

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
DISABILITY, DEAF AND MENTAL HEALTH INSTITUTION HEARING**

Under The Inquiries Act 2013

In the matter of The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

Royal Commission: Judge Coral Shaw (Chair)
Paul Gibson
Julia Steenson

Counsel: Mr Simon Mount QC, Ms Kerryn Beaton QC, Ms Ruth Thomas, Ms Lucy Leadbetter, Mr Michael Thomas and Ms Kathy Basire for the Royal Commission
Mr Gregor Allan, Ms Sandra Moore and Mr Vaughan Dodd for the Crown

Venue: Level 2
Abuse in Care Royal Commission of Inquiry
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AUCKLAND

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TRANSCRIPT OF PROCEEDINGS

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Lunch adjournment from 1.10 pm to 2.23 pm

CHAIR: Mr EI, hello. I'm Coral Shaw - hello-, I'm one of the Commissioners. My Co--Chair here, Paul Gibson, to my right, probably to your left; and the other side we have Commissioner Julia Steenson. We're here to listen to your evidence, so thank you very much for joining us. I'm going to hand you over to Ruth, who I think you know, and she'll get started.

Do you want to talk to him before I do the affirmation?

MS THOMAS: We're fine to start with the affirmation.

MR EI (affirmed)

QUESTIONING BY MS THOMAS: Thank you, Madam Chair.

Good afternoon, Mr EI. I'm going to ask you some questions today about your time in State care. You were in foster care, some residential homes and you also spent some time at Kimberley institution. Before we go through that, I would like you to tell us a little bit about your family, whether you had any siblings, how many siblings you had and your parents.

1 A. My parents were separated at the time, I've got four other brothers, one in New Zealand,
2 one overseas and a couple of foster brothers.

3 Q. Thank you.

4 I'm just going to double-check whether the volume is satisfactory at this end?

5 **CHAIR:** Yes, we have the thumbs up, the volume is okay.

6 **QUESTIONING BY MS THOMAS CONTINUED:** Great, thank you.

7 You said that your parents separated, was it around about this time that you ended
8 up being placed in State care?

9 A. No, it was probably about three years after they separated.

10 Q. Can you recall what it was or what things caused you to end up in State care?

11 A. Yes, it was because I was unsettled, I did get into a bit of mischief, as such, and I became,
12 what would you call it, in eye of the State care, so they sort of took an interest in me.

13 Q. Is that when the Children's Court found that you were not under proper control, is that the
14 phrase that is on your files?

15 A. That would be the phrase, yes, because as I say, I did go out and get myself into trouble and
16 I probably wasn't probably under, you know, a decent supervision from my parents.

17 Q. Were you then placed in a group home in Taradale?

18 A. It was a family home in Taradale. There was another boy around my age and there was a
19 Māori girl probably 17, 18-year-old, as such, and I'm not too sure about another girl there, I
20 don't know how old she would be, but she worked, as such.

21 Q. Can you tell us --

22 A. But she sort of came and -- sorry.

23 Q. Sorry, there's a little bit of a lag in our connectio n here, but can you tell us a little bit about
24 how you found that foster home?

25 A. Very disturbing, as such. Very unsettling. When I first went in there I called the person
26 who was the caregiver by her name instead of calling her "Mum", which she took a, how
27 can I put it, an exception of and said I should be calling her "Mum". I'd never sort of
28 settled in calling her "Mum", I always called her by her proper name and that made things
29 difficult for me.

30 Q. Was there any abuse at this foster home?

31 A. There was abuse at this foster home, yes. I ran away on a couple of occasions, as such, and
32 she did take my shoes off me, she did actually lock me in a room with one of the -- the
33 other person there, the other boy there, he actually nailed up the window, and they kept the
34 door closed so I couldn't get out. I spent the whole day in that room, as such. The next

1 morning she opened the door up and said, "You can go to school" but she wouldn't give me
2 my shoes. I asked for my shoes and she says, "No." I saw my shoes in the laundry, I bent
3 down to pick these shoes up and heavens behold she hit me over the back with a broom
4 handle which broke.

5 **Q.** Right. So you ran away from this home. On one occasion when you ran away from it,
6 where did you end up?

7 **A.** I ended up in, I can't think of it, there's two places --

8 **Q.** Was it Hokio?

9 **A.** I did actually get transferred to Hokio, yes.

10 **Q.** This was in July 1963 that you were placed at Hokio Beach School?

11 **A.** Yes, around that time.

12 **Q.** And how old were you at that time, 1963?

13 **A.** Around 13 years old.

14 **Q.** Can you tell us about your time at Hokio, what was that like for you?

15 **A.** Hokio was the same sort of thing. I found it very hard to settle in. I was bullied and picked
16 on by other kids there. I did run away from there on several occasions.

17 **Q.** Was running away a way of coping for you?

18 **A.** It was a way of coping for me.

19 **Q.** And on one occasion did you run away from Hokio and end up, did you let yourself into a
20 bach?

