had no meeting or assessment. I was taken straight into the villas.
14. I was put in the adolescent ward (Villa 11) for approximately one year and then I went into Villas 15, 13, and finally 8 where I remained until I left. From Villa 8 I was sent to Maximum security for 2 weeks and then back to Villa 8.

³ I was examined by a psychiatrist Dr Fraser, on 19 September 1973 and he recorded that I had 'no psychotic symptoms' and was not in need of any medication. See **WITN0332007**

⁴ The records that in the first and second admissions I was an 'informal minor patient' and in the third and longest stay I was a committed patient. **Doc AAA (WITN0332003?)**, **WITN0332007** at paragraphs 14, 21 and 37; and **CCC**

⁵ **WITN0332006** 2005 affidavit, para 22 to 24. [1978 affidavit para 2.????]

Electroconvulsive Therapy

15. I describe my experiences of ECT at Lake Alice in several of my statements.⁶ Below I briefly summarise some key points about it from those previous statements. I can't put a number on the number of times I received ECT. I estimated for the Minter Ellison affidavit that over my 3 stays it would have been about 60 to 70 times to my head (both modified and unmodified), about once or twice a week to my legs and arms on a good week and half a dozen times on a bad week; about half a dozen times all up to my genitals and a couple of times for asthma.⁷
16. I also can't put the pain of unmodified ECT into words. Nothing compares with the intensity of the pain. Dr Leeks would start on low and then turn the dial to high. On low it was like little sledgehammers hitting my head and they got bigger sledgehammers as the dial turned up. On high the pain was like razorblades cutting through my head. The head was worse for pain than the arms and legs, though getting it on them was still enough to absolutely stun you. ECT on the genitals was horrific, like hot needles going into your testicles. I still have sensations of the same pain in the areas I got ECT.

Unmodified ECT (without anaesthetic)

17. Apart from about 6 times, I always had ECT without anaesthetic. Most was in my first year there. The unmodified ECT day was usually a Friday and staff called it 'Black Friday'. Unmodified ECT was for punishment. You got it if your name was in Dr Leeks 'blue diary'. The staff would put you down for this during the week and you could get it for very small transgressions such as talking back to staff, smoking cigarette butts, running down the road etc. I mostly got it for smoking, being cheeky to staff and being 'rough and tough' with other boys.
18. I would wet my bed with fear on Thursday nights because I was so petrified of ECT. On the Friday morning the boys would be all gathered in the day room waiting in fear to see if they were going to be called up for ECT. Staff would randomly single out three boys to get ECT ready for when Dr Leeks would arrive. One would have to take a small table upstairs for the 'shock box' to sit on. One would carry the 'shock box' and one

⁶ Para 1 to 4 of **WITN0332002** to Dr Miriams, the DG of Mental Health in June 1977; my unsworn affidavit CCHR prepared in 1978, paragraphs 60 to 86 of my statement to Grant Cameron in **WITN0332005** and in paras 19 to 52 of my affidavit prepared by Minter Ellison in 2005 for the Victoria Medical Board **WITN0332006**.

⁷ **WITN0332006** at para 43. I note that in my 1978 affidavit I estimated it to be 150 approximately all together.

would be sent to the kitchen to fill the steel bowl with water and bring that plus the rubber gag that went into the mouth upstairs. Then the boys would be sent back to the dayroom and wait to see if they would be called up for ECT. The whole room, even the big tough boys, were in terror and many would be crying in fear. Sometimes Dr Leeks would come into the day room himself and say 'who's for the zap' or 'who's for the ride on the thunderbolt' or 'who's for the national grid'?

19. When Dr Leeks performed his ECT sessions the doors were left open upstairs and downstairs. In the dayroom the boys could hear the screaming and cries of pain from those who were getting it. Villa 11 was a boy's only unit. I recall some of the boys urinating in fear when they were pointed out as ones that were going to have a CT next. We could also see the ones who had ECT coming out of the room. Just seeing them was terrifying. Some had water drizzling down their temples; some had blood coming out of their mouths and all of them were dazed. Sometimes they had to be carried downstairs and sometimes they were unconscious. There were children aged 5 and 6 who received ECT, with and without the anaesthetic. I recall seeing ECT administered when I was on cleaning duty to a boy who was 9. I saw the marks on his temples after he had it and heard his screams.

