

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

**Under** The Inquiries Act 2013

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

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

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

**Venue:** Level 2  
Abuse in Care Royal Commission of Inquiry  
414 Khyber Pass Road  
AUCKLAND

**Date:** 18 July 2022

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**TRANSCRIPT OF PROCEEDINGS**

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**INDEX****WHITI RONAKI**

Questioning by Ms Basire	470
Questioning by Commissioners	498

**MR EV**

Questioning by Ms Kuklinski	502
Questioning by Commissioners	521

**JONATHAN MOSEN**

Questioning by Mr Thomas	523
Questioning by Commissioners	544

**Lunch adjournment from 12.24 pm to 1.50 pm**

**COMMISSIONER GIBSON:** Thank you, Ms Kuklinski.

**MR EV**

**MS KUKLINSKI:** Good afternoon Commissioners. Today we have another witness, Mr EV.  
He's going to give evidence via video.

So Mr EV, welcome today. We will begin your video now.

**[Video played]**

"Mr EV is of Pākehā descent and Deaf. Mr EV was a boarding student at Kelston School for the Deaf in Auckland between the ages of about five and 18 years old, 1969-1982.

In this video two people are speaking New Zealand Sign Language. They are sitting on couches opposite one another. The witness is blurred out so he cannot be identified, but his outline is visible. The person interviewing the witness has blonde hair which is clipped up in a half up half down style."

(Introduction.)

**QUESTIONING BY MS KUKLINSKI:** "So today you'll be giving evidence and I have to ask you if you solemnly, sincerely and truly declare and affirm that the evidence you give to the Royal Commission will be the truth.

We'll start with your early life. Where were you born and what year was that?

A. I was born in 1964 in Takapuna.

**Q.** So do you have brothers and sisters?

A. I have a stepbrother, I was adopted. My mother gave me away at birth. So I was adopted by my adoptive parents. So I was adopted by them and lived in Te Atatū. My grandmother dropped me off at Kelston Deaf School, that was when I met the principal, Mr Young. He spoke to me and of course I understand what he was saying, but he took me by the hand and led me into the school and I stayed there as a boarder for many years.

**Q.** Does your family have -- are they Deaf or hearing?

A. They're all hearing. I'm the only Deaf person in the family.

**Q.** So how did you communicate?

A. We wrote notes and my father could finger spell, but they never signed, we really just wrote notes.

**Q.** So you visited Kelston Deaf School, can you tell us what that school is?

- 1 A. When I left school? Kelston Deaf School has Deaf students, yes. It was a boarding school  
2 as well.
- 3 Q. So you went there as a boarder?
- 4 A. Yes, I did.
- 5 Q. How did you communicate with the teachers and the principal?
- 6 A. So the teachers really spoke, there wasn't a lot of sign being used. Some of the teachers had  
7 a bit of sign but they weren't fluent.
- 8 Q. So the other Deaf students, how did you communicate with them?
- 9 A. We were five years old and we started signing. I actually can't remember the signs, but I  
10 think over time we developed sign language. And then at high school there was a man who  
11 was teaching us sign and he led(?) the school, and as we moved through with this model of  
12 language we passed the language on to others.
- 13 Q. So you were five when you started?
- 14 A. Yes, I was five.
- 15 Q. Did you understand what was happening to you at the time, what the school was?
- 16 A. I was to be a boarder, I was in a Deaf group, the teacher sort of took us into a class and I  
17 was like oh, so this is a class. We were in age groups, five to I think about seven and then  
18 the others were separated seven to 13. And as you became older you moved into the  
19 different sections of the school.
- 20 (The abusive teacher.)
- 21 Q. So you've told the Commission about the teacher that was abusive. If it's okay with you  
22 we'll talk about that now. How old were you when you first met that teacher, what class  
23 were you in?
- 24 A. I'd have to look at my year book which I've left at home. There were two women that  
25 worked with the younger children, they were good teachers. Now the abusive teacher  
26 started in 1978, I think he was there until 1979. He was abusive.
- 27 Q. So you were in his class, for how long?
- 28 A. For two years. Yes, I was abused by that teacher for two years. There was one Māori Deaf  
29 person who had a fight with him, with that teacher in the dining hall. It was a really big  
30 fight and I think that was in 1975 and all the boys and girls watched this fight take place,  
31 wow. And it kind of started there and continued.
- 32 Q. Do you know why they were fighting?
- 33 A. Over nothing really I think, so we got the dining table and maybe food was dropped and the  
34 teacher said "clean it up" and the Deaf man said "no, no, that's -- the women who work in