21 **A.** That is correct, I -- after I was abused I managed to get myself into a bach. This was quite
22 late at night and I found a bit of food and sort of settled down and went off to sleep.

23 **Q.** Was there anyone else in the bach?

24 **A.** Not at that particular time. Probably about half past 10, 11 o'clock at night I was woken by
25 two people coming into the bach, they were a teacher and his partner from Wellington.

26 **Q.** Were they the owners of the bach?

27 **A.** They were the owners of the bach, yes.

28 **Q.** Can you recall, what did they say to you when they found you in their bach?

29 **A.** They were very surprised to see me in the bach, the person said to me, "You must be
30 hungry" because of the mess that I'd sort of made up on the bench as I was looking for food
31 and stuff. He did give me a small meal, it was still quite dark and I was still probably pretty
32 sleepy, and he made the comment that one of the jars there, it actually had rat poison in it,
33 I do not recall if he actually pointed to the jar or not but the jar was not labelled and it was
34 sitting up on the bench, or up in the pantry.

1 Q. Right. So did you then go to sleep there for a wee while?

2 A. I went to sleep there. He also sort of stated that he'd take me back out to Hokio Beach to
3 the boys' home the following morning because it was so late at night and I think, you know,
4 with them travelling and everything else like that, they themselves wanted to get a night's
5 sleep too.

6 Q. What did you decide to do later on once everyone was asleep?

7 A. I decided that I wasn't going to go back to Hokio Beach, I got up and thought, well, I'll see
8 if I can find something to eat, some food I can probably take with me and that. I reached up
9 and saw this jar, which looked to me like it had porridge in it. I opened the jar up and took
10 probably, what, a small handful of it, put it into my mouth, and thought, "Oh, that doesn't
11 taste like porridge" and I just put it back. Then he woke up and realised what I'd done and
12 took me to the hospital at Levin.

13 I'd also like to point out that in a comment that he stated to the doctors plus the
14 person from Kimberley Hospital that this rat poison wasn't poisonous toward human
15 beings, that the joke was on me.

16 Q. Right. But as a result of accidentally taking this rat poison, did you need to have your
17 stomach pumped?

18 A. They pumped my stomach, yes.

19 Q. So you're at the hospital in Levin, where were you taken to after that?

20 A. I was picked up by the manager of Hokio Beach boys' home, I was taken back to that boys'
21 home, I was actually put into a room by myself where I remained for, I don't know,
22 probably two to three hours, give or take, before he came in and said that I was going into
23 Kimberley Hospital.

24 Q. Right, so after this incident there was a decision made to place you at Kimberley Hospital?

25 A. That's correct.

26 Q. This was in August 1963?

27 A. Yes.

28 Q. I'm going to ask you some questions about Kimberley now, Mr EI. If you had to sum up
29 Kimberley, how would you describe it, what would you say?

30 A. Kimberley was a hellhole.

31 **CHAIR:** We'll take a break, we'll take a break. We'll just go -- you let us know when you're ready
32 and we'll come back when you're feeling okay, all right?

33 **Adjournment from 2.34 pm to 2.38 pm**

34 **QUESTIONING BY MS THOMAS CONTINUED:** Thank you, Mr EI, can you hear me now?

- 1 A. I can hear you.
- 2 Q. Thank you. We are now going to -- I'm going to ask you some questions about Kimberley.
3 Can you tell us what was your first impression when you first arrived there?
- 4 A. Kimberley was a hellhole.
- 5 Q. What makes you say that?
- 6 A. Because of what I saw there, what happened to me and what happened to other people.
- 7 Q. When you were at Kimberley, can you tell us about, we'll start with the dormitories, what
8 was that like, where did you sleep?
- 9 A. The dormitories were open dormitories, a lot of them didn't have partitions in them and you
10 slept in just a basic bed, you didn't have any privacy or anything like that.
- 11 Q. Were you always in one of those bigger dormitories or did you get put into a smaller room?
- 12 A. I got put into a smaller room off the dormitories.
- 13 Q. I'm going to ask you about the staff and the numbers of staff that were at the hospital.
14 From what you observed, were there enough staff working there at the time you were there?
- 15 A. I would say no.
- 16 Q. And what makes you say that?
- 17 A. For the number of kids that were there and the number of children in each of the wards, as
18 such, or villas, there were probably four staff members, give or take, at one time.
- 19 Q. Right. So if there weren't quite enough staff, how would you describe the care that the
20 children were receiving?
- 21 A. Very, very poor care indeed.
- 22 Q. What about things like jobs, cleaning up messes, who had to do that if there weren't enough
23 staff?
- 24 A. Most of the time I'd end up having to give a hand, they'd come and get me to give a hand to
25 clean up messes, like if somebody had faeced themselves or wet their beds or needed a
26 shower, as such, and -- I'd end up having to do some of that work.
- 27 Q. So the staff would ask you to do some of the cleaning work?
- 28 A. Yes.
- 29 Q. Did you get to go to school while you were at Kimberley?
- 30 A. I did go to school there, it wasn't full-time, as such. 99% of the time I was taken out of the
31 classroom and made to go and do other things.
- 32 Q. When you were in the classroom, what was the schooling, what was the type of education
33 you were given, was it at your level or not?