Sexual assault and ECT

20. Once I woke up to find another boy bathing me and fondling my genitals. He was **GRO-B**. We were often taken to the bathroom straight after because we had soiled ourselves. ECT took away control over our bowels or bladder and we often vomited. I would regularly wake up in one of the cell rooms after ECT. Or if I was conscious, I would be led downstairs back to the dayroom with the other boys.

ECT for asthma

21. I was given unmodified ECT on my left shoulder by Dr Leeks at least twice. I had had an asthma attack the day before. Before it started, he said "We'll see if this stops your asthma". After that I never went to the office for my inhaler during an asthma attack as I was terrified what would happen the next day.

ECT for attempting suicide.

22. I tried to kill myself once [REDACTED] **GRO-C**
 [REDACTED] **GRO-C**
 [REDACTED] **GRO-C** A couple of days later I got unmodified ECT as punishment. I knew it was for the suicide attempt because two nurses taunted me about it.

Extra Long ECT

23. Sometimes I received ECT for up to approximately 2 to 3 minutes. Dr Leeks would turn the dial on the shock machine up and down during this time. This varied the intensity of the shock through the electrodes. Sometimes a nurse would sit on me to prevent my body convulsing too much.

ECT when tied together with another boy

24. Once me and another boy were caught smoking by a nurse. He smelled our breath. He strapped our arms crosswise to each other by a trouser belt and placed the electrodes on each of our arms and Dr Leeks gave us a shock. He played the dial for about 30 seconds.

Staff giving ECT where Dr Leeks was not present

25. Sometimes the staff gave us unmodified ECT without Dr Leeks. They seemed to enjoy doing this and I recall one doing it to me going from one knee to the other with the electrodes, also the legs and arms. This was in the medical room, next to the kitchen.

ECT to genitals

26. I got this if I was caught playing with myself. Dr Leeks always gave these treatments. He would start by putting the electrode on my thigh and then slide it up my leg to my testicles. I never interfered with other boys as I have never been a homosexual.

Modified ECT

27. This was better than unmodified ECT because I was anaesthetised and completely unconscious. It was performed in the females' villa. You knew you would get it because the kitchen staff would not give you breakfast that morning. You would then be taken over to villa six and put into a cubicle and made to lie on the bed. The staff would take your shoes and socks off and roll up your sleeve and give you an injection. However, on several occasions the staff didn't give me the injection, so the electrodes were put straight onto my head without anaesthetic. Villa 6 had cubicles which accommodated one patient each. I recall walking into the wing of the unit where ECT was administered, I witnessed people of all ages receiving or about to receive ECT.

Giving ECT to other boys

28. Dr Leeks got me and other boys to give ECT to two boys on different occasions. Both had sexually assaulted me (and the other boys.) The first time was to **GRO-B** **GRO-B** and I recall Dr Leeks calling about 10 of us boys into the day room one day to find out if we had been sexually touched by **GRO-B**. I had been sexually abused by **GRO-B** and another patient and informed Dr Leeks about it. Without any other explanation some of us were tasked with getting the ECT machine and the bowl and salt water and gags. We then sent back to the day room of Villa 11, all petrified that we were going to get ECT.
29. Soon after Dr Leeks came into the room and told us to follow him. We went to a solitary cell at the far right of villa 8. It was almost completely dark and I remember seeing **GRO-B** sitting in the corner on a plastic mattress wearing only his underwear. Dr Leeks asked us to plug in the extension cord and said we were all going to use the ECT machine on **GRO-B**. He told us we were to move the knob to the right as far as possible.
30. I was second or third in line and there were a number of boys behind me. I didn't really want to do it but I remember that I did turn the dial as far as I could I was afraid that if I didn't do it properly Dr Leeks would give me ECT. I recall the horror on **GRO-B** face. He looked like he was screaming but not a sound was coming out of his mouth. After we had all given **GRO-B** ECT Dr Leeks put the electrodes onto his testicles and pushed the silver 'instant button' which gives a really sudden shock. When he did this **GRO-B** went unconscious.

