

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
MĀORI 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: Ms Julia Steenson
Dr Anaru Erueti
Mr Paul Gibson
Judge Coral Shaw
Ali'imuumua Sandra Alofivae

Counsel: Ms Julia Spelman, Mr Kingi Snelgar, Mr Wiremu Rikihana,
Mr Luke Claasen, Ms Maia Wikaira, Ms Alisha Castle,
Ms Tracey Norton, Ms Season-Mary Downs, Ms Alana
Thomas, Mr Winston McCarthy, Mr Simon Mount QC,
Ms Kerry Beaton QC for the Royal Commission
Ms Melanie Baker, Ms Julia White and Mr Max
Clarke-Parker for the Crown
Mr James Meagher for the Catholic Church
Ms Fiona Guy Kidd for the Anglican Church
Ms Sonya Cooper, Ms Amanda Hill as other counsel
attending

Venue: Ngāti Whātua Ōrākei Tumutumuwhenua Marae
59b Kitemoana Road
Ōrākei
AUCKLAND

Date: 17 March 2022

TRANSCRIPT OF PROCEEDINGS

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1 **COMMISSIONER ERUETI:** Kia ora ano and welcome back. We're going to start now with the
 2 prerecorded evidence of Mr Stuart Harris of the Harris whānau. This, again, will be played
 3 in two parts. The first part will take just about an hour which will take to us the lunch
 4 break at 1.30, and then we'll come back from lunch at 2.15 for the other remaining hour.

5 I'm just going to check with our tech people to see if they're thumbs up for us to go,
 6 ka pai e hoa. Okay, ka pai.

7 **STUART HARRIS**

8 (Video played).

9 **STUART HARRIS:** "Ki te taha o tōku māmā, anei tōku pepeha. Ko Taniwha rāua kō Ruapehu
 10 ōku maunga. Ko Mangamuka rāua ko Ngāti Whanganui ōku awa. Ko Hokianga te moana.
 11 Ko Ngātokimatawhaorua tōku waka. Ko Te Rarawa rāua ko Ngāti Uenuku ōku hapū. Ko
 12 Ngāpuhi rāua ko Raetihi ōku marae. Ko Mareta May Tuaine Kerei tōku kuia. Ko Joseph
 13 Riley Harris tōku koro, ko Joyce Ariki Harris tōku māmā.

14 [English: On my mother's side here is my pepeha: Taniwha and Ruapehu are the mountains,
 15 Mangamuka and Whanganui are the rivers, Hokianga is the sea, Ngatokimatawhaorua is the
 16 canoe, Te Rarawa and Ngāti Uenuku are my hapū, Ngāpuhi and Raetihi are my marae,
 17 Mareta May Tuaine Karei is my grandmother, Joseph Harris is my grandfather. Joyce Ariki
 18 Harris is my mother.]

19 Ki te taha o tōku pāpā anei tōku pepeha. Ko Matawhaura te maunga. Ko Rotoiti-i-kite-ai-e-
 20 Ihenga te moana. Ko Ngāti Pīkiao te iwi. Ko Ngā Pūmanawa te marae. Ko Rangitaratara
 21 Pihana tōku kuia. Ko Arthur Mihaka tōku koroua. Ko Mikaire Tūaroha Mihaka tōku pāpā.

22 [English: On my father's side my pepeha is: Matawhaura is the mountain, Rotoiti is
 23 the lake, Ngāti Pīkiao is the tribe, Ngā Pūmanawa is the marae, Rangi Taratara is my kuia,
 24 Arthor Mihaka is my grandfather, Mikaere Mihaka is my father.]

25 That's what I learned about my father's pepeha.

26 **QUESTIONING BY MS HILL:** Thank you. So you've set out for us your whakapapa on your
 27 mum's side, the Harris side of the family, and your dad's side as well, the Mihaka side of
 28 the family. And just for the recording, so your full name is Stuart Maru Harris.

29 A. Yeah.

30 Q. When were you born?

31 A. I was born in 1984.

32 Q. Cool. You can put that away if you need to and we can just talk if you like. One of the
 33 things that your mum talked about, when she gave evidence was your early years when
 34 you're living with her up North when she was with her foster family, and you're going to

- 1 kura and things like that. Can you tell me a little bit about that time, what do you
2 remember?
- 3 **A.** For me I remember just being like with my nan and always we had a routine where we got
4 up every morning, we done our karakias, we got ready for school, even though we didn't
5 really, like – my nan and them, we had our --- she didn't have much, but she always made
6 sure we were clothed and fed and, yeah, it was beautiful staying with Nan until the flood
7 came.
- 8 **Q.** Yeah?
- 9 **A.** Yeah.
- 10 **Q.** And what did you speak at home, English or Te Reo?
- 11 **A.** Te Reo, and Nan always talked to us in Māori. We actually could --- we all, all of us kids
12 talked in Māori to each other. Yeah.
- 13 **Q.** So did you spend time at your marae around there?
- 14 **A.** Yeah, we always done kapa haka at the marae every weekend, and, yeah, it was good, like
15 just learning about our roots and knowing where we came from, it sort of helped us
16 understand, yeah.
- 17 **Q.** So when you talk about your nan, is that your mum's foster ---
- 18 **A.** Foster mother, yeah, yeah.
- 19 **Q.** Did you have any connection with your mum's natural mum, like?
- 20 **A.** My nan, my nan nan? Yeah, I did, with my nan mum's mum, they were really lovely,
21 Nanny and Koro, yeah.
- 22 **Q.** So that way did it feel like you had, like, a proper family life, like you were all together
23 with your mum?
- 24 **A.** Yeah, it was, like, I was with my family, we were all together and then we were all split up.
- 25 **Q.** Because one of the things you talked about in your statement was how things changed
26 when your sister died?
- 27 **A.** Yeah.
- 28 **Q.** And things got quite hard for you, didn't it?
- 29 **A.** Yeah, it actually got hard for all of us, eh, the whole family, not just my mum
30 and - everyone got affected, like even my cousins, the ones that were all there, for some of
31 them -- it actually happened on my cousin's birthday, they were all together on that night,
32 yeah.
- 33 **Q.** Because by then you'd come down the island eh, you weren't living with Nan anymore?
- 34 **A.** No.

- 1 Q. So you came down with Mum, is that right?
- 2 A. Mum had come up and got us, she missed us.
- 3 Q. Yeah. So who were you living with when your sister passed?
- 4 A. With Mum and Aunty Te Enga actually, yeah, and, I was with Aunty Te Enga the night
5 when my sister died, and the Police came around and woke us all up.
- 6 Q. Your records from CYFS talk about that early time when you were about eight and you
7 weren't going to school and talk about your family being involved with the Black Power.
8 What was that time like for you, what do you remember about being around the Black
9 Power and life with your mum at that point?
- 10 A. From what I learned one thing with the Black Power was like they actually had become part
11 of our family. I was especially close with my mum and dad as they were both senior
12 members, Mum and Dad, and then not until my early adulthood where I started to realise
13 why they had turned to gangs and it was pretty much for the way that they were brought up,
14 because I didn't really know much about my mum's lifestyle until I got a bit older to
15 understand. And then she did tell me that the gangs took her off the streets and they took
16 her in and gave her a place to stay and made her feel like family, and she said that she,
17 yeah, she was the youngest in there. She became the Sergeant of Arms at 16.
- 18 Q. Yeah?
- 19 A. Of Manuka Wahine, for Akarana. Dad's pretty much been in the Black Power since he was
20 14, he's like 61 now, 60, and he's still in the Black Power to this day. He's going to
21 probably die like that. But in saying that, for me being, when I was born, I was pretty much
22 made patched at birth into the gang, and all this sort of happened. I thought like maybe if I
23 had a different – like my parents weren't who they were, and probably could have been an
24 All Black or something different, I don't know, but yeah, it's pretty hard to find much
25 families out there where both their parents and then their kids, and their kids, but, like, for
26 my kids I don't really like — even though for me myself the gangs still consider me as
27 being an active gang member, I don't pronounce around my kids or anybody,- enforcing
28 that lifestyle on anybody. Because there's good and then there's another side, but everyone
29 makes their own individual choices in the gang, so if you want to make silly choices you
30 can take the silly consequences. But then there's actually the gang members these days
31 within the organisation that are trying to help our young ones and steer them away from the
32 gangs and the reasons why, because it's not all roses and flowers unfortunately. But for me
33 it's different when you're born into it, you don't have to prove yourself, you don't have to
34 explain yourself, you know, you can't change who you are, you are who you are.

- 1 **Q.** Because in your records one of the earliest records that CYFS made was saying that you're
2 getting into a bit of trouble but the Black Power had started a whole lot of activities for kids
3 and your records actually say the Black Power are looking after their own?
- 4 **A.** Yeah.
- 5 **Q.** And they closed their file. They seemed, okay, happy with that?
- 6 **A.** Yeah.
- 7 **Q.** So they were ---
- 8 **A.** They were actually doing good for us, they had us on programmes, they used to take us out
9 doing like, going camping down at the river and getting trout and whitebaiting, but then for
10 me myself, still dealing with the grief and loss of everything, of my sister and that, I didn't
11 listen to my uncles and I think they just had enough of me and they didn't want me
12 anymore.
- 13 **Q.** Well, you're still pretty young at this point, right, we're talking eight or nine, you know,
14 you're only a little one?
- 15 **A.** Little one, yeah.
- 16 **Q.** Yeah. And in your records, they talk about social workers visiting your mum, because you
17 were running away and not going to school, and your mum is saying that she was a bit of a
18 softy in terms of discipline, because of the way she was brought up. Is that your memory of
19 her, that she was very gentle and...--
- 20 **A.** She was quite thing to us, she didn't - she never used to really yell or hit us or nothing, she
21 was kind, you know, just for Mum is -- yeah, I used to --- I don't know, I just didn't like
22 staying home. It wasn't the same without Sister around, eh, when she left.
- 23 **Q.** In those early days when the social workers are visiting and things like that, they knew that
24 your sister had died and that it was hard for you. Do you remember getting any help, like
25 any counselling or anything to try and help you sort that out?
- 26 **A.** I remember one time getting some counselling with Tom Tait, but I don't know what that
27 --- I think he tricked me with that, he told me, he told me anything and then I ended up
28 staying with him for longer.
- 29 **Q.** And we'll come on to him now actually and just to be clear, he's passed away?
- 30 **A.** Yeah.
- 31 **Q.** So we're going to use his name. He was the first time that you were in a CYFS placement,
32 eh?
- 33 **A.** Yeah.
- 34 **Q.** So what was he like? Where did you go with him?