- 1 A. It was well below my level. For me it was a waste of time because most of the kids that
2 were there were basic, very, very low level in schooling, so a lot of it was 1, 2, 3 and a few
3 more, if you know what I mean. You know, to me it was just basically very, very unlimited
4 in what I needed to improve my education.
- 5 Q. You've said you attended school, did all of the children at Kimberley attend school?
- 6 A. No, certainly not. The classroom probably catered for 10 children.
- 7 Q. Can you recall how many children might have been at Kimberley while you were there, if
8 the classroom had room for 10?
- 9 A. There would have been approximately 400 children, probably plus.
- 10 Q. You've said you were often taken out of school to do other things. Were you required to do
11 work to -- for example, making boxes?
- 12 A. That's correct, yes. On numerous occasions I was taken from the classroom over to a work
13 area where I made or helped to make boxes, these boxes were for things like women's
14 stockings or lingerie, people -- handkerchiefs, ties. I also helped in making coat hangers,
15 which were the wire coat hangers. Also I worked at doing blocks, these are the coloured
16 blocks, I think you can still get them today, as such, the sanding and dyeing of them.
- 17 Q. So when you completed all this work for Kimberley Hospital, did you get paid for that?
- 18 A. Not in a wage, as such, but we received \$5.00, thereabouts, a week. I think at that
19 particular time it would have been in pounds, shillings and pence.
- 20 Q. I'm going to ask you some questions about medication, Mr EI. Were you ever given
21 medication while you were at Kimberley?
- 22 A. I was given medication while I was at Kimberley, yes.
- 23 Q. Prior to being given medication, had you ever had a meeting with a doctor?
- 24 A. No.
- 25 Q. Had anyone ever prescribed the medication to you?
- 26 A. No.
- 27 Q. So when you were given this medication, what did you do with it?
- 28 A. Stuck it under my tongue and went to the toilet and spat it out.
- 29 Q. Why did you do that?
- 30 A. I didn't know what it was.
- 31 Q. When you received your medication, which you then spat out, were there other children
32 around you who were also receiving medication?
- 33 A. There were other children receiving medication, yes.
- 34 Q. And do you know or could you observe whether they actually took the medication?

- 1 A. I would say they would have taken the medication because I don't think they will have
2 realised they could have stuck it under their tongues and gone and spat it out.
- 3 Q. Did you notice anything about the children after they'd taken the medication, about their
4 behaviour or how they were coping?
- 5 A. Yeah, all the children that had taken the medication were like zombies.
- 6 Q. I'm going to ask you about dental care while you're at Kimberley. What can you recall
7 about the dentist who was at Kimberley?
- 8 A. He was, well, I wouldn't call him a dentist in the sense of being a dentist, I observed and
9 I also heard that this dentist had a patient, a boy patient and he was going to remove the
10 teeth. The nurse said, "Are you going to give this boy an injection to numb his tooth", as
11 such, he says, "No, he won't feel a thing because this person's got no brains."
- 12 Q. That's what the dentist said?
- 13 A. Yes.
- 14 Q. How does that make you feel when you think about that now?
- 15 A. Sad, should never have happened.
- 16 **CHAIR:** Take your time, Mr EI, we understand how sad that is, and we feel that sadness, so just
17 take a moment.
- 18 **QUESTIONING BY MS THOMAS CONTINUED:** Mr EI, are you okay if I keep asking some
19 questions?
- 20 A. Yeah, that's fine.
- 21 Q. I'm going to ask you some questions about physical abuse. When you were at Kimberley,
22 did you ever witness or experience any physical abuse?
- 23 A. Yes.
- 24 Q. Can you tell us what you saw?
- 25 A. Yes. I saw kids being sexually violated, I saw kids being hit over the head with keys,
26 kicked, punched.
- 27 Q. Okay, I'm just going to focus my questions at this point around the physical abuse. You
28 said children were hit over the head with keys. Who would do this to the children?
- 29 A. The staff members.
- 30 Q. Can you recall whether what was happening before the staff members would do this? How
31 did that come about that they'd be hit over the head with keys?
- 32 A. Probably misbehaving or weren't doing what they were told. Most of the kids in these
33 dorms actually sat on the floors and just rocked backwards and forwards most of the day,
34 and the staff members would come and say to them, you know, "time for tea" or "time for