31. On another occasion Dr Leeks lined us up to do the same to a boy called **GRO-B**. He finished that session by placing the electrode on his temples and using the knockout button. Giving ECT to other boys made me feel very sad. On the one side I liked it because they had abused me but on the other side, I felt really bad for doing it.

Drugs

Paraldehyde injections

32. Sometimes I was given a choice of ECT or paraldehyde for punishment. Both were used to control us and keep us in fear. The worst punishment was unmodified ECT but paraldehyde injections were also a feared punishment. You would get a paraldehyde injection for anything at all such as talking back to staff, hitting another boy, not making your bed properly or not getting up on time. They were extremely painful. I believe I would have had a Paraldehyde injection more than 50 times over my 3 admissions to Lake Alice. That is a bare minimum guess.
33. When the injection first went in it was a very cold feeling but then the feeling turned to very hot burning acid. The injection would normally be put into the buttocks and the pain would go down my whole leg. It would be very hard to walk. The leg would feel dead and I would have no strength in it. It was painful to sit down for about 3 days. When I had it in my arm it would hang limp for the day. Once I was given it on the shoulder and on several occasions in the big muscle above my knees. This was particularly painful place to have it and the staff were aware of this. Paraldehyde had a foul smell and it would leave a sickening taste in my mouth for three days after.

Other medication

34. I was on other medication nearly all the time I was at Lake Alice. I got Mellaril, Largactil, Pantacol, Stelazine, Priadel, Modecate, to mention a few. I remember dribbling and stumbling. The drugs completely changed me.

Sexual abuse

35. I was a blond, blue eyed boy and this wasn't an advantage. I got a lot of unwanted sexual attention as a result. There was a staff member called John Blackmore. Sometimes when he was meant to be giving me a paraldehyde injection, he sexually

abused me instead. I believe he also abused other boys this way. While paraldehyde was usually done with the door open (so other patients could hear) he would close and lock it for me. This was justified with the excuse that I might run away.⁸

36. You had taken your pants down to get a paraldehyde injection in the buttocks. He would take his own pants down and then he would either sodomise me or masturbate me and himself at the same time. He did this often.
37. The schoolteacher at the time, **GRO-B** would walk around and sometimes press his groin into my back and I could feel he had an erection. He would leave the classroom with a particular boy and then take him out to the toilets. At times I was one he asked to leave the room with. He would make me pull down my pants and he would pull his down. I had to go onto hands and knees on the floor and then he would masturbate himself from behind me. He never raped me but he did touch and push against me. He would threaten me with the 'thunderbolt' from Dr Leeks if I told. I understand he has been convicted of sexual abuse.
38. We were also sexual prey for older boys.⁹ There were two boys who were older and bigger and competed with each other to get to us. They were **GRO-B** and **GRO-B** **GRO-B**. Lots of us boys were targeted. **GRO-B** abused me regularly in the showers. These were the boys that Dr Leeks had us give electric shocks to.

Other aspects of Life at Lake Alice

Schooling

39. I went to school while I was in Villa 11 for half a day several days a week. It looked nothing like a real school. I recall learning a lot of songs and sometimes doing reading. I did not have any correspondence education. I did however play drums with a couple of patients who were also musical. Each year there was a staff reunion and on one occasion my mother's band performed for the staff and I played percussion for that.

⁸ Para 97 WITN0332005.

⁹ Para 102 to 103 WITN0332005.

Visits but complaints ignored

40. My mother visited me a couple of times and my social worker also visited. I always complained to them about what was happening to me. My mother never believed it and my stepfather called me a liar. The social worker never took action.