- 1 **A.** When I first got there I didn't like it, it was pretty scary. Yeah, because like where the
2 house was – because there's a house and then there's these baches that are out like out in the
3 paddock, and he made me sleep out there in the dark, and I was only - I- was little, I was
4 scared of the dark. I used to sleep with the light on, he always used to turn it off and tell me
5 to don't turn the light on, and locked the door so I can't get out.
- 6 **Q.** Because you were still quite little, eh, like you're only, this is what '94, so you're only little.
7 And in your statement you talk about him being quite abusive. Can you tell me a little bit
8 about that?
- 9 **A.** Yeah, he used to -- he'd like to say, "You're just a mongrel bastard, and that's why nobody
10 wants to." "You're here, listen to me", if you don't listen, you get all these
11 punishments. -He used to make me have to work for him in the morning, all the way until
12 nearly the sun's dark and sometimes it's picking up prickles with our hand.
- 13 **Q.** Because it was a farm, eh?
- 14 **A.** Yeah, paddocks. The most paddocks I done in one day was four paddocks, big paddocks,
15 and pull all the prickles, thistles and ragwort out with my hands. Because that's what you
16 get when you go there, if you don't listen. And if you really don't listen then yeah, one
17 morning he did, gave me a really good hiding, and I was seeing stars.
- 18 **Q.** You talked about that in your statement because he thought you'd stolen a cassette tape or
19 something?
- 20 **A.** Yeah, from school, my mate Wai – I had got the Jimmy Cliff tape and asked if I could
21 borrow it, but she said no, and I still took it anyway and then she rang and Tom found out
22 and he then he asked me where's the tape, I said it's in my bag, and then I was having
23 breakfast and then he just grabbed it out of my bag and came straight and boof, yeah, I was
24 in a backward slip straight off the table.
- 25 **Q.** So he hit you and you went backwards?
- 26 **A.** Picked me up by my ear and there's blood everywhere and -- redacted -- was telling him to
27 stop but ---
- 28 **Q.** His wife telling him to stop?
- 29 **A.** Yeah. But he said this is what we think of people that steal from school, yeah, and he just
30 rammed my face in the sink and was hitting my face under the tap, telling me to wash my
31 own blood from my face.
- 32 **Q.** There were other boys living there as well, eh?
- 33 **A.** Yeah, there was a few boys there.
- 34 **Q.** Were they treated like that as well?

- 1 A. Yeah, if they get out of line, yeah.
- 2 Q. And we'll come on in a minute to the complaint that you made?
- 3 A. Yeah.
- 4 Q. And then we might just take a little pause after that, okay? One of the things that happened
5 while you were living on this farm is a Family Group Conference. Do you remember
6 what- the FGCs, the Family Group Conferences – do you remember going to them?-
- 7 A. Yeah.
- 8 Q. You had a few of them?
- 9 A. I had a few there, yeah.
- 10 Q. And in the early ones they -- the social workers and your whānau agreed that you'd go back
11 to living with your mum ---
- 12 A. Yeah.
- 13 Q. --- in Kaitaia?
- 14 A. Yeah.
- 15 Q. And they had this whole plan about visiting her every month?
- 16 A. Yeah.
- 17 Q. And then moving to live with her when she had a house. But that didn't happen, did it?
- 18 A. No, it didn't happen.
- 19 Q. So in your records it shows that they didn't really trust her to bring you back to Taupō?
- 20 A. No. Mum did visit, she came but then when Mum came they were telling her, "You can't
21 just come here" and she said, "I want to see my son, I want to see my son, like, how is he, is
22 he all right?" They said, "You can't just turn up here like that", and she was telling me, "I'm
23 going to get you back, son", and she left and then Dad turns up, they try to tell him to go
24 but he didn't listen and he turns up with my uncles, and he asked if he can take me out and
25 took me to McDonalds, with uncle (inaudible) and then he bloody took me back, yeah.
26 And he asked me if -- my dad sort of knew something's been happening to me there, he
27 kept asking me, yeah. "Are you all right, son? -Is those fullas being good to you."
- 28 Q. Around that time you had a social worker -- redacted -- you?
- 29 A. Yeah, she was my aunty, Aunty GRO-C. Yeah, she was good, Aunty GRO-C, but then
30 again she was sort of, like, because we're family it's different and with her being family, she
31 thought, well, we'll try and discipline this fulla and send him to -- but she didn't know what
32 I was trying to tell her, but I don't- know what happened with Aunty.
- 33 Q. Do you think it would have been different if your social worker wasn't related to you?

- 1 A. Probably would have been different, yeah.
- 2 Q. Because in your records, it's in your file, you made a complaint about Tom Tait and you
3 talked about that, yet when you talked about being beaten up after stealing the cassette
4 tape ---
- 5 A. Yeah.
- 6 Q. -- and it's- actually in your records, they wrote it all down, and it looked like from your
7 records that you weren't the only person to complain about him. Do you remember talking
8 to your social worker?
- 9 A. Yeah, I told her, I remember sitting there with her and Dad and then my dad, like, talking to
10 her, telling her, "I'm sure this fulla's telling me that he's not been good at that place", you
11 know, and I told Aunty, and then Aunty was, like, you know, "But are you all right, boy?
12 I'm going to have to send you back there because we've got nowhere else to send you."
13 And I said, "I don't even wanna go back there." But she still sent me anyway.
- 14 Q. In your records there's just a couple of pages but it's clear that you'd talked about being
15 beaten up and there's a letter from social workers saying that nobody should be placed back
16 with him. But you went back?
- 17 A. [Nods].
- 18 Q. But then you started living with dad after that, eh?
- 19 A. Yeah.
- 20 Q. What was living with your dad like?
- 21 A. Living with my dad was actually, it was good, because for me when I look at it he was
22 actually trying to be a dad to us, and he'd just got out of jail himself and still being a gang
23 member and being a dad, getting his kids out of CYFS, but his way was, you know, just
24 don't bring the Police home, and those were his rules. I don't care where you go, son, you
25 listen and you don't bring those Police back here. But I always ended up bringing the
26 Police back.
- 27 Q. And it wasn't just you, was it, you had your sister with you?
- 28 A. My sister, yeah.
- 29 Q. In your records it talks about you and your sister sniffing glue around that time and coming
30 to the CYFS office with paint around your mouths and stuff like that?
- 31 A. Yeah, we were pretty quite bad for that, me and my sister, around here in Taupō, all of my
32 family, they all used to find us down the lake.
- 33 Q. When did that start? When did the glue sniffing start?

- 1 **A.** Pretty much not long from when I came out of that Tom Tait's, and then learn about my
2 sister, yeah.
- 3 **Q.** So after your first placement really, and you were back home sniffing the glue?
- 4 **A.** Yeah, and it used to be quite bad like sniffing down there all the time, going to Social
5 Welfare covered in glue. Like everything's brand new, clothes brand new, shoes, price tags
6 and all glue, and Aunty Ani's looking at me like, eh; I didn't even know I had that on my
7 face. But my dad did, that's why he bashed me, always bashed me, if he seen one little bit
8 of paint or any smell of petrol, "You've been sniffing", bam. But I still continued to do it.
9 Because I didn't know how to deal with everything.
- 10 **Q.** It's a good time to talk about – it's a bit of a segue but what home means, what, you know –
11 you had all of these different places that they took you to when you were a kid, but when
12 we talk about home or tūrangawaewae. Where is that for you, do you feel like there's a
13 place where you go "This is home, this is..."
- 14 **A.** Yeah, I'd say like for me, like, I always know from my whakapapa I started to learn from
15 my mum, I learned, like, for us this is Mangamuka's home in the far north on Mum's side,
16 but for me on Dad's side it was always Taupō. This was our home where we all come to
17 and so you've sort of got Taupō and then --- but then I started to search more and that's
18 actually and Rotoiti is where Dad is from-.
- 19 **Q.** Oh, okay.
- 20 **A.** And Ngāti Pīkiao, my nan, and my koro's buried here in Taupō over in Bird Hill, and he
21 wanted to be buried here to be closer to his children, Dad and all his brothers and sisters
22 were born in Taupō Hospital, and brought up by my grandmother. My dad's dad died at a
23 young age when he was only a little kid, my koro. My nan brought 11 children up by
24 herself.
- 25 **Q.** Wow.
- 26 **A.** She just died recently, two years ago, nanny Mihaka, at the age of - I- think she was 85,
27 yeah, 88.
- 28 **Q.** Okay.
- 29 **A.** She was a beautiful lady, my nanny Mihaka, I always wondered why my dad was the way
30 that he was, but I learned at my grandmother's tangi that he was the way he was because he
31 was brought up different, he was brought up hard.
- 32 **Q.** Right.
- 33 **A.** Yeah, and that's why he was like that, brought up by his uncle, and he was pretty hard on us
34 when he had to be. But that's why he was like that.

- 1 Q. So you had your mum who you said yourself she's quite a softy and didn't want to be hard
2 on you and you had your dad, on the other hand, who was quite hard on you?
- 3 A. Yeah.
- 4 Q. So that's two very different parents, eh?
- 5 A. Yeah, yeah. Like, so for my dad, I knew even though he was hard on us, I knew he loved
6 us, but he just didn't know any other way, like, yeah, just got so many hidings I think he
7 just must have gave up because it just didn't work, you know. But now you can probably
8 just touch him like this and he'll fall over. Back then I was scared.
- 9 Q. A bit different now between you?
- 10 A. (Inaudible).
- 11 Q. One of the things that I could see in your records was that your social worker, your aunty,
12 would give him pamphlets or tell him to go and enrol you at school or say, "You need to do
13 this for Stuart", but you were in CYFS custody?
- 14 A. Yeah.
- 15 Q. You know, the State was-- your guardian?
- 16 A. Yeah.
- 17 Q. It was the person who had custody and was supposed to be doing these things, so it was
18 actually your social worker's job but she's saying to your dad, "Go and enrol Stuart in
19 school?"
- 20 A. And he did.
- 21 Q. Yeah.
- 22 A. He did, he took me to school, he enrolled me, everything she asked me to do, he done it.
23 And even to the point where -- I didn't like school, I wanted to just keep running away,
24 running away from school, and one time the school rang up and said that I hadn't been at
25 school for three or four weeks and my dad thought I was going to school every day, and
26 he's like, "Hey, where have you been?" Then he started to get clever and he started to walk
27 me right to the class and say, "Look, I've got him, he's here", but I waited for him to go and
28 then I'd wait for the break, ask if I can go toilet and then I'd run away again. -But then he
29 got clever and he found me and he waited in the alleyway because he knew where I was
30 walking, and he waited and waited and I thought I got away until I got in the alleyway and
31 he was waiting for me.
- 32 Q. And back to school?
- 33 A. Yeah, "Where are you going?" Oh, I told him, "I don't want to go to school", and he goes,
34 "Come on then, you can come home."

- 1 Q. Yeah.
- 2 A. "I don't know what to do with you, boy."
- 3 Q. Yeah?
- 4 A. Yeah, "You don't listen", but yeah, then I talked to him about what was happening to me
5 and stuff, and he sort of like, yeah, he doesn't want me back those places, but Aunty did.
- 6 Q. Because in your statement you talk about your dad not being able to read or write very
7 well?
- 8 A. No.
- 9 Q. So he didn't have much education, do you think?
- 10 A. No, he didn't, he was pretty much, like, illiterate, yeah. And Nan, like, had given him all
11 this land, he's still got it until this day, but he doesn't want nothing to do with it. And Nan,
12 he said, that when he put that patch on, Nan didn't want to know him anymore. She said
13 that's Satan. She's always been to church.
- 14 Q. Ah, okay.
- 15 A. And he used to go round with us and go see my nan, and my nanny used to tell him to take
16 his patch off and he didn't listen, just told her, "I'll take you off." "Go see your nan, go on."
17 I'll go by nan and then we'll go back by Dad.
- 18 But she taught us all about Jehovah and all this spiritual stuff. When we go we
19 don't know nothing about that and Dad just taught us all about Black Power this and Black
20 Power that and Black Power everywhere.
- 21 Q. So you got the whānau in the far north who are in your early years that's the te reo, that's
22 kura, you're up at Mangamuka, the marae, come down and you've got this Black Power and
23 Jehovah's witness?
- 24 A. My nan, yeah.
- 25 Q. That's a lot of different family situations, that's a lot of different kaupapa?
- 26 A. Yeah.
- 27 Q. And you stopped going to school, really, didn't you, around this time?
- 28 A. Yeah, school, I sort of - I- went to a few schools, eh, moving around, but I never stayed
29 long. I didn't last long at school. Then when I went to school in Horohoro, yeah, I didn't
30 last long there.
- 31 Q. In your statement you talk about getting expelled when you were about 12 and not really
32 going back?
- 33 A. Yeah, from Taupo Intermediate, that was my last school I ever went to, like, for a proper
34 education on the outs- --and the rest of my school I learned in prison and boys' homes.