- 1 lunch", and there'd be a slow reaction with them, so that's what they'd do, they'd just give
2 them a whack over the head with a key to make them hurry up, or a kick or a punch.
- 3 **Q.** In your statement you've also talked about the phrase "the Kimberley cringe"; can you
4 explain what does that mean?
- 5 **A.** "The Kimberley cringe" was a phrase or a happening that these kids used to get into and it
6 was I think like they'd cover up themselves, to protect themselves from being hit, as such,
7 when somebody was going to come up and hit them or do anything to them, and it was
8 covering like this.
- 9 **Q.** So you're demonstrating they were protecting their bodies with their -- or their heads with
10 their arms?
- 11 **A.** Yeah, protecting their bodies with their arms.
- 12 **Q.** Now, Mr EI, you've mentioned just before that there was sexual abuse. Are you okay if
13 I ask you some questions about the sexual abuse at Kimberley?
- 14 **A.** Yes, you can go on.
- 15 **Q.** I think in your statement you've said that this started for you when you'd actually injured
16 your ankle and a nurse came to collect you to put a new dressing on your ankle; is that
17 correct?
- 18 **A.** That is correct, yes.
- 19 **Q.** When the nurse came to collect you, where did she take you?
- 20 **A.** She took me to an office area over the front of the Kimberley Hospital, which would be the
21 office area closest to the road coming into Kimberley.
- 22 **Q.** Kimberley was quite a large space, wasn't it, a significant area of land?
- 23 **A.** It was a big, big area of land, as such, yes.
- 24 **Q.** So she took you over to near the entrance to the Kimberley site. What did she do in relation
25 to your ankle?
- 26 **A.** When she came to get me she said that she'd come to check on my ankle, to see how it was
27 because I'd sprained it, it was bandaged -- this was late at night, she walked me across the
28 courtyard of Kimberley to an area over there which was, well, it may have been office
29 blocks or something like that, to have a look at my ankle.
- 30 **Q.** And did she re-bandage it?
- 31 **A.** She did re-bandage it eventually, yes.
- 32 **Q.** While she was doing that, what was she doing to you at the same time?
- 33 **A.** When she was bandaging it, she sort of bent over me and she rubbed her breasts up against
34 me and she replied that, oh, I shouldn't be doing that, I'm a naughty boy for doing that. She

- 1 also stated that as she came down a bit further that I shouldn't be looking down her top, as
2 such, she stated the same sort of thing that I was a naughty boy and I shouldn't be doing
3 that.
- 4 **Q.** Once she'd said this to you and done that, what happened after that?
- 5 **A.** We went back to the villa, as such, she walked me back to the villa and I went back to
6 sleep.
- 7 **Q.** So not long after this occasion with the ankle and the nurse re-bandaging your ankle, was
8 there another occasion when the nurse came over at night and collected you from your
9 bedroom?
- 10 **A.** Yes, there was several occasions. She came over again, she said she'd come to check on
11 my ankle again, went over to the front area where we went before. When we went in there,
12 there was a young girl on a bed, like an examination bed, she was partly dressed, in other
13 words she only had her underwear on.
- 14 **Q.** And this young girl, you said she was on a bed like, you said an examination bed, do you
15 mean like a doctor's bed or a hospital examination table?
- 16 **A.** Yeah, yeah, yeah, a doctor's bed or a, as such, it wasn't just a basic bed, it was like -- how
17 can I put it -- like, if you go to the doctor's and the doctor says to you to get up on the
18 examination table so he can examine you, it was very similar to that sort of thing.
- 19 **Q.** Right. And what was this girl wearing?
- 20 **A.** She was only in her underclothing.
- 21 **Q.** So when you were taken into this room, what was the next thing that happened?
- 22 **A.** I observed that there was other people in that room, there were a couple of men and a
23 couple of other nurses, I presumed they were nurses, they did actually have uniforms on.
24 One of the men was interfering with this young girl through her clothing, her private parts.
- 25 **Q.** One of the men was interfering with this girl, what was -- you said there were two men in
26 this room?
- 27 **A.** There were a couple of men there, yes.
- 28 **Q.** Was this man saying anything at that time?
- 29 **A.** At that time, no.
- 30 **Q.** You've said the nurses, the females there were wearing nurses uniforms. What about the
31 men, were they in staff uniforms or were they in casual clothing; can you remember?
- 32 **A.** They were in casual clothing.
- 33 **Q.** So this man was interfering with this girl, what did the people in the room, the adults make
34 you do?