1 the kitchen will come out and clean that", and he was quite insistent that it be cleaned up  
2 there and then, and that's how the fight started.

3 **Q.** So when you were in the class with that abusive teacher, how do you think he felt about the  
4 students, the children?

5 **A.** Some of the girls were frightened of him, of the abusive teacher and some of the boys too  
6 were frightened of this teacher. He was a hard man. He had an attitude, he had no  
7 patience, he was very angry himself. I think prior to him becoming a teacher he might have  
8 been fine, but afterwards; and I'd never seen anything like this before. I think all the other  
9 teachers were talking about him, about the abuse.

10 **Q.** So when this teacher communicated with you and you couldn't understand him, what was  
11 he trying to teach you?

12 **A.** Sometimes he was oral and so he would speak to us and he had a little bit of sign. He  
13 would write on the board and say the words with a little bit of sign, we'd copy it, that was  
14 about it. Back in the day I was using what I'd call old sign and now use new sign, there's  
15 been a transition of the language. Sometimes the teacher signed really well and other times  
16 not so good, so there was a variety of ability.

17 **Q.** So that teacher, that abusive teacher, what did he tell you about his experience of being in  
18 the Army prior to becoming a teacher?

19 **A.** He said he was ex-Army. He was quite adamant about it, "I'm ex-Army, I'm a hard man"  
20 and had a really grumpy look on his face. In maths he would tell us we were wrong and  
21 then point at everybody and say "you're all dumb." We felt really put down by him. He  
22 was very aggressive. He did this to all the boys, just put us down. The girls? So one year  
23 we had boys and girls in the class and in the second year it was all boys.

24 **Q.** So he said you were dumb, how often did he say that to you?

25 **A.** He never took the time to explain anything, he'd just say you're dumb, "come on, think",  
26 Monday to Friday, every day we were put down, every day. On the weekends we felt free  
27 and then it was Monday again and it would continue. He had no patience. He'd just go  
28 around telling us we were all wrong. We were trying, and he also had a black and orange  
29 stick which he used to whack us across the hands with and point to his brain and go "come  
30 on". We all lost confidence.

31 That teacher, he was such a hard man, he never thought to explain things to us. We  
32 were deeply frustrated. One of the boys, I think prior to us all going on holiday, so there's  
33 one Deaf boy who spoke up and said "stop, leave them alone." And he said "you're dumb"  
34 and it continued. We got really depressed with this. We felt better once we got outside,

1 and, you know, we talked about it amongst ourselves, we knew how horrible he was. Then  
2 it was time to go back to class and on and on it would go. He would pick on the same  
3 person repeatedly. And I'd say "look, leave him alone." I'd be told to shut up. Shut up?  
4 The teacher said shut up to me? I'd never been exposed to that before. It was very  
5 upsetting, you could see this child was upset and depressed. And then it was holiday time  
6 and we all went home to our respective families. But it was difficult to communicate with  
7 our parents.

8 "(Narrator) around September 1978 a student from Kelston was hit by a train and  
9 died during the school holidays. Teachers went to the funeral and students found out when  
10 they went back to school."

11 I think in 1978, in September of the year when I was 14 was when that accident  
12 happened.

13 **Q.** So when that happened how did you find out, how did you hear about it?

14 **A.** I saw it in the paper and a Deaf friend of mine cut the notice out. We went back to school,  
15 back to Deaf School, and I was approached and shown the Deaf notice. I didn't know what  
16 to say. The next morning, and it was a really stupid thing that was said there, that teacher  
17 was like, "it was my friend not yours", but Mr Bury didn't say anything at the time. So that  
18 was some 42 years ago. I miss him, he was such a good boy, he was funny, he could sign  
19 really well. But that teacher, that abusive teacher used to pick on him and put him down.