- 1 **Q.** Because the last school on the outside, that was what you were about to say, eh?
- 2 **A.** Yeah.
- 3 **Q.** When we get into history you really are, you're in these programmes and homes and what I
4 can see from that is a little bit of correspondence school, but not really proper school, was
5 it?
- 6 **A.** No, not really, no proper school.
- 7 **Q.** The next thing that I wanted to talk about in your statement was that you got arrested in
8 1997 for stealing a jacket, of all things, and that was the first time you went into the Police
9 cells?
- 10 **A.** Mmm.
- 11 **Q.** For stealing a jacket?
- 12 **A.** It was here in Taupō, yeah, I did, I stole a jacket in the shop downtown. I walked past, I
13 was cold and I saw the jacket and it was outside, I grabbed it and put it on and I was
14 walking, hey, and I ran, they caught me. Because they knew me.
- 15 **Q.** So you were pretty known by the Police around there?
- 16 **A.** All around town. They say, eh, that's that boy, that's that kid, he stole a jacket.
- 17 **Q.** Your aunty is still your social worker at this point and the Police put you in the cells, you're
18 12, eh?
- 19 **A.** Mmm.
- 20 **Q.** And I can see from your records that the social worker wrote: "I was aware that he was
21 underage but there was no safe place to put him. Police indicated that they would be able
22 to hold him as long as I signed consent."
- 23 **A.** They left me in the cells for ages.
- 24 **Q.** What was that like, the first time in the cells?
- 25 **A.** I used to just look like far is this where my dad goes? Always wondered, because
26 I remember visiting him in Paremōremo, Waikeria – my mum, but I never knew, I always
27 wondered where's he going, what's that place? And then I did realise when I was at Mount
28 View Primary in Taupō, my principal asked me, he said, "There's two paths", he drew this
29 picture, there's all this family and flowers, and there's this path down this tunnel, and it's got
30 bars. And he said, "This is the way you're going. Which way do you want to go?"
31 "I choose that way." He goes, "Why do you want to go there?" "Because I want to know
32 what it's like with my dad." And when I got there I thought — when I first got in there I
33 was like, "What's this?" I went through all the emotions, crying, sad, laughing, talking to
34 the walls, singing. What's happening with me? Where's my parents? Where's

- 1 Aunty? -Where's -- they're not helping me." Like, yeah, I got very used to being confined
2 like that, mmm, at a young age-.
- 3 **Q.** It wasn't just once, your records have you going in and out of the Police cells quite a lot --
- 4 **A.** Mmm.
- 5 **Q.** -- in that first year?
- 6 **A.** Yeah.
- 7 **Q.** I say the first year, when you were 12, 13?
- 8 **A.** Yeah.
- 9 **Q.** Even though you weren't old enough?
- 10 **A.** Yeah, I actually started at a young age counting all the police stations that I'd slept in, I've
11 been to these police stations, all my mates I started meeting them at boys' homes, "Yeah,
12 we went to that police station, this police station." We were all the same.
- 13 **Q.** Yeah?
- 14 **A.** At young ages and then we'll meet up at other places. You're over here, yeah, we're over
15 there, and carried it all the way up until our adulthood, to our prison years, and now some
16 of them are -- like, they are never going to see the light of day again, they're never getting
17 out of prison, they're doing 32 years, 33 years. It was, like, you know, if we had different
18 upbringings we wouldn't be in this place, but they're never going to get out.
- 19 **Q.** What do you think about your aunty, your social worker saying there was no other safe
20 place for you?
- 21 **A.** Yeah, I think she sort of just -- yeah, she said that nobody wanted me in Taupo,
22 nobody. -But I knew somebody would have wanted me but she didn't try, just left me there
23 -- think I'm going to show him, I'll show him and leave him there and see if he'll learn.
24 That's probably where Aunty was coming from. But when I told her, "No, that's not
25 teaching me, Aunty, leaving me in there", she said, "Well" I don't know, she didn't
26 really -- wasn't- really doing her job properly, when I think about it now, leaving me in
27 there.
- 28 **Q.** Well, she was the one who was - you- were in CYFS custody at that point?
- 29 **A.** Yeah.
- 30 **Q.** You weren't necessarily -- you weren't in your dad's custody, you were in CYFS' custody
31 and she's- saying, "Just leave him there", and they consented to it?
- 32 **A.** Yeah.
- 33 **Q.** So I think you might be on to something there?

- 1 **A.** Yeah, I even think my dad sort of got hōhā with that too because he told her, you know,
 2 like, with this boy I need help, I need help with this boy because he's different now, he's not
 3 the same since he's been taken away, eh.
- 4 **Q.** Yeah, do you think the placement with Tom Tait changed you?
- 5 **A.** Yeah, it sort of did in a way. Like when I came home I wasn't the same, mum wasn't here
 6 and still had -- all of our family until this very day we still haven't grieved over my sister
 7 properly, like had a proper grieving and let it all go. I just feel like since that day all this
 8 stuff happened, like a blanket of brokenness and sadness has come over our whole family,
 9 where it's like for my partner been with me and coming and staying with me with my Harris
 10 family up north is totally different from where we were staying before with my Mihaka
 11 family and we went to my Harris family in Auckland, just like when I was on my bracelet,
 12 she could feel and see how different it was from being around my Harris family, they're all
 13 different, they're way different, you can sense it, it's like how, how do you fix that? I don't
 14 know.
- 15 **Q.** When you say different, what do you mean?
- 16 **A.** Just the whole house feels sad and broken and a lot of mamae and hurt in there and it's dark
 17 and quiet and I can feel it. It's like how do you take that sadness away? We're still focused
 18 on us and just sort of like, she sort of could see because she sort of heard from other family
 19 members, like with my Harris family it's different. Like some people say we're cursed, I
 20 don't feel that we've been cursed, it's just bad things have happened to us, that's all, and we
 21 are different to a lot of other families, we're not perfect, but we are trying to heal as one and
 22 deal with everything in a proper way. Where I felt like bringing it back to my whānau, my
 23 roots, and my whakapapa eh, about me in a big way.
- 24 **Q.** And it really does seem that your grief for your sister really, you're right, there's nothing to
 25 show that they really helped you deal with that?
- 26 **A.** Nothing. For my mother she said to me, I asked her, you know, "Out of all this, Mum,
 27 what do you reckon?" Like for me, going through all this and doing all that. She just said,
 28 "You know what, son, like, I don't think - like-, what's happened has happened, you can't
 29 change any of it, but like all you can do is try and better yourself today to better you for
 30 tomorrow, so you take each day as it comes."
- 31 But she said that you can't really fix anything that's broken, you can't bring your
 32 sister back, you can't bring this back, you can't bring many years, lost years back. But you
 33 can try and bring some sort of, like – for me I taught her some sort of closure in her life,
 34 like, they are getting old now, grandparents have already gone, so they've already pretty

1 much died, all broken hearted. For Mum, I thought, "What do you want Mum?" Because
2 they went through a lot, eh, and she said, "I just want us families to at least one day all
3 together and come back to our marae and leave it all, leave all the mamae and hurt and try
4 and move forward."

5 **Q.** It's hard to do though, isn't it?

6 **A.** It is, it's something that she said it's — you can't — she always used to say — I said, "Mum,
7 something good has got to come out of all of this darkness we just walked through", and
8 then she said to me, she smiled and goes, "You're the one, you're the one." "What do you
9 mean I'm the one?" "You're the one, son." "What do you mean?" I'm still thinking but
10 I'm- sort of --- she sort of ---

11 **Q.** It sounds like she's got hope for you?

12 **A.** She said, "You'll know, you'll figure it out." Just those little words there meant a lot to me
13 to help her. As I said, it's just for closure of the family, eh, of the Harris', for myself, yeah,
14 I've — it's- something that you never — that's always going to be there, like from my past,
15 because even my partner, she senses it. I carry a lot of weight on my shoulders, and walk
16 around look different to everyone else, but I do feel that I don't- want that to happen to the
17 next generations, or the next babies, eh.

18 **Q.** Yeah.

19 **A.** That's all really.

20 **Q.** And I think that's — yeah, you've got a lot of insight around that sadness and that's one of
21 the things that will help you, as you say, on that healing journey, understanding that sadness
22 and knowing, and I guess one of the things that counselling and help will do is help you,
23 where do you go from there, like you say, how do you get past that?

24 **A.** Yeah.

25 **Q.** But I do wonder, like you were still so little, you were only 12 and I know that your sister's
26 passed and nobody's talking about it. Did anyone sit down and talk to you and go, "Tell me
27 about your sister"?

28 **A.** No, they didn't, not really. Not really, not until like — yeah, they're not really. -Because
29 the way how she died right from everything, to the way when we took her from — even
30 though I was young, I still remember everything. And then taking her up to Motokaraka
31 where we're supposed to go where my grandfather was born, but then they said she's- not
32 allowed to be buried in the urupā.

33 So we had to get in the van and go all the way back to Mangamuka because they
34 told us to bring her home, they don't have people up at the top urupā if

1 they've -- redacted -- and then even my brother - -redacted -- I don't know how it will be for
2 my mother to lose two of her kids before her own time -- redacted -- and then. Yeah.

3 My brother that passed away was my halfbrother, I only met him once in my whole
4 life, and I was at primary school in Wellington. I didn't even know he was my brother, we
5 were in the same class together, they put us together and asked who our parent were, I said
6 my mother's name and he said, "That's my mother." And I looked at this fulla, like, nah,
7 that's my mother, and he goes, nah, watch this, wait until after school then, and Mum comes
8 and picks me up, and we'll see if that's your mother, and then she came and then, "Mum,
9 look, there's this fulla there says that you're his mum, and his name is Wiremu", and she
10 says, "Yeah, that's your brother."

11 **Q.** That must have been pretty full on?

12 **A.** Yeah, it was for me and my brother and my sisters. But Mum said, "Please don't tell
13 anything when you get home because of your dad." And we were talking about it when we
14 got home, Mum said, "Shh", and Dad's up there, he's asleep, he doesn't know.

15 **Q.** Do you think he knows now?

16 **A.** No, he knew, he found out.

17 **Q.** How are you doing?

18 **A.** I'm doing all right.

19 **Q.** Let's have a quick chat about Arndt House and then we'll take a little break. So when your
20 dad couldn't cope with you anymore, like you said, he said, "I don't know what to do with
21 you", you went to a place called Arndt House, and you're still in the custody of CYFS?

22 **A.** Yeah.

23 **Q.** And one of the reasons you went there was to get you enrolled in school, but that — I don't
24 think that really happened, did it-?