Staff¹⁰

41. I was constantly told by staff that I was bad and they were going to 'drum it out of me'. I was also told that I would be there for life. Some nurses were sadistic and they all participated in the torture of us. Some beat up patients including me and some sexually abused patients, including me. There was one nurse called Dennis Hesseltine. He was the only person I felt safe with. He was a very nice person, funny, young and had a beard. He was the type of person I would have liked my father to be like. Even he, however, was part of the torture as he never spoke up about it or try to stop it.

Villa 8

42. In Villa 8 I was with adults with serious mental problems. We called it the 'nuthouse'.¹¹ I was 15. It was a very frightening and scary place. There were always patients prowling around wanting to have their way with you. I had to learn quickly how to keep other patients off me but without injuring them as if I did that, I got a paraldehyde injection for punishment. I often stayed awake at night, lying scared in my bed with the blankets tightly tucked in, to protect myself.
43. ECT in villa 8 was always unmodified. I witnessed it on occasions. It was used on people like GRO-B and GRO-B. I never got it, but I would hear it being given to others who were screaming in pain and fear. I got paraldehyde injections in Villa 8.

Maximum security

44. On one occasion while in villa 8 I was locked in maximum security for two weeks. This was located at the rear of the hospital, for the criminally insane. The reason I was sent there was that I had refused staff member Howard Lawrence's order that I clean the

¹⁰ I discuss staff in more detail and identify them in paragraph 45 to 58 of **WITN0332005**.

¹¹ **WITN0332005** para 139.

toilets and floor with the toothbrush. I was allowed out into a tiny exercise yard for 30 minutes every 24 hours. I was given a few books but otherwise there was nothing apart from a mattress, blanket and bucket. Lawrence was a particularly evil guy who used to push his knuckles into our temples and ask, 'Do you bum boy?'

Work in villa 8

45. I was part of a work gang doing labouring from 9 am to 4pm. We earned \$1 a week. I had no education when I was in Villa 8. I had to bathe elderly patients who were too old to wash themselves. I had to wash people's clothes and the dishcloths etc.

Carrying a dead body

46. One day a nurse called [GRO-C] gave [GRO-C] and I the task of carrying a person on a stretcher. We had to be very quiet and carry him very carefully to a particular destination. On the way the sheet blew up and I saw a tag on his big toe and realised he was dead. Later I looked at his face. He was an older patient who had died. I was very disturbed as I had never been around a dead body before. When I got back [GRO-C] was laughing and thought it was a great joke, we hadn't known the person had died. It impressed upon me human life was of very little value at Lake Alice.

The bootroom

47. Villa 8 had a room where work boots were kept. Everyone called it the 'boot room'. Staff would take patients there and punch and kick them. It happened to me – I was punched in the back of the neck and kicked by two staff. Other patients were roughly treated in there. It was quite obvious as the staff would start on them in the day room and from there take them to the boot room. It could be heard and was talked about.

How I got out of Lake Alice¹²

48. I got out of Lake Alice by writing a letter to Dr Pugmire who was head of Lake Alice and asked if I could leave. I was let out a couple of weeks later. The circumstances of

¹² Full details are given in WITN0332005 para 155 onwards.

my getting out were that on 10 December 1975, I was driven by a nurse Alan Scholle, to Wellington and taken to the Woburn YMCA and given \$100 in cash and he told me not to go back to Palmerston North. He never told me where I was going and I assumed it was to Porirua. It was only after we passed the Porirua turnoff that he told me I was going to the Woburn YMCA and to work. He had arranged for me to do a labouring job at WD & HO Wills Tobacco factory in Petone. He directed me to do this work. I was 16 years old and would be 17 the following month.