20 **Q.** What did you think of that accident?

21 **A.** Well, it was actually really depressing. That teacher had been picking on that student for  
22 some time. When we eventually got back to class, and I was really sad about what had  
23 happened; so it was a table, it was kind of in a horseshoe shape and he took his desk and he  
24 removed it to the corner of the room and he said "just don't worry about that anymore."

25 **Q.** What did you think of that?

26 **A.** I just thought it was really silly. Why would you say such a thing like to disregard the  
27 student in that way? I mean we were really emotional over what had happened. After bell  
28 time had gone we actually moved the desk back into position again, and then when we  
29 came back to class it was removed all over again. Yeah, no words really.

30 **Q.** So at that student's funeral, did all the other classmates go?

31 **A.** No, they didn't, it was the school holidays at that time so none of us knew what had  
32 happened.

33 (Subjects at Kelston.)

1 **Q.** So we'll just move on to some of the subjects that you learned at school, in particular Morse  
2 code.

3 **A.** Well, we tried to explain to the teacher that we weren't obviously Army -trained and we  
4 didn't know about Morse code, and he just let it rip on us, "shut up, just do it." But it just  
5 didn't make sense to us, we couldn't understand why we were being taught this. He was an  
6 extremely difficult man and lacking in commonsense entirely, but he just insisted that we  
7 kept going and we get this right and right, and until it was perfect and we just had to  
8 persevere with this lesson.

9           Every student had to try their hand at Morse code and get it right. And so obviously  
10 we could not understand, this is not -- this is an object and a subject which is foreign to us  
11 as Deaf people, we couldn't understand how it worked, we couldn't hear any of the beeps,  
12 yet we were expected to do it. I mean this just went on for an hour or so.

13           And then eventually, after the two years we moved into Mr Thompson's class and  
14 he used to do this magic trick where he'd rub his elbow and we were all enthralled by the  
15 magic tricks that he would teach us and he was such a joker, but he was a great teacher and  
16 he would teach us astronomy, as well as science and he would teach us about budgeting for  
17 our futures. And we really felt with him that he instilled a lot of the lost confidence that  
18 that abusive teacher had taken away from us. And Mr Bury as well, he was a great teacher  
19 and he would take us for health and the boys and girls would be separated for their lessons  
20 and we were really taught in depth. It was what we were starved of, what we had lacked.

21   (Gym class with the abusive teacher.)

22 **Q.** So what did you do in gym class?

23 **A.** So there were a couple of days per week where a group of us, we would go to the gym and  
24 we'd walk in and we were made to clean the gym floors, we'd have to mop them. This was  
25 Monday and Wednesday. You know, and so the girls would come and say "what do you  
26 guys do?" We'd say "that's the teacher, this is what he's told us to do."

27 **Q.** Was it explained to you why?

28 **A.** No, it was just this person, it was him, just get in there and start mopping the floors. We  
29 had done nothing wrong, but he just said "no, you get in there and you do this." And again,  
30 I don't know if this came back to his background of being in the Army, that was the style  
31 that he was inflicting on us. It took about one to two hours, it was a big school gym. And  
32 by about 11 o'clock, you know, here we were still mopping this floor. We had no idea, we  
33 were just mopping away. And he'd come in and inspect and say "you missed a spot, do this  
34 again." You know? It was never ending. The boys were really, really fed up by this.