25 **A.** No, I didn't go to school.

26 **Q.** What was that place like?

27 **A.** Actually, that was all right place. I didn't mind it there because they were church people,
28 they were good to stay with, they were really good to me. There was church all the time
29 and I'm doing church stuff, but I didn't know about church, and that's why I felt like I was
30 the bad apple in the house, because I'd screw up the other young ones.

31 **Q.** When you talk about church, were they Māori or Pākehā?

32 **A.** There was a Māori - oh-, yeah, the Māori fulla that stayed there was Māori and then had
33 some Pākehās too, yeah. Arndt House.

- 1 **Q.** And you stayed there for a little bit and then went back to Dad and you start bouncing
2 around a little bit ---
- 3 **A.** Yeah.
- 4 **Q.** -- at this point, eh-?
- 5 **A.** Yeah.
- 6 **Q.** And then they sent you back to Tom Tait?
- 7 **A.** To Tom Tait, yeah.
- 8 **Q.** Even though you complained about him?
- 9 **A.** Yeah. I was trying to go back to Arndt House but nah, because Arndt House got to a point
10 where they didn't - -- they said it's not good if I'm not going to be serious and go to church
11 and that and I'm- not allowed back.
- 12 **Q.** Just because you didn't want to go to church?
- 13 **A.** Not that, because I started to make the young ones drink and then get in trouble and
14 sneaking out, jumping out the window and stuff and got caught coming back, and then they
15 said, "What are you'se doing?" I'd just walked back, I'm tired, I'm going to sleep." They
16 said "No, you can't do that here, sorry." So I went back to Dad's.
- 17 **Q.** What was it like going back to Tom Tait for that little while?
- 18 **A.** Oh, it was - yeah, I didn't want to go back there. -But I was pretty --- it brought back a lot
19 of memories but I had got bigger then,- now, and I thought, gee, you're going to try that and
20 I think he knew too, like sort of all this boy, and he was telling all the other boys, "This
21 fulla- here, yeah, I remember him little as, he was one of the worst fullas, no ears, don't
22 listen to this fulla."
- 23 **Q.** Did he know you'd complained about him?
- 24 **A.** I got a feeling he might have known because he was, yeah, he was different, he said you're
25 going up the bush, me and my mate and yeah, he thought you'se can't run away from here,
26 sort of thing. So you can't get away from here. Little does he know, I could get out of
27 there, I got out of there.
- 28 **Q.** Did a runner?
- 29 **A.** Yeah, I did on Easter day.
- 30 **Q.** And where did you go when you ran from him?
- 31 **A.** Me and my mate walked all the way to --- on a 4-wheeler, we got a 4-wheeler and we got
32 --- that's a 4wheeler from the farm, and we drove that all the way to Welcome Bay with me
33 and my mate on the back, and I rode it all the way with all the cars going beep beep-.
- 34 **Q.** You're on the road?

- 1 **A.** On the main road all the way from the Kaimais -- down to the Kaimais from the bush, all
2 the way to Welcome Bay Primary and I drove it into the school around the back and parked
3 it by those bins. -And left it there, walked.
- 4 **Q.** I'm imagining Tom Tait wasn't very happy?
- 5 **A.** No, he would have been looking for it everywhere. He thought they can't get away and he's
6 got away again.
- 7 **Q.** Did you have to go back to him?
- 8 **A.** From there I think they did – did they send us? They might have send me back to
9 Weymouth.
- 10 **Q.** You spent a bit of time with a ---
- 11 **A.** Oh, I did go back, they sent me back again.
- 12 **Q.** Did they?
- 13 **A.** And he's gone and threatened to bash us, yeah, that's what it was, they sent me back
14 because I remember he said, the owner of the 4-wheeler came up and asked if anybody's
15 been missing from his home, and that his 4-wheeler had been taken and they caught us, the
16 Police, and he goes, actually, these two went missing, how long ago – it was them two,
17 where's that bike? Yeah, and I said, "It's at Welcome Bay, we left it there."
- 18 **Q.** You said Tom threatened to bash you, but was he violent when you went back in those later
19 times?
- 20 **A.** Yeah, no, like, he used to just try to get the boys to deal with it, the boys there, his little
21 crew. Little did they know I'm from way back, they don't do that to us, not anymore.
- 22 **Q.** So, you think he was aware that you had made a complaint and he wasn't going to ---
- 23 **A.** He wasn't going to get away with it, I think he knew. But in a way I don't really think he
24 wanted me there really because I could feel that, he told me, "I don't know why you're
25 here", yeah, that's what he's sort of hinting to me like that.
- 26 **Q.** After that you were in the custody, or you were placed with a CYFS tracker for a while.
27 We won't use their name but in your statement, you talked about him getting you to do
28 crime for him?
- 29 **A.** Mmm.
- 30 **Q.** Do you remember that?
- 31 **A.** Yeah.
- 32 **Q.** What sort of things would you do?
- 33 **A.** Like just go out to these places where he already knew, like, because he knew how I knew
34 how to get cars and stuff, and then take us out to get the cars and then take them to this

1 place and take all the motors and that out, and just making us do heaps of, yeah – knew
2 how to do crime and I was staying at [redacted]-- in the Social Welfare.

3 **Q.** Yeah. What did you get out of that?

4 **A.** Me? Nah, he didn't really pay us or anything. He just said you can do whatever you want,
5 just come back before 11. So then I started to run off, but I always went back to Dad's.

6 **Q.** And what did your dad do when you'd turn up?

7 **A.** “Come on, boy”, and he'd have all his bros and they're all drinking and then I'd just join
8 them and get drunk. “Where you stay?” I stayed with the fulla. “I hope you don't come
9 around here.” Sure enough, he's coming around.

10 **Q.** Yeah?

11 **A.** Yeah.

12 **Q.** Okay. Before we go on to the next bit we'll take a wee bit of a break because you've been
13 going for a little while now and we'll just take a wee pause, and maybe spend a bit of
14 time - have- a walk around, spend a bit of time with **Ed and Robyn**. (Break taken).

15 So what we know from your file and from your statement is that from mid1998 you
16 had a series of really short placements around the country. So you went to Emerald Street
17 family home in Rotorua, Kōkiri and Ōtara and then you ran away to Franklin Road in
18 Otara. Was there family there?

19 **A.** I was up to Mereani's house.

20 **Q.** Oh, you ran to her. So you went to Pukekohe and got placed with another uncle but CYFS
21 thought that he had criminal charges and so they took you out again?

22 **A.** Yeah.

23 **Q.** And one of the things I can see from your file is that when CYFS filed papers in the Family
24 Court to keep custody of you, they said they hadn't met any of the objectives in your plan,
25 but then they filed the same plan again. So what did they tell you around then about what
26 their plan was for you? What did they tell you?

27 **A.** They didn't really tell me a lot of what was going on, like, because all I kept asking them
28 was, like, when am I allowed to go home, am allowed to go back to my mum or my dad,
29 and they just said, "Oh, we're going to put you at this placement or this placement." So I
30 just went wherever they told me, and then if I did run away, it was just a matter of time
31 before I get caught and get sent somewhere else, all these different places.

32 **Q.** And what was that doing to, like, your sense of being okay when you were only 14, how
33 did all that make you feel?

1 **A.** Sort of felt like, you know, I didn't really know where I fitted in. I didn't know -- I didn't
 2 feel stable, I felt really unbalanced, I felt like confused, didn't really know where to go
 3 really, how am I going to get home. And then when I did leave those places, like, I had no
 4 money, I had nothing. I'll go to my families and they'll be like, "Oh, where did you come
 5 from?" "I ran away from --", "-You stay there." You know, and I had to -- you- know,
 6 from surviving from there I just done anything to survive, met up with mates, and ended up
 7 stealing and learning how to steal cars and robberies to all sorts of stuff.

8 But for me doing all that stuff, I was like feeling like how do I deal? - I used to
 9 think that all that had happened to me, so I'm just going to go out and go stealing and
 10 robbing and doing everything that I can to make me feel like this is my way of dealing with
 11 it back then when I was young. But then as I got older I sort of thought, like, I didn't know
 12 how to deal with this, I still don't know how to deal with it, but I'm not doing those same
 13 things of how I was dealing with it when I was young. Now I'm more like, -I actually think
 14 it needs, like, the way to deal with it is more like through talking about it and being able to
 15 -- yeah, just learning how to talk and communicate is the new way.

16 **Q.** Because back then who would you have talked to, you were 14 and you're in these places?
 17 Who was someone you could go to?

18 **A.** I don't know.

19 **Q.** One of the things I can see in your records, and it's October 1998, and you got charged with
 20 taking another young person's shoes and your social worker, your aunty writes: "I indicated
 21 to Stuart that we've tried everything to help him, but he has abused our help. He is now 14
 22 years old and ready for Youth Court."

23 When we talked earlier about the sort of things that were happening when you were
 24 living with Dad and -- do- you think the help that was offered was enough?

25 **A.** No, I honestly feel that, like, looking back on it now that I'm 38 years old, I feel the help
 26 that was -- -that should have been provided was not given for my father, and for my parents
 27 they always blame themselves, like, saying, "Sorry, we let you down, sorry we failed you
 28 kids." For me, I've told them, "The reason you failed us is you just weren't given the right
 29 support and tools that you'se- needed as parents back then..." -- t--hey were grieving and
 30 hurting --- "...to help you with your children, to help us, so that we didn't have to go
 31 through all that."

32 **Q.** So one of the things that I often ask people is that CYFS took you from your parents and
 33 put you in CYFS custody, do you think they did a better job than your parents could have?

1 **A.** No, I feel, like, my parents – I felt loved there, I felt like I belonged there, like I'm home,
 2 you know, Mum and Dad. When I was taken I felt lost, broken, confused. Why do-- I have
 3 no rights, I have no rights as a child to make a decision for myself, so I had trusted in a
 4 system that was designed to make me feel safe, but I found for myself that it wasn't always
 5 like that.

6 **Q.** So then at 14 you go from Care and Protection system ---

7 **A.** Mmmhmm.

8 **Q.** --- part of CYFS, to Youth Court and the social worker says, "Well, you're off to Youth
 9 Court now" and things changed for you, so there's more time in the Police cells, isn't there
 10 ---

11 **A.** Yeah.

12 **Q.** -- from this point. -One of the things I can see from your file is your social worker applied
 13 to send you to a place called the Eastland Youth Rescue Trust?

14 **A.** Mmm.

15 **Q.** And at the same time they got a psychological report on you..."--

16 **COMMISSIONER ERUETI:** Tēnā koutou katoa. We'll now take the lunch adjournment and
 17 return to Mr Stuart Harris's evidence at quarter past 2.

18 **Lunch adjournment from 1.29 pm to 2.19 pm**

19 **COMMISSIONER ERUETI:** Tēnā koutou katoa, and welcome back. Just checking with our
 20 tech crew to make sure we're ready to proceed. Kei te pai, okay, we're good to go. We will
 21 now return to the prerecorded evidence of Mr Stuart Harris.

22 (Video played).

23 **QUESTIONING BY MS HILL CONTINUED:** - "...that said you needed to be in a stable secure
 24 environment where you could get counselling for your grief and anger issues. Do you think
 25 Eastland was a place like that-?