- 1 A. I sort of had to stand there and sort of watch. After the incident I was made to give the girl
2 a wipe down around her legs and her private parts.
- 3 Q. Was that a staff member that made you do that?
- 4 A. That was the woman that, or the person that came over and got me.
- 5 Q. So after this occasion, what did you do, what was your coping mechanism?
- 6 A. I was actually shocked, I mean as a 13-year-old boy I thought this wasn't or shouldn't be
7 right, you know, I was meant to be in a safe haven, being a hospital for these kids, and this
8 was happening.
- 9 Q. Did you run away from Kimberley?
- 10 A. I did run away from Kimberley, yes.
- 11 Q. Were you then returned with no consequences, you were just returned and nothing was
12 said?
- 13 A. Yes. Yeah, I was returned with no consequences, no punishments, nothing said, nobody
14 asked me why I ran away or where I'd been, as such, and I just went back into Kimberley
15 like a visitor in the sense of it.
- 16 Q. From your understanding was that a bit unusual? When people run away was there
17 normally some kind of consequence?
- 18 A. It was very, very unusual because when I'd run away from Taradale, the boys' home out at
19 Hokio Beach, there was consequences, yes, and there was nothing, there was absolutely no
20 consequences whatsoever.
- 21 Q. Once you were back at Kimberley, did this nurse come over to your bedroom again in the
22 night and take you back over to this administrative office?
- 23 A. Yes.
- 24 Q. Can you tell us what happened on this next occasion when you were taken over to this
25 office?
- 26 A. On the next occasion the same thing happened, there was a girl in there up on beds, this
27 time she was undressed, a person interfered with her private parts again, as such. We were
28 made to, well, I was made to clean up, as such, and after I'd cleaned up and that I was taken
29 back to the dorm where I was. On the way back the nurse stated that it was going to be my
30 turn next, which I didn't sort of understand in the sense of it, and I just went back to the
31 dorm and went off to sleep.
- 32 Q. And was there a next time, was there another occasion where the nurse came and collected
33 you?

- 1 A. There were several occasions. I was there for two and a half years and in saying that, in
2 that particular time it would have probably happened probably around 100 times or more.
- 3 Q. Once this nurse had said to you it will be your turn next and then you were taken back to
4 this room, on that occasion what did you see when you entered the room on that -- that
5 time?
- 6 A. There were two young Māori girls in the room, they were up on these beds, they had their
7 legs spread, they were, how would I put the words, describe it, tied to things that looked
8 like crutches so that they couldn't close their legs, there was a man in there and he stated
9 that these girls were his girls and he put instruments into their private parts.
- 10 Q. You've said --
- 11 A. Then, in saying that, then, in saying that, I was made to sort of go and take these things out
12 and interfere, or -- with their private parts.
- 13 Q. The people that forced you and made you to do this against your will, if you didn't do this,
14 were you punished?
- 15 A. I was punished, yes.
- 16 Q. What did they do?
- 17 A. My punishment was that --
- 18 Q. What did they do to you?
- 19 A. My punishment was that they'd tie a piece of string around my private parts, which
20 was -- then tied to a chair and I was made to stand there so I couldn't move, so if I did move
21 the string would pull on my private part and it would hurt.
- 22 Q. You've said just before that this happened maybe even 100 times. Did this happen
23 regularly throughout your time? Was it every week there were nights when you were taken
24 over to administrative block?
- 25 A. It was probably, it could have been once a week, once a fortnight, once every three weeks,
26 as such, but in saying that, it could have happened more because, as I said, I did run away
27 from the place and I spent quite a time out in the community, so it was very, very hard to
28 say, but for myself it would have been for one, two, three weeks, you know, there were
29 gaps in between.
- 30 Q. Right. But when you were collected to go to this room, was it always at night time?
- 31 A. It was always at night time.
- 32 Q. And was it always in this front area near the entrance to Kimberley, the sort of
33 administration area of the institution?
- 34 A. Yes.

- 1 **Q.** When you were taken to this room, were you sometimes asked to do different things, or
2 was it always the same?
- 3 **A.** It was basically the same sort of thing, clean up after them, things like that, make sure that
4 they were washed down clean, that anything that was dirty was put into a bin so it could be
5 removed.
- 6 **Q.** Were there -- you've described there were female staff and then there were these men that
7 didn't look like staff. Did the female staff ever do anything to you, or make you do
8 anything to them?
- 9 **A.** No, there was one there, I don't know who she actually was, but she used to sit there
10 semi-naked, in other words, she'd sit in her chair and she was just in her under wear, as
11 such, and she would watch and give a bit of a giggle now and again, but she never sort of
12 did anything in the way of touching anybody or anything like that. The one that came and
13 picked me up at night and took me back, as such, she was more, I think she may have been
14 the, well, how could I describe, the ring leader would be the easiest way to say it so that
15 people understand where I'm coming from. She was the boss, in other words.
- 16 **Q.** So the ring leader or the organiser of this?
- 17 **A.** Yes.
- 18 **Q.** Can you recall, did this ring leader, staff member ever talk to the men or can you recall
19 anything the men ever said?
- 20 **A.** Yes, you could hear conversations from time to time out in the corridor where they would
21 ask how much or what, you know, for something or other or could they get, you know, a
22 different girl or -- and also could they possibly arrange to take a girl home with them over
23 the weekends.
- 24 **Q.** When they said could they possibly take a girl home with them over the weekends, did you
25 ever hear them say where home was?
- 26 **A.** No.
- 27 **Q.** And was it your understanding there was discussion around payment?
- 28 **A.** Yes.
- 29 **Q.** How many children were involved in this? When you were required to go to this room,
30 how many children were involved?
- 31 **A.** There could have been hundreds, I don't -- honestly I do not know, but there could have
32 been hundreds.
- 33 **Q.** When you were in the room on the days that you were taken there, can you recall how
34 many children you saw strapped to the beds?