Life After Lake Alice

49. When I was left by Alan Scholes in Woburn, suddenly all my drugs stopped. Rather than feeling dopey I was full of nervous energy all the time. After a highly regimented life, being woken to a siren and having all your movements organised and controlled for you it was very challenging to suddenly be living on my own, getting to work on time etc. Though there were so many bad things about it, there was a routine at Lake Alice that I then realised had given me a sense of security.
50. I had real problems getting myself out of bed to work on time. I think that was as a result of a reaction to withdrawal from drugs and problems with buses. Also, everyone there knew I had been in Lake Alice and made fun of me. I was very insecure and so desperate to prove myself that I was rushing about working about double what the others were and they made fun of that too. Eventually I was dismissed for lateness.
51. I had various jobs after that, eventually working as an assistant/salesperson. I soon developed a pattern that dogged my entire working life. I could manage the work well and often got promoted as I presented well.¹³ However after a few weeks I would start having major fears and self-doubts and would end up leaving.
52. I was also employed as an office assistant at the Ministry of Foreign Affairs where I dealt with sensitive documents and hand delivered mail to the Prime Minister's office. Foreign Affairs was located at The Terrace, Wellington, from what I recall. My jobs were always low paid as I had no educational qualifications.

¹³ I note the Director of Mental Health made written comments after his interview with me in June 1977 "WITN0332002", "Kevin is a well dressed, well spoken young man, employed by Bing Harris as a salesman, playing regularly in a military band, living in a house which he has rented himself with three friends. Apparently well on his way to establishing himself."

Playing in military bands

53. I always had a great love of music and so joined the territorials so that I could play in the army band. I passed all my military training and never had any trouble with authorities. I became a drummer in the 7th Battalion Wellington Hawkes Bay Army Band and played in a number of parades. My registration number was GRO-C. One day when I was playing in the parade a police officer approached me after and asked if I would play in the police band. I played twice in the police passing out parade at Trentham Police College. That was the best part of my life at that time. I would love to have developed my musical side.
54. On the personal front I could never get the memories of what happened to me and the others at Lake Alice out of my mind. I was having problems concentrating, having nightmares and panic attacks.

Moving overseas

55. I went overseas because I was afraid, I might be put back in Lake Alice if I stayed. I was questioned for petty theft. I left New Zealand for Sydney in February 1978. I followed the same short term work pattern. I travelled to London in September 1980.

Relationships

56. I met a woman in Yorkshire who became my first wife. I travelled back to Australia in 1982 and she arrived in Australia in 1983, the same year we got married. We had a daughter in 1988. By 1989 my marriage was over. I believe her learning about my Lake Alice life had a very negative impact on our relationship.
57. She found out because Victor Boyd from CCHR had obtained my overseas address from my mother and consequently sent me an affidavit about Lake Alice, to sign. This was the first statement I had done with CCHR. My then girlfriend opened my mail and read my affidavit without my knowledge and consent. It caused friction but I still brought her to Australia where I believe she used me and took advantage of my past. She was unfaithful and abusive to our infant. After an argument, she had left with my child, with the assistance of police. I later found out she had relations with police members.

58. I had to go to the Family Court to have access to my child. Our divorce came through in 1992 and by 1993 I was suffering major depression. I was granted an income support pension on the grounds of my disability (PTSD, depression and anxiety) and I have never been able to be in the paid work force since then.
59. In 1991 I started attending the Church of Christ where I met the woman who later became my second wife, GRO-B We have been together for 30 years and have two sons. She has her own serious health problems and if we are both unwell lives together can be very difficult. We live in council provided housing and on the benefit.

Impact of Lake Alice

60. I believe my experiences in Lake Alice have destroyed my life. I have tried to get over them but the impact has been overwhelming. My depression has greatly interfered with my income earning potential, quality of life, ability to be a good father and find happiness in everyday things.

Seeking justice

Complaint to Department of Health.

61. In approximately 1977, Victor Boyd from the Citizens Commission for Human Rights knocked on my door in Wellington and asked if I was interested in talking to them about my time at Lake Alice. I think they were trying to get an inquiry going. I was pleased someone was trying to open up this and did an interview with them. I don't think I saw it written up at the time. He later sent a copy to me when I was in London a few years later, having got my address from my mother. I am not sure if I ever signed it. However, I do not recall thinking that it was wrong.