26 **A.** No. For me, my experience from the Eastland Trust, I didn't know where I was going, even
 27 my social worker, when I asked her – "You're going to like it there, it's going to be good for
 28 you, you're going to do good things, they're going to help you." And then I used to stay
 29 with one of those people here, and he was my escort driver, he took me to a few places, I
 30 ended up living with him for a bit there, and he didn't even go and -- when we got there, he
 31 didn't even take me and introduce me to them or nothing. He just threw my bag off, drove
 32 off, dumped out of the car and I was standing in the driveway with my stuff, like where am
 33 I, who are these people-?

34 **Q.** Where was Eastland?

1 A. It's in Ōmāio by Opōtiki and sort of between Whakatāne and -- it's sort of - yeah, it's- on the
2 East Coast, but then if you --- where we were living in the bush it was halfway to the
3 Uruweras which is right in the middle of the jungle.

4 **Q.** So quite isolated?

5 A. Yeah. And we was -- yeah, you live off the land, there's- no power, nothing, noone- can
6 help you out there.

7 **Q.** We're not using the name of the person who ran all this, we'll just call him the boss of the
8 programme, in your statement you talk about your first day at Eastland and how that went.
9 Can you talk a bit about that?

10 A. Yeah, I remember it clear as. It was like pulled up, grabbed my stuff, threw it out of the car
11 and then he drove off, "I'll see you in six months, I'll see you when you finish, I'll pick you
12 up." I was, like, "Oh yeah", stood outside, had my cigarettes, I lit me a cigarette, sat
13 outside and then the boss came straight out, and that's the first time I met him. Introduction
14 was – he come straight out, first thing he done was grab the cigarette straight off me,
15 straight on my head.

16 **Q.** Stubbed it out?

17 A. Yeah, he goes, "This ain't no f'ing holiday camp, you get your f'ing arse in there." It was
18 just real straight on-the-spot stuff. You go in and you hariru, 'cause you hariru all those
19 boys and tell them where you're from and what's your name, and "You think this is a
20 holiday camp, you ain't here for no holiday." And this is the whole time while I'm
21 introducing myself to the boys, eating, and he's just going through all my files, and I'm
22 could just – watching him, watching his face while I'm talking to them, but I'm really
23 looking at him. And he's just, like, "Yeah, yeah, so you like to run away, do you?" He
24 goes, "I see on your file here it says abscond, abscond, abscond." And he goes, "I'd like to
25 see you run away from here", boom, "Get those shoes off and get all your stuff and you're
26 running up that bush tonight in bare feet."

27 And he's behind me on a 4-wheeler motorbike and made me run like five hours
28 straight through prickles and rocks and yeah, crying and all, for my mum, my dad, "I don't
29 want to be here", he just didn't care. He said, "You run and you run away from here, this is
30 what I do to people that like to run away and I'll show you, and you'll go-" - and- he did, he
31 made me run, he ran me over a couple of times on that 4-wheeler motorbike. And I was
32 crying because I couldn't run on the rocks through those prickles, but then I got clever and
33 jumped in the river and floated down with the current, and he couldn't get me. He said
34 "you're gonna- get it" and I was swimming with all my bag, floated with my sleeping bag.

1 He caught me on the other side and then he made me run up, got to the camp and,
2 yeah, in the middle of the night in the bush was like a little sleeping area with a punga fence
3 around it and then all the boys just sleeping on the dirt, like twenty boys all in the dark, like
4 they'd never seen humans before. Like, "what's your name?" I went in there, introduced to
5 all of them, and then they told me, "Don't step out of line here. This is serious up here."

6 **Q.** So they were scared of him?

7 **A.** They were, we were all scared, we all knew.

8 **Q.** What did you know about him, or what did they tell you about him?

9 **A.** Oh, he just told us straight up, you know, this is -"My name -is -- redacted." -- I wasn't
10 supposed to say that.

11 **Q.** That's all right, we can edit that bit out.

12 **A.** He just said who his name was, "If one of you'se mess with me, if you run away from me,
13 I'll make sure to hunt you down, I'll use all my life savings to find you and when I find you,
14 I'm going to take you up that bush and I'm going" -- he'll tie you to the back of his horse
15 and he'll drag us up the bush and he'll kill us and leave us there and nobody will find us, no
16 Social Welfare, no mum, dad, nothing, and who can we run to? No-one.

17 **Q.** That must have been incredibly scary to hear?

18 **A.** It was very scary, like one fulla did run away, we got caught but we all suffered for it, so
19 we all had to take the punishment, he made us all stand in the middle of the river in the
20 middle of the night, it was cold as, from like 12, early in the morning still standing out there
21 shining spotlights on our faces, and then throwing rocks at our feet, making the horse stand
22 on the back of our feet, still got the scars on my ankles, like making them run on the back
23 of our feet while we're running to make us run. Rocks and --- we even started building a
24 two--storey house in the middle of the bush with our bare hands and picks and shovels, like
25 working from -- he- made us work all night, all day, all night, all day but one hour sleep,
26 so at one in the morning you have a one hour sleep then splash get up, get back to ---

27 **Q.** "Splash" like he'd throw water?

28 **A.** Throw the water on you, you've had your one hour, get up, back to work. So you're cutting
29 trees and digging holes, and building him a house, I think they built their house there
30 because we done all the foundation work for it, with picks and shovels. But he was cruel, if
31 you use a shovel wrong or any of the tools wrong you get it smacked over your head, any
32 tool: Pick, shovel, axe.

33 **Q.** He'd hit you with it?

- 1 **A.** He'd smack it over your head if you don't use it properly, if you get caught trying to do
2 kung fus on the trees, because these are young fullas, that's what they do, and play around,
3 I have seen a few of those get smacked over the head, yeah. A lot of stuff happened there.
- 4 **Q.** Were there other times when the boss was violent towards you?
- 5 **A.** Yeah. Yeah, just used to like really – like, even to the point where the boys even have to
6 come and get involved and where we all, yeah, you step out of line he'll have his main boys
7 there and they'll deal to you.
- 8 **Q.** So he had older boys ---
- 9 **A.** Or he will deal to you personally himself if you - yeah-. It's just out of it staying there.
- 10 **Q.** You were only 14. Like, the other boys on the programme, were they your age or different
11 ages?
- 12 **A.** Some were like a year older, but we're all around about the same age group. And a lot of
13 them, there was some from South Island, some from Auckland, some from all over, they'd
14 never been to that place before, and even they were like really scared. But like if you say
15 you're going to run away you've got to be very careful who you tell there because if you tell
16 the wrong fulla and he finds out, but when I --- my plan was, because of what was
17 happening to us there, it was so bad that I just wanted to go and tell our social workers and
18 that was my main thing to run away and get help for the boys there, and that's why I didn't
19 stay all the way for newsletters was because I was one of the ones that ran away, but if I got
20 caught I don't know what would have happened to me, if I'd be still sitting here.
- 21 **Q.** Where did you run to from there because you're quite far in the bush?
- 22 **A.** I ran, got the truck and I drove that truck from Ōmāio to Opōtiki, because they chased us on
23 the truck. Opōtiki, I ditched the truck, I jumped out, and I ended up getting a Subaru from
24 Opōtiki, and we drove to Rotoiti, got our gas and went all the way to our dad's house, here
25 in Taupō, he was staying in Rawhiti Street. And when we got there I told him, "Dad, Dad,
26 there is this crazy fulla who's after us." He goes, "He won't come here." I said, "Dad, he'll
27 come here." And he said, "No, with all these Black Powers here he won't touch you, I'll get
28 him." I said, "I don't know this fulla, he'll come, he doesn't care if it's Black Power or
29 Mongrel Mob."
- 30 **Q.** So he thought he was just as scary?
- 31 **A.** Yeah, and he did, he turned up in -- when I took my mate back to -Highbury
32 -- to- Palmerston North, he turned up in Highbury with a gun looking for both of us --
- 33 **Q.** He turned up with -- were there guns at the camp -at Eastland?

- 1 **A.** He drove from Eastland looking at --- he knew -- he didn't know where my family stayed
2 but he knew where my mate's family was, his brother – he knew where they stayed in
3 Highbury and he come looking at his mum's house, knocked on the door, with a gun, we
4 were there but we took off out the back and he said, "Where's those two little pricks?
5 I know you'se- in there, come out here." He's standing outside with a gun, the Police turned
6 up and he took off. Yeah.
- 7 **Q.** You said you were running away to try and tell your social worker. Did you end up telling
8 anyone from CYFS?
- 9 **A.** Oh yes -eventually, but what happened was I got to CYFS carpark here in Taupō-, I was
10 going to go around and tell Aunty [GRO-B] about what happened, but then I told my bro,
11 "What if I tell her and she sends us back?" Because she sent me to so much places that I
12 think she will send me back. And then he goes, "What are you going to do? I've come to
13 Taupō with you. And are you going to take me back to Palmy?" And I said, "I promise
14 you I'll get you home", and I got him home. I ended up stealing a car straight across the
15 road from Social Welfare. I took him all the way back in the Subaru to Palmerston North.
16 That's when I met his brothers and his dad, and that fulla -- redacted -- turns up two days
17 later looking for us.
- 18 **Q.** The whole time you were at Eastland, did a social worker talk to you, did they come and
19 visit, anything like that?
- 20 **A.** They did. They came up in the bush where we were staying at the camp but the day before
21 they come -- redacted - told us these people are coming tomorrow and you'se -- don't even
22 think about saying anything or stepping out of line, and when they come I want you'se to do
23 the pōwhiri, the haka, and all that, to make it look like it's been run like Māori, and we're all
24 right. But it wasn't, we were all scared. And we didn't tell them nothing because he
25 threatened us all before they came.
- 26 **Q.** You just said that you were doing the kapa haka and things when the social workers turned
27 up?
- 28 **A.** Mmm.
- 29 **Q.** Were kapa haka and Te Reo, were they part of the day-to-day any other time?
- 30 **A.** No, not really, like just doing Toia Mai when they come, "You'se can do Toia Mai, you'se
31 can do this", so that when they come this is – you know, "You'se don't say nothing, I'm
32 talking. But if you'se do, you'll be sorry, noone's going to help you'se out here."
- 33 **Q.** So lots of threats?

- 1 **A.** Lots of threats, violence, there was quite a bit of violence there. Traumatise, like
2 traumatised you to a point where you just feel like broken. And, like, aye, I'm --- what's
3 this? You don't have time to think.
- 4 **Q.** One of the things that we know about Eastland was that the boss who started it, he had
5 another programme shut down called Moerangi Treks and he would tell CYFS that these
6 were programmes to take boys back to the land, away from drugs, get you into bush craft
7 and Māoritanga and in that way be a really healing process particularly for Māori boys?
- 8 **A.** Mmm.
- 9 **Q.** Do you think there was any of that?
- 10 **A.** Nah, if anything it was really breaking, like really traumatising, like I wouldn't recommend
11 that on anyone's children to be placed out there and to have that all happen with a person
12 like that, with that mentality. What I could see in his eyes is he has killed before and I can
13 see that when he was saying it, that he will kill again if he had to. He told us, I seen it in
14 his eyes. He said, "I can do whatever I want to any of you'se here."
- 15 **Q.** And I know from your records you ran away from Eastland in January '99?
- 16 **A.** Yeah.
- 17 **Q.** But nobody found out about that until sort of mid-February, so there were weeks there
18 where Eastland didn't tell anyone that you'd run, no one really knew where you were?
- 19 **A.** Mmm, and I think the reason why 'cause how he didn't tell them that I had run away was
20 because he thought I'd get caught and he'll get me back. And when I did get caught he
21 turned up to Weymouth to the home and he was at the front pushing the button asking if he
22 can have Stuart Harris to be placed back at him, and they said, "There's a fulla here at the
23 front, he's trying to get to see if you can get placement there, do you want to stay with
24 him?" I said, "What's his name?" "-- redacted" -- "Oh, no, don't even let him in the gate."
- 25 **Q.** Just got to stop using his name, remember?
- 26 **A.** Oh, yeah. (Inaudible).
- 27 **Q.** That's all right.
- 28 **A.** And then I said, "No, I'm not going to stay with him." And they said, "We can't hold you
29 here in Weymouth, we're going to have to send you to Great Barrier." I said, "Send me
30 wherever, just don't send me back there."
- 31 **Q.** So he came to find you in Palmerston North?
- 32 **A.** Mmm.
- 33 **Q.** And then he came to find you in Weymouth in Auckland?