- 1 A. On some occasions there was one, normally two, as such. I could hear them saying about
2 other girls coming in, as such, but once I'd finished what I was made to do, I was removed
3 from that situation so I didn't know if others were still coming from other places.
- 4 Q. Were there ever any other children or boys who were required to come into this room the
5 way you were?
- 6 A. There was another boy, he came into the room, I don't know what villa he came from, he
7 would have been probably around my age, and he was always made to do the same sort of
8 things that I did.
- 9 Q. The girls that you saw on the beds, did you ever get to talk to them?
- 10 A. No, we were not allowed to talk to them at all. We didn't see these girls out in the area
11 walking around or anything like that during the day, so we had no contact with them,
12 but -- at night time.
- 13 Q. When this was happening in the evenings, did anyone call these girls by any names or
14 nicknames?
- 15 A. No, the only thing that was said was by this gentleman and he referred to the two Māori
16 girls as his girls.
- 17 Q. So I'm going to ask you some questions about these adults, so you've described two
18 gentlemen or two men. Were there any other men or was it always just the same two men
19 that came in?
- 20 A. No, there were other men that came in from time to time, as such, there was also a man, he
21 may have had his son with him, they came in on, I think it might have been two occasions,
22 and they also did the same sort of things that these other men did.
- 23 Q. So there was a man that brought his own son into this room and did the same, interfered
24 with these girls?
- 25 A. That is correct.
- 26 Q. In terms of ages of these men, the father and son, what would you guesstimate their ages to
27 be at that time?
- 28 A. Oh, the male man, he would have been probably in his 40s, 50s, he was sort of going a bit
29 grey. The boy could have been from 16 up.
- 30 Q. How do you know he was the son of this older man?
- 31 A. Because he took an interest in this boy, and the boy took an interest in him.
- 32 Q. So you said there were other men, but did any of them come quite regularly, were there
33 some that would regularly be in the group?

- 1 A. Yes, there was always the regular two there that would come in, and the regular one was
2 the one that turned around and says that the Māori girls were his girls, he was there all the
3 time, and on odd occasions you'd have somebody else come in, like I said, this man and his
4 son, or you may have had another person come in which probably may have come in two or
5 three times.
- 6 Q. You've said earlier that you sometimes ran away from Kimberley. Did you run away
7 during this time as well, try to run away from Kimberley?
- 8 A. Yes, yes, I ran away during all this time in the sense of it, because it was an escape for me
9 just to get away from the place and get out of it, I made -- I'd run away probably from
10 Kimberley for the length of time that I'd been there, probably 20 to 30 times.
- 11 Q. Right. On one occasion, instead of running away from this room, did you actually sort of
12 hide out in the visitor's carpark?
- 13 A. Yes, I did.
- 14 Q. What did you do when you were hiding out in that carpark?
- 15 A. I observed the area where we were taken, there were two cars parked there, one of them
16 looked like a Humber, or something or other, and I was a naughty boy and I went over there
17 and let the tyres down.
- 18 Q. Right. One time when you ran away from Kimberley with a friend, I think a police officer
19 ended up picking you both up and putting you in the Police cells near the -- at the
20 Palmerston North Police Station, can you recall that occasion?
- 21 A. Yes, me and a friend did run away from there and we were picked up heading towards
22 Palmerston and we were taken to Palmerston Police Station -- he was actually a police
23 officer -- and we were put in the Police cells in Palmerston.
- 24 Q. When you were being put in the Police cells in Palmerston, did you try and speak to the
25 Police and tell them what was happening?
- 26 A. We did.
- 27 Q. Can you recall whether the Police that you were working -- or dealing with at that point, did
28 they write anything down that you were saying?
- 29 A. No.
- 30 Q. And once they'd put you in the Police cells, did they then take you back the next day to
31 Kimberley?
- 32 A. We were taken back that night to Kimberley, not by the Police, not by the Police.
- 33 Q. Who took you back to Kimberley?
- 34 A. It would have been the Ministry of Social Development staff members.