WITN0332004

Police

62. Sometime after that the police came visiting and took me to the station to identify the various ECT machines and ask which villa each was being used in. They interviewed me. They wrote up the interview and I signed it. I was not told to read it first or that I could change it. I signed it. When I later saw it I noticed some things were wrong.

WITN0332003

Interview with Director General of Health

63. Sometime after that I was interviewed by the Director General of Health. He made notes which I never saw. I was then asked to attend an Inquiry. I agreed to it on the basis I did not meet Dr Leeks. I was still terrified of him. I was assured I would not.

WITN0332002

Giving evidence at Inquiry

64. I remember being asked questions about the use of ECT. I was not asked about anything else. I had no lawyer and did not get to say anything from my perspective – only to answer the questions I was asked about ECT.
65. To my horror, Dr Leeks came into the room after I had finished being questioned with a suited man on either side. I think they were his lawyers. I felt overwhelmed by fear and betrayed. Dr Leeks actually spoke to me. He said words along the lines that not everything he did at Lake Alice was 100% right or correct. He said he gave the Maori boys more ECT as he had to control the boys, he took on from Kohitere Boys Home.
66. After that I didn't trust the Inquiry because of them breaking their assurance to me that I would not meet him and also because they were not trying to find out what really happened. I was never given a chance to comment on what Dr Leeks was saying to it. I thought it would be a cover up.
67. Since then, I read the statements that Dr Leeks made in a letter dated 22 July 1977 to Dr Pryor of the Central Ethical Committee of the New Zealand Medical Association. This was in response to the complaint I had made.¹⁴ I was never asked to respond to that at the time. I say that Dr Leeks is a manipulative deceitful person who tried to cover up what he was doing with ECT by painting me in the worst possible light. He had made up that I had a mental illness. I admit I was not an angel and had got into bad company but I never had disoriented thinking. Many of the contemporary notes corroborate that, in that they refer to bad behaviours but not mental illnesses.¹⁵ My discharge notes show that no medication was given, I could manage my own affairs, I was fit to drive a motor vehicle, I didn't need to be referred for an outpatient appointment, to a private doctor, for a home visitor or be referred to a social worker.¹⁶

¹⁴ See **WITN0332002**.

¹⁵ See case reports 1974 and 1975: **WITN0332008**. Discharge notes 1975: **WITN0332009**.

¹⁶ Medical Notes – Discharge papers 1975: **WITN0332009**.

68. He wrote that I had been referred to the Children's Unit because of 'vicious attacks on both parents, compulsive lying and had pulled a knife on one of my brothers'. This is a major exaggeration. There was a lot of conflict and tension between me and my stepfather. It went both ways. Dr Leeks says I was given ECT on admission because my thought processes were deteriorating. I do not believe Dr Leeks would have known anything about my thought processes. As indicated above I have no recollection of him ever assessing me or talking with me. If he did it was not more than 5 minutes and not long enough to know anything about my thinking. In another statement he says that I was setting up other boys to sexually abuse boys. This is an outright lie.

*Meeting Dr Leeks in 1993*¹⁷

69. Sixteen years later, in 1993, after my depression had set in, I became obsessed with challenging Dr Leeks for what he had done to me. I rang all around the world to find where he was. I recall ringing Dr Pugmire at Lake Alice. He told me to stop hounding Leeks and said I needed some 'good old-fashioned treatment again.' I hold him responsible for what happened to me at Lake Alice. He was in it with Leeks. I clearly recall once him giving me ECT while Leeks was looking on.
70. Eventually I found out he was working in Melbourne and I arranged a referral for an appointment. I was still very afraid of him. It was scary going to it. When I first met him, he commented that my name was familiar. I asked him if he remembered me. He said he remembered I was going through a hard time with my family and that my stepfather was a fairly unsavoury fellow. I asked him why he had tortured us.
71. Dr Leeks told me he had an open hand to do what he could. I asked why he made me give ECT to the other boys. He said in some parts of the USA this was quite legal. Later he said something like 'I will never do what I have done, or most of what I have done, again.' He seemed remorseful. He spoke quietly and looked at the ground as he said it. Part of me wanted to hit him but he seemed so quiet and gentle it also made me feel like submitting to him. Yet it was also going through my head that the other side of him had inflicted horrendous pain on me and others while seeming so cool.
72. It felt like he had a mesmerising hold over me. He was the only one who knew what had happened to me at Lake Alice. Not even my mother believed me. I needed