- 1 A. Yeah, so that whole two weeks he didn't report me, he was out there looking for us, trying
2 to find us before Social Welfare even got a hold of us. But little did he know, it was
3 because of me, I've been brought up to not saying anything, I was brought up on my family,
4 that was the G code in the gang, you don't talk about nothing. If things happened, it never
5 happened. But these things that did happen in there, I didn't expose him, because – until
6 later I didn't know how to deal with all that in my life, like, just so much had happened.
- 7 Q. Well, you did talk to a social worker, eh?
- 8 A. Yeah, I told my social worker but not my mum and my dad.
- 9 Q. No, not your mum and dad. I'm just going to -- one of the things in your records, and
10 you've- got a copy there, is a transcript of you telling your social worker about Eastland?
- 11 A. Yeah.
- 12 Q. Because they shut it down after you left, I don't think you knew this at the time?
- 13 A. Yeah, I actually was sitting there with my mate, and we were watching TV and it was on
14 the news, Eastland Trust being shut down and then it showed it on Paul Holmes on Channel
15 One, and I was like, "Far I was there, that's that place." They were like, "Straight up, is that
16 that fulla? Oh."
- 17 Q. Yeah. So what we've got on your file is in June 1999 you were interviewed by a social
18 worker and you talked about a lot of the things that had happened here. You talked about
19 being hit by the boss?
- 20 A. Mmm.
- 21 Q. And you talked about the use of guns, that there were guns easily accessible. And being
22 threatened by him?
- 23 A. Yeah.
- 24 Q. And you talked in a lot of detail about running on the rocks and being chased with the
25 horses, and of seeing boys being run over by the bike and that sort of thing. --
- 26 A. Yeah.
- 27 Q. And then boys using knives on each other?
- 28 A. Yeah.
- 29 Q. Yeah?
- 30 A. It's like that experience from all that, it's an experience that I'll never forget in my life. Like
31 some of the stuff that I saw in there and what was happening. It's hard, yeah, like for my
32 bros that I have seen that have been through it, like, they're survivors, eh? I always give
33 them big hugs and let them know, but like they had to be there to understand it, because it's
34 quite traumatising, eh, all that stuff.

- 1 Q. Yeah, this is 1999, you know, it's in recent memory for a lot of people, eh?
- 2 A. Mmm, and I'm nearly 40 years old and it's, like, I'm still young, it's, like, I don't want to be
3 carrying all that anymore, eh.
- 4 Q. And you told your social worker about a boy being tied up and having diesel put on him
5 and burned?
- 6 A. Yeah.
- 7 Q. -- -and things like that?
- 8 A. Yeah, that was one of my most - one- of the saddest experiences was seeing that and
9 witnessing that, just like seeing a fulla being fully set on fire and one of your good mates,
10 and lucky - if- it wasn't for us having to chuck him in the river, he probably wouldn't have
11 been alive to this day. And I don't know how the boss would have got away with it, but he
12 wouldn't care. Because that's his example that he's putting across, "If you mess with me
13 and I'll take you out", sort of thing.
- 14 Q. Yeah. So you thought he would follow up on all these threats and --
- 15 A. Oh, I seen it in his eyes, yeah, in his actions, and with his actions of the guns and showing
16 us how good he is with the guns, he's pretty good, and pretty scary when he wants to be.
- 17 Q. So you gave an enormous amount of detail to the social worker and your social worker said
18 that the boss might get charged by the Police. And then?--
- 19 A. Nothing happened. Nothing.
- 20 Q. Did the Police talk to you?
- 21 A. No.
- 22 Q. And you never heard again what would happen?
- 23 A. Never. Nothing, it didn't happen.
- 24 Q. There's ten pages of horrific allegations here. Did they say, "Do you want some
25 counselling? Do you want someone to help you?"
- 26 A. No, just lock him up and forget about him, let him deal with it his own sort of way.
- 27 Q. All of those memories that you got from Eastland, you're 14 years old, how do you cope
28 with that, like what did you do at that point?
- 29 A. I sort of felt like just --- at that time I felt really lost and really broken and didn't know
30 how to tell- like -- how- I say, I didn't talk to anyone in my family, they didn't know
31 nothing. My mum, I didn't even know how to explain that to them, all they know is he
32 went to the home, we don't know what happened to him, but when Mum did find out, and
33 Dad, they really broke down and blame themselves. But this is the reasons why I didn't
34 want to tell them, I don't want them to feel like it's their fault, because it wasn't.

1 And just those people that have done that, like the boss and that, I just wanted to
2 feel like he, you know, should have some sort of responsibility, take some responsibility for
3 the actions that he had done towards not just myself but many of the other boys that were
4 there, and to see them as grown men now and to still sit there with that same look in their
5 eyes from when we were kids, it's quite, you know, quite --- I don't even know how they'll
6 talk about it. A lot of them, my mates, probably will never talk about it. But for me myself
7 I've had so much years to think, so much time in institutional facilities that it's just got to a
8 point where, you know, you can't always carry that like that, like it's all right to talk about
9 it, and to talk about it in a controlled environment where you've got the proper help you
10 need, what I needed back then from Social Welfare and I'm finally getting it now sort of
11 thing. All I wanted really was just some help and support instead of getting just thrown in
12 these places like that.

13 **Q.** Yeah, so they interviewed you then you went off to Weymouth?

14 **A.** Mmm.

15 **Q.** To the secure unit at Weymouth?

16 **A.** Yeah. Straight to Weymouth. And then ---

17 **Q.** And then off to Whakapakari. We'll take a little break, have a little breather before we get
18 on to Whakapakari because that is going to be some of the hardest stuff. So just take a little
19 breather, okay? (Break taken).

20 So after Eastland you spent a couple of months at Weymouth in Auckland. It's had
21 a couple of different names, Northern Residential Centre, and I think now they call it
22 Whakatakopokai. And you talk in your statement about the fighting and the violence in
23 Weymouth. What do you remember about that?

24 **A.** I just remember like being - the- violence in there was a way to sort of -- the way everyone
25 dealt their problems there was a lot of violence and learning how if you couldn't fight
26 you're not really going to be -- last long in there. You're going -to --- either going to make
27 you stronger or it's going to break you. For the ones that it did break, some of them are no
28 longer here with us anymore, but the ones that did get stronger they're still here to this day.
29 But the violence that I seen in that place was quite, yeah.

30 **Q.** Where were the staff?

31 **A.** They were watching.

32 **Q.** Watching?

33 **A.** Some of them were in on it too.

34 **Q.** Yeah?

- 1 A. Yeah.
- 2 Q. So encouraging it or...
- 3 A. Encouraging it and "if you don't thing I'll beat you up too."
- 4 Q. Right. So threatening you?
- 5 A. Yeah.
- 6 Q. And during that time you spent some time in the secure unit?
- 7 A. Mmm.
- 8 Q. What was being in secure like when you were a kid?
- 9 A. For me it felt like even if I was a child, this must be just what — this is jail, and to look
10 back now, it pretty much was like jail. It was. It's like you're locked up in a cell and
11 everything. You get unlocked, you're put in this little like a lounge thing, but then in there
12 you have boys and girls-.
- 13 Q. From Weymouth you went to a place called Whakapakari, or a programme called
14 Whakapakari on Great Barrier Island?
- 15 A. Yeah.
- 16 Q. And that was in May 1999. Tell me about arriving at Whakapakari, like, what's it like?
- 17 A. When we first went on the plane and that it's sort of like, yeah, well, this is pretty, like,
18 where am I going sort of thing. It looks all nice from the plane, but when you get off and
19 the first introductions there, nah, it wasn't nice. It's like you get stripsearched straight away,
20 straight into this.
- 21 Q. So you were ---
- 22 A. "Where did you come from?" You know. And, "This is what we do to everyone that
23 comes here." They had to go as far as to tell you to take your pants off and them trying to
24 put their hands up you and stuff and seeing what you've got on you, "Hey, nah, nah." I
25 didn't know what the heck, is this how you're supposed to --- this is what I thought, this is
26 what Great Barrier used to do, bro. But then I sort of knew straight away, nah, that's not
27 right, it's just wrong, you know. But I didn't know who to talk to about it, or if this was the
28 proper procedures, or if this is just for this, it was made up, till I started to learn. Because I
29 reckon even though you're a child, children are actually quite intelligent, they're not dumb,
30 they --- I knew.
- 31 Q. There was – So when people think about Great Barrier Island, they sort of have a bit of
32 trouble imagining what Whakapakari was like. Was it close to anything or...
- 33 A. It's way out on a secluded island where you feel like you're far away from home. You feel
34 like when you watch the programme on Alcatraz and that island, you feel like that, like I'm

- 1 out here, you can't get away, you can't. I tried to get — I- couldn't. That's the only place
2 I couldn't get out of.
- 3 **Q.** Because you talk about Alcatraz, there was a place called Alcatraz there, wasn't there?
4 **A.** Yeah.
- 5 **Q.** What was that?
6 **A.** It's a punishment island where you go out and you get sent there, and it teaches --- it's
7 actually a scary place there.
- 8 **Q.** What's on it?
9 **A.** It's like — to describe it, it's an island, you go out, it's not even that big really, but it's high
10 and you've got to walk up this big cliff and the track goes straight up, and once you get to
11 the top it's got like this big pit, sand pit thing and then like a tent but the tent had been
12 pulled down and that's all that's- up there, and then you survive up there.
- 13 **Q.** So what do you have in terms of food and water?
14 **A.** They give you a bag of flour and 20 litres of water, that's it.
- 15 **Q.** Yeah?
16 **A.** And you stay out there, nothing, just with that, and then the boys get punished.
- 17 **Q.** Who ran Whakapakari?
18 **A.** It was John da Silva – redacted?.
- 19 **Q.** What was he like?
20 **A.** From my experiences with John, I actually - he- was a good man for me. He was good,
21 I liked John da Silva, but he's only hard if he had to be hard. I seen him get angry once was
22 when somebody stole the diesel out of the diesel room, and nobody owned it, and then he
23 got angry, and then when another fulla ran away. That's the only time I seen him angry.
24 But apart from that, yeah, John da Silva. I feel like if he knew what was happening I don't
25 think he would have tolerated it from those people.
- 26 **Q.** Was he around much, like was he there on the ground during the day?
27 **A.** Yeah, he'll come around, like not all the time, but he'll only come down, like, if he's feeding
28 his pigs or he'll be just coming to check to see how all the boys are, or he'll take us out to do
29 the long line sometimes, do the fish. But other than that he'll be by Whaea Wilhelmina and
30 he always stayed out there.
- 31 **Q.** So the people who were looking after you were the kaiako?
32 **A.** The kaiakos, yeah, they lived with us all the time, sleep by us, and yeah, but as for John da
33 Silva, he was only there sometimes, not all of the time.
- 34 **Q.** So you'd spend more time with the kaiako than you would with John?

