

**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
414 Khyber Pass Road
AUCKLAND

Date: 11 July 2022

TRANSCRIPT OF PROCEEDINGS

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OPENING STATEMENT BY PEOPLE FIRST

MR ROGUSKI: Tēnā koutou katoa, good morning, my name is Kris Roguski, I am the national chairperson of People First New Zealand.

MR SIONE: Tēnā koutou katoa, good morning, my name is Ronnie Sione, I am a national committee member for People First New Zealand.

MR ROGUSKI: We are speaking today on behalf of people with learning disability who have lived in institutions or State care who have now passed away and for those who will not have the opportunity to have their voices heard. We will speak about the way people with learning disability were treated in the past and how this still affects us today.

1 First we will tell you about our organisation. People First is a disabled
2 organisation -- People First is a disabled person's organisation, a DPO, it is run by us and
3 for us. We are New Zealand's only DPO for people with learning disability. Our mission is
4 to empower and assist people to be strong and valued individuals in New Zealand.

5 **MR SIONE:** We have 40 local groups in six regions around the country in New Zealand with 800
6 members. We use the term "learning disability" rather than "intellectual disability" as
7 members think it is more respectful. Members meet to learn about their rights and how to
8 speak up for them. People also speak on issues that are important to us and having the
9 same rights as all New Zealanders. Members speak up in their community nationally and
10 sometimes internationally.

11 **MR ROGUSKI:** All our work is about putting in place the rights in the United Nations
12 Convention on the Rights of Persons With Disabilities, the UNCRPD. We want to make
13 sure people with learning disability have a good life. People First was first set up in the
14 1980s in IHC. Members wanted their own organisation. In 2003 an incorporated society
15 was formed. The elected presidents from the six regions made up the national committee.
16 We have two independent advisories to assist us. We work with other DPOs on shared
17 goals as part of the DPO coalition.

18 **MR SIONE:** Today at People First New Zealand we assist people, giving them information and
19 advice about their rights and the support they can get. We run, also we run courses for
20 people with learning disability. One of these courses is about staying safe in the
21 community. This course is important because we often experience abuse daily. The course
22 teaches us what is abuse and -- the course teaches us what abuse is and what to do about it.
23 We run the service that translates information into Easy Read. Easy Read is a format that is
24 more accessible for people with learning disability.

25 **MR ROGUSKI:** We are speaking today because we want to make sure we are not forgotten about
26 in this Inquiry. We are aware that only a few people with learning disability have told their
27 stories but we know many thousands experienced institutionalisation and its effects. These
28 experiences were in places like large institutes, hostels, residential schools and group
29 homes. Some people still live in these situations today, but no matter where people are
30 living today, most of us still live with the legacy of institutionalisation.

31 Many people have died before this Inquiry began or have not had the opportunity to
32 have their say. We are wanting to be their voice and the voice of our members. We want
33 you to leave no-one behind in our recommendations to Government.

1 **MR SIONE:** In the past many people with learning disability were removed from their family and
2 sent to large institutions. This often happened when they were babies or very young
3 children. The large institutions were away from cities and towns, out of sight and out of
4 mind. We know bad things happened at the institutions.

5 There was violence and abuse, very little education, no choices, no control, not a
6 family life, no community life. In 2001 it took People First New Zealand to march to
7 Parliament. We handed over a petition, then the Government decided to close Kimberley in
8 Levin. While these large institutions are now closed, many people still live with a legacy of
9 institutionalisation.

10 Instead, today, around 5,000 people live in group homes, some living in flatting
11 situations and others live at home with aging parents or family members. We often
12 don't -- we do not get a choice where we live - who we live with, where we live, how we
13 live. Many of us have a lack of choice and control over our lives. We are often separated
14 in life through things like special schools and units, day places - and special sports.