¹⁷ WITN0332005 para 221 onwards.

recognition of what I had gone through there and he knew that. After that, I saw him half a dozen times for my depression. He prescribed me rohypnol which made me feel fantastic, but which is highly addictive and when he was away I had to go to another doctor to get a prescription for it. That doctor said it could not be prescribed for long term use due to its addictive properties.

73. It was Dr Leeks who actually wrote the first certificate advising I was qualified to be on the sickness pension. By the end of visits, I realised he was just a puny little man and my terror of him had gone. However, I later realised it had been a mistake to go back to him for treatment.

Assisting the media to expose Dr Leeks and get an Inquiry

74. In 1999 a journalist, **GRO-C**, interviewed me. He wrote an article called 'A long ride on the thunderbolt' about unmodified ECT. It was voted the best story of the Year by the Press Club Association of Australia. He shared the \$5000.00 prize with me.

Grant Cameron's class action claim

75. In 2001 I joined Grant Cameron's group of claimants. I was one of the last in the first group. I was not interviewed by Justice Gallen. I received NZ\$131,578.94 but he took NZ\$52,601.14 for his legal costs. After conversion rate, I was left with AUD\$62,000.00. We later learned the second group did not have to pay legal fees. I think it is extremely unfair that about half of us did not have our legal fees paid and half did. I think we should be reimbursed for them.

Witness for Medical Practitioners Board of Victoria (MPBV)

76. The **GRO-C** article, other TV documentaries at the time and the Cameron complaint on behalf of survivors eventually put enough pressure on the MPBV that they made the decision to hold a formal hearing into Dr Leeks' professional conduct at Lake Alice.¹⁸ The hearing was to take place on 26 June 2006. I swore an affidavit for the hearing and me and other survivors were due to give evidence in person in 2007. On the night before the hearing was to take place Dr Leeks promised to cease practice

¹⁸ Notice to Dr Leeks 26 June 2006: WITN0332010.

and in return the Board withdrew its prosecution.¹⁹ This was a bitter blow. Once again our voices were not heard.

Impact of Lake Alice - my health and life today

Memory loss

77. I wake up every morning with no memory of the previous night. Some mornings I wake up distressed because I think something had happened with one of my family members only for my wife to help me understand that everything was fine and that there was no problem or issue the night before. I can't recall things that have just happened and I find it hard to concentrate.

Chronic pain and migraines

78. I take several medications every day for migraines and chronic pain. I have difficulties functioning because of the pains in my body and head. I feel no one understands the depth and extent of my debilitating pain.

Incessant fears, terrors nightmares and sleeplessness

79. I take medication to sleep as I struggle to go to bed every night.
80. Most nights I have nightmares. Some nights I wake up screaming with night terrors. My wife and sons have to tell me its ok. I don't know where I am half the time when I wake from these. I experience complete memory loss for the most part of the following day and sometimes even a few days following. I also loose the sense of taste. On one occasion when my sons were 2 and 3, I didn't know what country I was in or even that I was a father. That was the most terrifying and distressing episode I think I had ever experienced. The sleep problems impact my day and relations with my family. I'm always too tired to enjoy my life.
81. I worry incessantly about my sons' and wife's welfare to the point where I cannot eat. I fear for their safety when they go out for the day or even to the shops. The feelings

¹⁹ Letter dated May 17, 2007: WITN0332011.

of fear are overwhelming and taxing to my mental health. I fear going to bed every night because of the dreams and nightmares. I stay up as long as I can and average on 3 – 5 hours a night. I'm exhausted every day and mentally fatigued with the challenges in my life that it is difficult to feel positive about the future.