- 1 **Q.** Right. I've actually finished asking you questions about Kimberley now, Mr EI. I'm going
2 to ask you about what happened after your time in Kimberley, you were then put into
3 another foster home?
- 4 **A.** That is correct.
- 5 **Q.** And you were put into a foster home in Feilding number one, I think?
- 6 **A.** Feilding number one is correct.
- 7 **Q.** And, then, not long after that, you were also put in a different, a foster home that you've
8 called Feilding number two?
- 9 **A.** That is correct.
- 10 **Q.** Just in terms of those two foster homes, were they both similar or were they quite different?
- 11 **A.** Very, very different.
- 12 **Q.** Can you tell us what was the main difference?
- 13 **A.** Number one foster home was a slave home; number two, I was accepted.
- 14 **Q.** And when you say accepted --
- 15 **A.** As a family member.
- 16 **Q.** As a family member.
- 17 **A.** I was accepted as a family in number two.
- 18 **Q.** So in that second foster home you felt like a member of the family?
- 19 **A.** Correct.
- 20 **Q.** Then after sometime at that foster home I think you were with some other children and got
21 caught stealing some items, so that's when you were then taken to Epuni; is that correct?
- 22 **A.** From number two I was, yes.
- 23 **Q.** So when you were taken to Epuni Boys' Home, can you tell us a little bit about your
24 experience there?
- 25 **A.** Epuni was reasonably good, I did actually settle in there reasonably good, as such, but
26 again, being in a boys' home, as such, I still felt very, very uncomfortable being there. I did
27 run away from there a couple of times, as such, but I got on all right with most of the boys.
- 28 **Q.** When you turned 18 and were released from State care, can you tell us about that day, what
29 happened literally on the day that you were released from State care?
- 30 **A.** I didn't know that I was going to be released, I woke up in the morning, got myself dressed
31 as usual, went and had breakfast, around 9 o'clock I was called into the office and I was
32 told that I was being released, they turned around and says to me, "There's all your
33 property, as such, here's \$10, there's the door", gave me a kick in the backside and told me,
34 "Here's a railway ticket, go and catch the train."

- 1 **Q.** How did you feel about that?
- 2 **A.** I was absolutely shocked, I was gob-smacked. I thought, well, you know, here I am being
3 released just shoved out into the community with a \$10 note and having to wait around for,
4 I don't know how long, to catch a train back to Dannevirke.
- 5 **Q.** Yeah. I'm going to ask you some questions about the impact that your time in State care
6 has had on your life, because in your statement you've said that you had your heart torn
7 from you because you'd gone from one place thinking you were safe into another place
8 thinking you were safe and then on to another place. Can you tell us about the impact that
9 State care has had on your life?
- 10 **A.** It's had a terrible impact, because these things should never have happened.
- 11 **Q.** I think in your statement, Mr EI, you've said that the state robbed you of your childhood?
- 12 **A.** That is correct.
- 13 **Q.** Would you like to take a moment?
- 14 **A.** They took away everything, they took away my childhood, they took away my education,
15 and when I was released, in the sense of it, I never trusted anybody. You know, as an
16 18-year-old, I never really socialised, you know, in the sense of it, I found it very, very hard
17 to settle back into society because I never had the help there.
- 18 **Q.** Mmm. Mr EI, I'm going to ask you some questions about redress, just take you through
19 some of the processes that you've had to go through in order to try and seek redress. Is it
20 correct that you've filed or you did file for redress from the Ministry of Social Development
21 and that process took approximately four years to be completed?
- 22 **A.** That is correct, that is correct.
- 23 **Q.** And you did receive some financial pay-out and you received a letter of apology?
- 24 **A.** I did, yes.
- 25 **Q.** How would you describe that letter of apology, were you satisfied?
- 26 **A.** No, absolutely not.
- 27 **Q.** Then this year, I think in April or March of 2022, did you file a claim for redress from the
28 Ministry of Health?
- 29 **A.** I have.
- 30 **Q.** And -- so you filed that with the Ministry of Health, what have they told you so far about
31 how long it might be before they will get to your claim?
- 32 **A.** Probably another three years.
- 33 **Q.** And in terms of the Ministry of Education, have you also filed a claim for redress with the
34 Ministry?

- 1 A. Yes.
- 2 Q. And you filed that I think also around about April this year. What have they said to you
3 about how long it might take for the claim to be processed?
- 4 A. Around the three-year mark.
- 5 Q. Have you also been through an ACC sensitive claim process?
- 6 A. I did, I did file an ACC sensitive claim, yes.
- 7 Q. The first counsellor you received as part of that was not acceptable?
- 8 A. She was not acceptable, no. She was more interested in somebody else that was actually in
9 the waiting room. Every time I tried to say something to her I was shut down by her saying
10 that she'd already read my files, as such. The interview was meant to be for an hour, it was
11 only about 15 minutes. When she said, "Oh, I've got all the information I needed", as such,
12 I got up to go out the door, she stopped me and said, "Oh, one last question, do you drink or
13 smoke?" And I said, "No." She said, "That's all."
- 14 Q. Right.
- 15 A. And called the next person in.
- 16 Q. So she filed that assessment and then ACC declined your claim for a sensitive claim?
- 17 A. That is correct.
- 18 Q. But then did you appeal that decision and seek out a different counsellor?
- 19 A. I did.
- 20 Q. And as a result of having a much better experience with a different counsellor, did ACC
21 then accept your claim and you got a small pay-out from ACC?
- 22 A. I did.
- 23 Q. Mr EI, in your statement you've made some points around looking forward and how best to
24 move forward. Would you like to talk to the Commissioners about those in terms of the
25 point you've made around selecting foster parents. What's your view on that?
- 26 A. Yes. I think the State needs to look at the foster parents and the age of the child going to
27 these foster parents. When I went to these foster homes, as such, the foster parents were in
28 their 60s, or thereabouts, so they were really to me unsuitable to be taking on a child of
29 around the age of 15 plus. Now, if these foster parents were a younger age, in the sense of
30 it, they could have spent a lot more time with the likes of us and our needs and the fact they
31 could have helped us with homework, taken us places, as such, you know. The number one
32 foster home in Feilding, I never went anywhere, I was a slave to it. And I never got a
33 helping hand with homework or anything like that.