- 1 A. Yeah, with the kaiako, yeah.
- 2 Q. What's an average day like at Whakapakari, what are you doing?
- 3 A. For me an average day – the benefits that it had taught me was, like, one day will have a
4 group who work in the kitchen, which will be the wharekai doing the bread, the dinners, the
5 breakfast, they'll be doing all those preps for the day. The next — the other group will be
6 doing the seafood, like, going out setting the long lines, scaling the fish, getting the fish,
7 getting it all ready, then the other group will be sent to the ngahere to do the firewood,
8 which will be cutting down trees, doing wooding and running it from the wood back to the
9 — - so everything had to be done by hand, even right down to our clothes, to everything-.
- 10 Q. Were you doing schoolwork?
- 11 A. They have correspondence once a week, and they let us do our schoolwork.
- 12 Q. Once a week?
- 13 A. Mmm, down in the whare kai, that was our TV night, we get to watch TV for that one night
14 and the parcels come from the mainland, if your family have sent you stuff then you get
15 your parcels. Yeah, my dad sent me heaps of stuff when I was there. I didn't smoke
16 cigarettes, he sent me cigarettes, he sent me chocolates, and all the way from here, from
17 Taupō he was sending to Great Barrier, yeah.
- 18 Q. What sort of things, like if boys got in trouble, what sort of things were punishments at
19 Whakapakari?
- 20 A. Oh, the punishment if you get in trouble there, they actually — just coming towards the end
21 of when I was there, they designed this thing called PD where if you get punishment you
22 get PD and you get 150 bags where those bags were, like, you have to run, it's like a five,
23 six K' run down -to — from the camp all the way down to the beach and then those fullas,
24 the -kaiakos are standing there with their shovels, and they're shovelling it all into these
25 sacks and they've got to run and if you drop one stone it's ten extra bags. So one day I done
26 180-something bags and I had enough.
- 27 Q. Yeah.
- 28 A. He come to tell me to carry on, I'm not doing this, and he's trying to threaten me, no, I'm
29 not — I've been doing it all day, had enough. PD, yeah, those were punishments. What
30 else? Oh, you get the bash, some fullas, they did some pretty bad stuff-, get beaten up, get
31 thrown in the sandpit and all the boys will attack you, and some of them were even made to
32 like, yeah, like getting caught out in the bush, just — it was, yeah. Thinking about it now
33 it's -pretty --- you've got to be pretty strong to go through all that, eh.

- 1 Q. Yeah, yeah, you do, and to come out the other side. One of the things that John da Silva
2 talked about with the Whakapakari programme was that it was a programme based on
3 Māoritanga, it was on his whānau land, a bit like Eastland going back to the land, learning
4 kapa haka, your Reo, living in those principles of Te Ao Māori. What was that part of
5 Whakapakari like?
- 6 A. Yeah, it was like pretty, like the Māori side of it was good, like the teaching but then there
7 were ways when certain kaiako come along, his teachers were out of it. Like if you got to
8 jump for hours doing takahi, takahi and you don't jump high enough he will smash your
9 legs with those taiaha. And your ankles on the ground crying, you know, boys are like, "I
10 can't do it." "I don't care, get up", and for hours and hours and hours, boys are like sore as.
11 But I was like - I started to become conditioned to pain, to anything that bad that ever
12 happened to me, it didn't -affect - like-, it did, but I just tried my best to just use my Māori
13 but in a proper way. And the way I seen it in that was, the way he was teaching the boys
14 were they were like just scared, that's why they were doing it, some of them. They didn't
15 know nothing about it, they were getting taught wrong, and I used to tell them, you know,
16 don't think about that sort of stuff, just try and be strong for your family, for your family
17 that are back in — because if this place is going to make you go sad you're- going to have a
18 very unhappy stay here.
- 19 Q. So you tried to make the best of it?
- 20 A. Yeah, I did, I tried.
- 21 Q. In your statement you talk about the kaiako that ran kapa haka and you've described quite
22 serious sexual abuse from him?
- 23 A. Mmm.
- 24 Q. And that it started in the showers and you've described rape by that supervisor, is that right?
- 25 A. Yeah. Yeah, it is, and for me being — I'm 38 years old now and like I've lived with that for
26 quite a long time. It has, it has affected a lot of my relationships, I've never really had long
27 relationships. My partner that I have now has been the longest relationship that I've- been
28 in or been able to even hold, because a lot of girls they won't stick around, "I don't want to
29 hear all that, I don't want a boyfriend like that." But my partner she's been really
30 supportive. For myself, like to be able to talk about it openly now, I feel like these things
31 have happened in these Government places where I'm at that point now I just — by doing
32 all this with the right support and right people, I'm actually giving it back to the
33 Government and back to where it all started where I don't want to carry this no more-.
- 34 Q. Yeah?

1 A. I just want to leave it here with the Government and everything that's happened and put all
2 my cards on the table and for the experiences for all the other whānau and the people that
3 this has happened to, to ensure that it's not going to happen to our children and our
4 mokopuna to come, that none of the suffering happens to them because I'm giving it back to
5 them, I just want to leave it in the right hands and let them fix it, instead of me trying to fix,
6 trying to fix, trying to fix, I just leave it there and just focus on bettering it so that we can
7 have a different lifestyle for our unborn child now.

8 Q. Because back then, there wasn't anyone for you to tell, was there, you were on an island?

9 A. Yeah, it was like — even when I got to being on the island and some of the boys that were
10 there, that it had happened to them too, and I knew it had happened to them, and they knew
11 that it had happened to me, we just knew in each other's eyes, like, I'm sure, but we
12 didn't- know, but we just- — we didn't know but we knew, just by looking at each other, oh
13 yeah-.

14 So years later I caught up with some of those fullas and some of them, yeah, they're
15 so far into gangs and violence that they're never getting out of jail and they'll never be able
16 to do some of the things that I'm sitting here doing right now, and doing it in the right way,
17 where they've even told me themselves, we grew up in boys' homes together, right up to the
18 big house, Paremoremo. Still sitting up there now, where he told me, "you're the one, you
19 know, if you get out, you do good by your family, you know, we've grown up in these
20 places. Unfortunately, me myself, and I am talking for one of my good bros, I am never
21 going to see the outside again."

22 And when I looked at my brother's eyes, I see a different man in him now, where
23 noone- — he's not allowed any visitors from the outside, he's hardly to be able to talk to
24 other inmates on his landing, you know, he carries all that hurt from back then and he's
25 already killed three times since he's been in prison. And he's at that stage where he said, "I
26 don't care anymore, you can't fix me, that's how broken I am." But I said, "You can." I can
27 talk to him. -Even the officers, Corrections staff said, "How come you're allowed on the
28 landing, and how can you talk to that man like that?" Because we grew up together as little
29 kids.

30 Q. And you know what it was like?

31 A. And I know — I know, and he's a survivor, he's- a survivor, it was me and him that went
32 from Eastland together.

33 Q. One of the things you talked about earlier and you talked about earlier in the gangs, is not
34 talking, not disclosing?

- 1 A. Not disclosing.
- 2 Q. And sometimes it's called not narking, right?
- 3 A. Mmm.
- 4 Q. A lot of people in care have talked about it being reinforced in the programmes and in the
5 homes. Do you think that that's right?
- 6 A. Yeah, well, say for me, what I felt like the code of silence and all that, that some things,
7 you know, you just need to learn to be able to let that go in order to better yourself to move
8 forward and it's not called narking, and it's just about like for all the crimes that I've
9 committed and - I've- owned it, I've done my time.
- 10 Q. Yeah?
- 11 A. And now I've got out, tried to better myself, back to jail, for like 23 years of my life and all
12 I can say is, like, when you're out there telling your story or doing your thing, you've done
13 the time for your crimes it's about time somebody's being responsible and own the things
14 that have happened to us.
- 15 Q. Yeah?
- 16 A. And knowing that, it's not called narking, it's actually called healing.
- 17 Q. Yeah?
- 18 A. And letting go and being able to talk to it – no longer – even if you're a gang member or
19 what, or a normal person, it's not about being how tough you are, it's about being able to be
20 open and honest about the things that happened in your life to give people better
21 understanding of why your family are the way they are and instead of just thinking, "Oh
22 these fullas are different" or "That's weak, that's narking", it's not.
- 23 Q. How many years did it take you to unlearn all of that code of silence stuff, you know?
- 24 A. Yeah, it's still to this very day I honestly, like, when it comes to Police, they come to me,
25 "What happened over there?" "I don't know nothing." You know, for me and Police, we
26 will never see, like, eye to eye, but for me myself speaking personally, yeah, for their code
27 of silence, it's a hard one. There's things that the G code goes by where you can talk about
28 things, you can't talk about, but for me in my life I've got nothing to hide. I've done pretty
29 horrendous crimes in my time and I'm not proud of some of them, but in saying that, I feel
30 like if none of this stuff had happened to me, I probably would have had a different way
31 of - a different lifestyle. -Maybe brought up by my grandparents, could have been
32 different.

1 **Q.** One of the things I want to pick up on in your statement is talking about learning violence
2 or getting accustomed to violence. So near the end of your time at Whakapakari you were
3 made something called a junior leader?

4 **A.** Yeah.

5 **Q.** And then you were made a member of the flying squad?

6 **A.** Yeah.

7 **Q.** What was that like? What did that involve?

8 **A.** To be made junior leader meant like you had a pretty strong status within that group of
9 boys, you know, where you were pretty much made a boss, and to be a flying squad, you
10 were the boss of all bosses. You can tell those fullas and those fullas what to do, that's how
11 well respected I got there was that I made it to flying squad and like -- but I, for me, I seen
12 a lot of the boys abusing their authorities as well, and become like -a -- it was passed
13 down, this is how you deal with it, this is what you do to them, and this is how you deal
14 with them-.

15 **A.** And yeah, I actually was just doing what I was shown, how to treat the boys, but
16 some of them are pretty sad, some of them were that bad that they actually soiled
17 themselves and pissed themselves, scared as from like -- and I thought this is the way that
18 we've been taught, this is how we have to teach other people, but it readied me, got to jail, a
19 lot of violence, I've had enough. I've seen too much, been through too much, I just about
20 got killed by the Police, all sorts. I've- got 64 stitches straight across the top of my head.

21 **Q.** And you talk about violence becoming a way of life from this point?

22 **A.** Yeah, I've been stabbed, beaten, it doesn't affect me anymore. If somebody was to try and
23 beat me, it doesn't matter, because like all that's already happened to me, now I could walk
24 up and see a whole lot of Mongrel Mob sitting there and I go sit down next to them, "Hey,
25 what's this fulla up to?" "It's not like that anymore, bro. Come on, relax, sit down, have a
26 cup of tea or something." They're like, "Ooh, he's changed." What's the use of all that
27 when you find out you're all related?