15 **MR ROGUSKI:** We would now like to show you a film People First made called "I am a citizen
16 too." This film shows some People First members saying some of the things they
17 experience and what needs to happen. It was made from a set of questions that members
18 came up with for candidates in the 2017 general election. This message is in the film. The
19 messages in the film are still right for today.

20 **[Video played]**

21 "To have a good life we need all people in New Zealand to work together. This
22 means government and local government services, family, disabled people and other New
23 Zealanders too.

24 (Money) "Lots of disabled people spend all of their adult lives on a benefit, and
25 don't have enough money to live on. Some people have to choose between buying food and
26 going to the doctor. I need money to live just like everyone else."

27 (Health) [the original of the following section was in Toi Keluan – the English
28 translation follows] "Good health. Many people are unhealthy. Doctor's don't talk to us and
29 explain our health. This needs to change. We need to listen to each other."

30 (Keeping safe) "People with a learning disability are more likely to be abused. It is
31 not okay. The Police and anti-violence agencies are not trained to work with us. This needs
32 to change."

1 (Education) "I have the right to an education. I should be able to learn alongside
2 other people in regular included schools. I should be able to study as an adult as that is
3 what I want."

4 (Media) "The media and other people in my community say things like I suffer from
5 my disability or I have the brain of a child. These things are not true and they have a bad
6 effect on our lives. How you speak about us matters."

7 (Disability support) "The support I need is different than other people. I need a
8 disability support system that makes sure I get the services that are right for me."

9 (Housing) "The 2013 disability survey found that disabled people are more likely to
10 live in rental houses that are damp and hard to keep warm. I have a right to warm, dry
11 houses that I can afford."

12 (Abuse) "People treat us differently, disrespect us and make fun of my friends and
13 me. Article 8 of the United Nations disability convention says that governments need to
14 make sure that disabled people are treated with respect."

15 (Work) "I want to have a job. Most places will not give people with learning
16 disability a chance. I want a chance to prove I can be a good worker."

17 (Access) "I need to get information in ways I can understand. I also need to be able
18 to get out and about in my community easily. We need a law about accessibility to mak e
19 sure these things happen. I am a citizen too."

20 "I am a citizen too." "I am a citizen too." "I am a citizen too." "I am a citizen too."
21 "I am a citizen too." [the original of the following section was in Tokelauan – the English
22 translation follows] "I am a New Zealander, of Aotearoa." "I am a citizen too." "I am a
23 citizen too."

24 "To have a good life we need all people in New Zealand to work together. This
25 means Government, local government services, families, disabled people and all other New
26 Zealanders too. What can you do to make a difference?"

27 **MR ROGUSKI:** As you can see, things like violence and abuse, widespread discrimination, old
28 ways of thinking and out-of-date language are still happening today. We want the same
29 rights and opportunities as everyone else. We want to get rid of old laws that mean we get
30 treated worse than others, like the minimum wage exemption. This means you can pay
31 disabled people less than the minimum wage. We want to have a good life on an equal
32 basis as others. If we people with learning disability are not an everyday part of our
33 communities, then we stay out of sight, out of mind and continue to experience
34 institutionalisation.

1 On behalf of those we speak for, please remember us in your recommendations. As
2 Robert Martin, a life member of People First says, "It is not just bricks and mortar that
3 make an institution, it is the thoughts, feelings and actions of others."

4 Thank you for listening.

5 **COMMISSIONER GIBSON:** Thank you, Kris; thank you, Ronnie, that was brilliant, it's a voice
6 which New Zealand doesn't hear, Aotearoa New Zealand doesn't hear often enough and we
7 need to hear it and we need to respond to it, so we really appreciate it.

8 And thank People First, thank you, Cindy, thank you for your advocacy over the
9 time and the strength, the stories which have been told which have led to this Inquiry and
10 which are now going to transform things in the future. Thank you, kia ora.

11 **CHAIR:** I now invite counsel for the Crown, Mr Gregor Allan, to make an opening submission on
12 behalf of the Crown. Tēnā koe, Mr Allan.