1 In number two foster home in Feilding I was treated like an individual, I had time to
2 go out and play, socialise, do things, and this is the thing that I think the Ministry of Social
3 Development needs to be looking at. They also need to take note of when foster kids say
4 something to them about situations. They need to really take note and listen to what these
5 kids are saying, their needs.

6 **Q.** I think that's another point you've expanded on in your statement, Mr EI, that you've said
7 when a child says something is wrong to someone like a teacher or a police officer, these
8 people need to respond appropriately.

9 **A.** That's correct.

10 **Q.** Thank you, Mr EI, that's the end of your evidence today, but if you are willing, then I'll just
11 check with the Commissioners whether they may have some questions.

12 **CHAIR:** Before we do, Ms Thomas, I'd just like to see you in the room just to discuss some
13 matters about the evidence and then we'll come back; is that all right?

14 **MS THOMAS:** Sure.

15 **CHAIR:** Do you mind waiting, Mr EI? We won't be very long, just a couple of minutes, I just
16 need to talk to the lawyer.

17 **A.** That's all right.

18 **Q.** We'll just go out and we'll come back quite shortly?

19 **A.** That's fine, that's fine, not a problem.

20 **Q.** Have a drink of water or something while you're waiting.

21 **A.** A glass of whiskey.

22 **Q.** That would be nice, wouldn't it?

23 **A.** I did get a laugh and a smile, so yes.

24 **Adjournment from 3.23 pm to 3.25 pm**

25 **CHAIR:** Sorry, you didn't have time to have any whiskey, Mr EI.

26 **A.** I'll have a gin instead.

27 **Q.** Maybe later, you'll certainly deserve it.

28 Now, Ms Thomas says that you wouldn't mind a couple of questions from the
29 Commissioners, I just want to double-check, is that okay for you?

30 **A.** That is okay, that is fine.

31 **Q.** Wonderful, thank you. I actually don't have any but I'm going to ask Commissioner Gibson
32 if he's got some questions for you.

33 **COMMISSIONER GIBSON:** Nothing further, Mr EI, but your evidence is very important and
34 what you've described, it's important for Aotearoa New Zealand to understand it and for

1 other people who have seen or witnessed anything similar to come forward and share as
2 well. So I really appreciate how hard it is, thank you so much.

3 **CHAIR:** I'm just going to ask Commissioner Steenson and then for her to thank you.

4 **COMMISSIONER STEENSON:** Tēnā koe, Mr EI. I have one question for you. It's just
5 around -- in your statement you talked about the injustice of how ACC works when you
6 went through that process, how they could have done more for you. Can you just -- are you
7 able to expand on what the injustice was? Thank you.

8 A. Yeah, I can probably expand on it a wee bit, I've just got to sort of think about it. Okay.
9 Now, with ACC, when I put my claim through to them and everything else I told them
10 about my experience in State care, Kimberley Hospital, what took place and everything like
11 that. They took that into consideration. Now, when I had my first interview, as such, she
12 had my files there, as such, but like I said, she wasn't interested in me as a person because
13 she kept on coming back saying she'd already seen my files.

14 Now, on my second interview this person took more time, as such, she went through
15 bits and pieces and talked about bits and pieces with me.

16 But in saying that, they weren't -- how could I put it -- based around my experience
17 in State care. So, in other words, they weren't concerned about my past history of being in
18 Kimberley Hospital being sexually abused, everything like that, they were more interested
19 in my person now, my health now, what can I cope with, you know, like can I stand at the
20 sink and do the dishes, and things like that. So it was based around my after of Kimberley.

21 **Q.** Okay, that's great, thank you for that answer. I just want to thank you so much for your
22 statement today and talking about what you've been through. We recognise that speaking
23 about these experiences is not easy, it's even more difficult to speak about it publicly, so
24 thank you so much for your bravery and we're truly grateful, you've been speaking your
25 truth today and helped us to understand what it was like for you as a child, being sent to
26 some horrific places like Kimberley and Epuni and the abuse that went on there. So once
27 again, Mr EI, thank you so much for speaking out. Tēnā koe.

28 A. It's a pleasure meeting you.

29 **CHAIR:** Thank you. You're now free to go and have whatever liquid refreshments you feel like.
30 We, for our part, will probably go and have a cup of tea because we're still working, but
31 thank you so much.

32 A. Well, you have -- all of you have a good day, thank you very much for taking the time to
33 listen to my -- to listen to me.

34 **Q.** Thank you. Good bye.

1 A. Good bye.

2 **CHAIR:** We'll take 15 minutes, we'll come back at quarter to four, thank you.

3 **Adjournment from 3.30 pm to 3.49 pm**