28 **Q.** Yeah. When you left Whakapakari you did another - - -you went place to place again
29 through some of the residences into a couple of the places and to Kingslea down in
30 Christchurch?

31 **A.** Oh yeah, that place.

32 **Q.** And you went to a place called Waitomo Papakainga?

33 **A.** Yeah.

34 **Q.** Near the end of your time, this is 2000?

- 1 **A.** Yeah.
- 2 **Q.** And you talk in your statement about how it was a programme that tried to help connect
3 you with to your whenua, and some of the staff knew your mum's whānau, or knew your
4 mum, and you talked about you're wondering if you'd gone to that sort of programme
5 earlier in your life.
- 6 **A.** Yeah.
- 7 **Q.** Do you think that would have been different?
- 8 **A.** I feel like -- yeah, I do feel because when I went back to Waitomo like out of all the homes
9 they sent me, it started off all down here, the last home had to end up back up in the far
10 north which took me back up there to home and it was beautiful staying there, because they
11 got me into rugby, they got me into hunting, they got me into diving, they got me into
12 living off the land, teaching me how to do all the kaimoana, right down to how to shell
13 them, gut them, everything.
- 14 And I could have been an All Black, I reckon. My mate, we were playing rugby
15 together, he ended up playing for Auckland Blues and then he went down and played for
16 the Highlanders and then he played for the New Zealand Māoris and he played for the All
17 Blacks.
- 18 **Q.** Yeah?
- 19 **A.** And we were there playing rugby at the same time, but -- I don't- know.
- 20 **Q.** So was Waitomo like --
- 21 **A.** That's like - yeah, it was like in the north but what they do is they've got their own marae,
22 it's in Herekino and then you go to Whangape, which is where my mum and them all
23 brought up as kids, which I didn't know nothing about until I told her, "I was at
24 Whangape-." "That's my home, we were there as kids, and oysters down here, that's where
25 we went and got them from." And then I told her about it, she was, like, over the moon
26 and - but I ran away from there because I was missing my family. -I wired up until I was
27 16.
- 28 **Q.** I guess one of the things I was thinking about with Waitomo Papakainga, it was doing some
29 of the stuff that the people at Whakapakari and Eastland were talking about, but there
30 wasn't any violence at Waitomo Papakainga, was there?
- 31 **A.** No, there was no violence, it was just -- what happened, why I ran away, I shouldn't have
32 run away, was my koro had died, my grandfather, Joseph Ward Harris, and then I didn't
33 know nothing about it until I was reading the papers and they said the tangi was in
34 Mangamuka, had all our names on it,- "George, Sharee..." and I said, "That's my

1 grandfather." Then I asked them, like, at the home, "Look, my koro's died, am I able to go
2 to the tangi? It's just over the hill, Mangamuka." And he was like, "Oh, boy, I don't think
3 they want us to take you by your family", and then I thought (inaudible) and I took off,
4 because that's what I've always done, and I thought, like, eh, my family's not even ringing
5 up asking how I am or anything, and Granddad's sitting over there at the marae, they're not
6 even going to come and get me, that's how long I've been away for. They just pretty much
7 forgot. I don't know.

8 **Q.** And it's a real theme that I see you with you and your mum and your Aunty Te Enga is long
9 periods of absence from each other.

10 **A.** Yeah, and not knowing nothing. My mum didn't even know I'd been in a coma for two
11 weeks and then straight to Mangaroa for nearly five years until, like, three years into that
12 sentence, and then I rang her one day and she said, "Where are you?" "I'm at Mangaroa."
13 "What happened to you?" "I got run over, I've been in a coma, just about died, I've been in
14 Mangaroa since", she's- just like, "Oh, son, you're coming up here when you get out." She
15 doesn't even really like me to stay here in Taupō- but it's only because of Dad and he's
16 dying.

17 **Q.** In your statement you talk a bit about leaving CYFS care, and spending quite a bit of time
18 in prison?

19 **A.** Yeah.

20 **Q.** And probably a total of three or four years in the community, maybe a bit more now?

21 **A.** Yeah.

22 **Q.** What's it like?

23 **A.** The afterlife? After.

24 **Q.** Yeah, like?

25 **A.** For me the afterlife of all that, it was trying to learn how to live a normal life, and for me,
26 I've always asked myself: What is a normal life? Is a normal life having a job, having a
27 house, what is normal, because I don't really -- like, I'm still trying to look now what's
28 normal. What I've seen out here with all the plans I had before I got out and what I've seen
29 out here, it doesn't always go to how you plan it. Like I had all the brilliant plans but when
30 I got out I realised that life isn't really like that. -You have to go through a lot of hurdles
31 before you even get one plan done.

32 **Q.** When you were in CYFS care did you learn things like how to cook, or how to budget, you
33 know?

1 **A.** I learned how to shell oysters, I learned how to shell kinas and how to shell pauas, all that,
2 but I learned it from just getting in and helping, they didn't teach. You know, in those
3 places, you're either going to swim or drown, you're either going to fit in, you're in or you're
4 out, and once you're not fitting in, your whole stay there is just going to be –

5 **Q.** And you've talked in your statement about some of the effects of your time in care, the
6 nightmares?

7 **A.** Yeah.

8 **Q.** The struggles to trust people?

9 **A.** Struggle to trust people, anger issues, breakdown out of the blues, depression, anxiety, the
10 thought of worrying, like even just the worrying of going out in the world, sometimes I get
11 too worried, I don't like being around heaps of people. She's like, "Hurry up." "Nah, I
12 don't want to go there." There's too much people and I don't know them, it's just like, "Oh,
13 you're different when all your mates around." Because I get low if – I don't know, it's out
14 of it, I feel like I'm alien sometimes. She even said that I'm different to everyone else.

15 **Q.** You've talked about your mum and how that generation have started to go home to the far
16 north?

17 **A.** Yeah.

18 **Q.** Do you go up to your marae very often?

19 **A.** The only time we go home is when there's a tangi or something. That's the only time we'll
20 see each other. Apart from that, no, we don't go home, you know, but in saying that, that
21 doesn't mean that it still can't happen.

22 **Q.** Yeah.

23 **A.** It's like a lot of things, yeah, a lot of things are actually starting to slowly come into place,
24 like, with my mum and Aunty. We still have our little talks together. But I miss my mum,
25 I try not to ring her too much.

26 **Q.** Yeah?

27 **A.** Yeah. Can feel her, I can feel her — I can feel her right now actually, yeah, Mum. But the
28 effects and affects of everything that has happened to us, we are the affects, we are the
29 living – we are the living proof and we're still out here,- we're surviving, you know? And
30 it's actually — for me, yeah, it is. I want something good to come out of all this. Like
31 hurting and mamae- and sad, and brokenness, I want some sort of good and healing and
32 light to be shined, not just into my life but to all peoples that any of this stuff's happened to,
33 some sort of light into their lives.

- 1 **Q.** And I guess one of the last things I do want to talk about is that, looking forward, like that
2 healing journey you've talked about and some of it is the legal claim that you've taken
3 against MSD, so seeking that sort of acknowledgment and apology and compensation?
- 4 **A.** Yeah.
- 5 **Q.** But bigger than that is how to, as you say, move past that hurt and that mamae -- in your
6 whole whānau -- as well as sadness and ---
- 7 **A.** And some closure, some closure for - because until that there's no closure, there's -no - it's
8 like just sitting over them and staying over them. And for some of them it's, like, it gets too
9 much, like my aunties, my mum, they're still talking the same talk. And I'm like – But then
10 I realise, oh, yeah, true eh, Mum, because that's a lot. And then I know because of me, but
11 then I told my mum and them I got so thing that I didn't know what to do, like I was like
12 them, talking the same like them, but then I started to learn and I started to seek the right
13 advice and the legal advice and do things -all -- like-, it's a lot of work, it's more mind
14 power stuff.
- 15 **Q.** Probably the last thing that I want to talk about is the future for you?
- 16 **A.** Yeah, the future.
- 17 **Q.** You're going to be a dad soon?
- 18 **A.** Yeah.
- 19 **Q.** And when you think about your life and when you think about what could have been done
20 differently for you, what do you want for your baby?
- 21 **A.** For my baby, I just want my baby to be able to enjoy, like, have the choice to make its right
22 choices but to feel safe and loved and cared and to be able to feel like they don't need to
23 feel like they have to hide things or close off from everyone and feel like there's no help
24 here. I want my baby to feel safe and to be able to know that they are loved and they are
25 cared and that they're not going to be harmed and hurt like that, because when you're a
26 child you deserve to be a child.
- 27 For myself, being in trouble back then, I didn't feel like a child, I felt like I was
28 made to be an adult at a young age, and I still feel like, yeah, like some of those things back
29 then still affects me, it always will affect me. Sometimes I just can get sad out of the blue,
30 but I'm actually getting to a stage where I know that it's not a weak thing to cry or to feel
31 hurt. I've had some of the most hardest gangsters crying in my arms in the darkest times in
32 prison, and they're some of the most toughest men I've ever met, physically anyway, but
33 emotionally everyone hurts when you talk about sad stuff, and things that have hurt. To

- 1 me, I feel a lot better, eh? Like, I don't want to go into too much details about what has
2 happened, but I want something good to come out of all that.
- 3 **Q.** Listening to you today I think something already has, you've -- if you can teach your baby
4 half of that then you're going to do just fine, Stuart, okay-.
- 5 **A.** Yeah.
- 6 **Q.** Did you have anything else? Okay. You have done an amazing thing today, okay? And
7 I hope you're really proud of yourself.
- 8 **A.** Yeah I am. Yeah, I also thank our you Atua up there. I don't know if it's Jesus, God or
9 whatever, so much different things, but something up there has kept me alive all the way up
10 through here because I should have died many times.
- 11 **SPEAKER:** There's another thing of being him, because I believe in God, like my parents are
12 Jehovah's Witness, so I'm kind of - he's like my strength, that's why I love him too because
13 he loves me for my spiritual side. That's where we connect, that's where I love him. Those
14 things -- -that's what's kept us strong is, you know, praying, the bible and all that.
- 15 **Q.** Yeah, cool.
- 16 **A.** Yeah, for the future though, that's what I want for my baby, and to have thing when I went
17 to report at probation, say like just a couple of days ago, then he comes out with a paper
18 and, "I've got a bit of Oranga Tamariki paper here, mate. We want to have a copy of your
19 full criminal history, we want to do a full check, we're worried about your partner and how
20 she's going to cope with you with all your..." -- but they had a good look at it, and they
21 were, like", nah, you're actually - you're- all right", you know?
- 22 **Q.** And he's back with Tūwharetoa.
- 23 **A.** Yeah, I've come a long way, I showed him.
- 24 **Q.** And the two of you, you clearly know that, you know, you want to wrap those people
25 around you and you get those supports, and Ed and Robyn are going to do a much better
26 job than me of this; but I always say to people, and I've said this to you before, you be kind
27 to yourself today, take it easy, do the things that help you relax and chill out, okay, because
28 we have dug through all this stuff again and you've done an amazing job."
- 29 **COMMISSIONER ERUETI:** Tēnā koutou katoa. That brings us to the end of Mr Harris's
30 evidence for today. We're going to take a 15minute break and then come back to our last
31 witness for today.

32 **Adjournment from 3.18 pm to 3.35 pm**