Anal bleeding

82. I bleed when I go to the toilet and the pain, I suffer from is so excruciating that it reduces me to tears as I cannot get relief from the medication and I cannot sit upright properly. It brings back memories and emotions from sexual abuse at Lake Alice and Epuni.

Loss of interest in food

83. After Lake Alice I lost all interest in food and eat one meal a day just for sustenance, not for pleasure. Pleasure for food was taken from me because staff members threatened us if we didn't eat, they would take us upstairs to get ECT. On occasions they would put the ECT machine on the dinner table where we ate!

GRO-C

Trust and feelings of betrayal

85. I find it very hard to trust people and have often felt betrayed by people who were there to help me. For example, I worked with **GRO-C** on the article that won him a press award and improved his career but then found he had put the article online for the whole world to see at any time without telling us. My children experienced difficulties at school as a result. He could have at least warned me of this before it happened. I had problems with CCHR using my records and experiences but not returning all of the records and I had difficulties with previous lawyers.²¹

²⁰ **GRO-C**

²¹ The CCHR took all my records but did not return them when I asked and said I had been given all there was. I had to make complaints about both my lawyers **GRO-C** and **GRO-C** to the Law Society.

86. I'm frustrated and angry at the life I was dealt with as a result of my treatment in Lake Alice. It has seriously affected my family and my opportunities to provide for my family as I live on limited income. I was an aspiring musician and had so much potential. Drumming, that I loved so much is not available to me now as it hurts my head to play th drums now. I have been robbed of so much.
87. I don't understand how the people who were contracted to protect me and care for me as an adolescent are not accountable till this day for destroying my life and the quality of my family's lives. The failings of the NZ government systems, including judicial, to protect the innocent is a travesty of justice, in my eyes. I know that as early as December 1976 the New Zealand Psychological Service Association wrote a letter to the Minister of Health asking for a formal inquiry as ECT was being given without any form of premedication and used before other forms of treatment had been tried. That there was no justification for using it to discipline recalcitrant children.²² Why has it been that we have had to wait 45 years to have this Inquiry?

Protection for vulnerable children in the future

88. Many statements about my behaviour as a teenager were written and passed on in my notes that were lies and completely untrue. They are gossip and hearsay against a young person who had no chance to defend himself because he didn't even know what was being said. I found out what had been said only recently when my lawyers obtained the notes.
89. I think every child needs a representative to put the child and young person's explanation or response and it be mandatory that it be put on the file also. I also believe every child who leaves state care should have a proper programme of support to help them make the adjustment to living independently. It was horrific that I had to cope with a sudden withdrawal from drugs having been put on multiple drugs while I was at Lake Alice, while trying to start my first job in the workforce and live alone without support.

Ongoing support for my family

²² WITN0332012 Ltr 21/12/76 from Lyn Fry to Minister of Health.

- 90 The New Zealand government should be responsible for ongoing support to me and my family. My children have also suffered badly for what happened to me.

What I want from Royal Commission

88. I want the Royal Commission to delve fully and properly into what happened at Lake Alice, to hear our voices and to make findings about what happened to us there. We need to be validated for the hell we went through and the hell we live with since. I also want it to explain why we have waited this long.
89. I want the police to charge Dr Leeks, even if he is over 90. He showed no sympathy for us in our vulnerability and he has had the benefit of a good free life ever since Lake Alice.
90. I want the government to pay proper compensation to me for the loss of my potential to earn an income, be happy and have a good quality of life.
91. I want repayment of Grant Cameron's legal fees so that we are treated the same as those who were in the second lot.
92. I want there to be a legal representative for every child and young person in case to make sure their side of the story is told and always recorded in official notes.
93. I want ongoing support to my family as well as me for the trauma we have all lived with as a result of me being tortured in 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.

Signed _____

Dated: _____

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