- 1 **Q.** Can you tell me a bit about what happened to the male student in that class? I'm talking to  
2 you about the climbing frame.
- 3 **A.** There was a male Deaf student who climbed up the frame and up and then down, and then  
4 this time he was climbing up the frame and the frame was shaken and he fell off the frame.
- 5 **Q.** So who was shaking the frame?
- 6 **A.** It was that abusive teacher. So the male student had fallen down, he'd got up, a fight almost  
7 broke out, but the teacher backed off and the student walked off and the other teachers that  
8 were there were very cowardly and didn't involve themselves in the incident.
- 9 Then moving on to female students, there was one on the frame and it was shaken, a  
10 little bit worse than the male students shake of the frame. She fell off, she screamed out,  
11 she broke her arm, she walked off and again, the other teachers that witnessed that didn't do  
12 anything, just observed her leaving the hall. She went to see the nurse, she had a sore arm,  
13 they took her to hospital, and she definitely had a broken arm. They plastered it, then she  
14 got back to the school that night and the next morning she yelled out to everybody that "the  
15 teacher had abused me" and that teacher just went "so what?" He just didn't care.
- 16 **Q.** Oh, so he didn't care?
- 17 **A.** No, he didn't care.
- 18 **Q.** So those four teachers that didn't do anything, how did you feel about that?
- 19 **A.** They should have known better, they should have told him to stop it, he was being a bully.  
20 I don't know if they couldn't, they stayed still and they said nothing and they didn't act on it.  
21 I mean it was like they didn't care that that teacher was abusing us. We had gym every  
22 Friday. We weren't taught anything as a class. We just had gym every Friday. To what  
23 point I have no idea.
- 24 **Q.** So the day the girl broke her arm, how many teachers witnessed that?
- 25 **A.** Four of them.
- 26 **Q.** What were they doing there at that time?
- 27 **A.** I have no idea. They were very cowardly, they said nothing. We were all upset and walked  
28 off.
- 29 **Q.** How did you feel about that?
- 30 **A.** I felt really sorry for the Deaf students, particularly the one with the broken arm. I couldn't  
31 understand where that abusive teacher was coming from and why he was hell-bent on  
32 making our lives a misery. He abused both boys and girls. So I think that the girl who  
33 broke her arm, I identify that as abuse. You know, what happened to that girl was probably  
34 one of the worst incidences of cruelty and then, of course, at the end of the day everyone



1 went home and it was talked about, the event that day and how we hated him so mu ch.  
 2 And we would just discuss amongst ourselves, you know, about the bullying that he was  
 3 doing to us.

4 So the girls were in the upstairs dorm and so the conversation was around the  
 5 climbing wall and how that was shaken, and around was that, you know, di d this teacher  
 6 intend malice by that action? But to this day. it scarred us, we have never forgotten it and  
 7 we've never forgotten the actions or the inaction of those four teachers.

8 And the amount of bullying that went on, I suppose how did it make us feel? We  
 9 were depressed, we were upset; the actions of one person and how that has affected us all.

10 **Q.** So I'd like to ask you about another incident and this was in the gym class around a game of  
 11 softball. Can you explain what happened?

12 **A.** Right, so we all came into play softball and part way through the game the abusive teacher  
 13 threw the softball real hard and it hit me in the face, and again, those teachers, the four  
 14 teachers were just watching, they did absolutely nothing. Or else he would throw the ball at  
 15 distance purposely so we would just have to go and chase the ball and pick it up for him  
 16 and he'd laugh. So he'd throw the ball and we would just have to run after it and pick it up.  
 17 And if you didn't want to play softball you were forced to. And again, these teachers just  
 18 stood by and did nothing. It was the same response. So when that incident happened in the  
 19 softball game, I was so annoyed. Anyway, I was really, really, you know, grumpy by this  
 20 but he didn't care at all, he just laughed it off. There was no apology, there was no sincerity  
 21 at all from him. Anyway, so we went back to class.

22 **Q.** So at the time of the softball incident when the abusive teacher threw the softball at you,  
 23 what was the reason for that?

24 **A.** Well there was no reason for it. He was intent on hurting me.

25 **Q.** Was there an accident or was there malice involved?

26 **A.** No, I think it was maliciously done and then I was placed out of the game after that.

27 (Physical abuse.)

28 **Q.** If we just go back to discuss the physical abuse, and why was the cane used, what happened  
 29 to make the teacher use that on the children?

30 **A.** Well, he'd come around with his cane in the class and he'd be holding it and if anyone did  
 31 something wrong, they got hit. He'd leave it on the table, we'd progress through the class,  
 32 and he would hit us on the knuckles and whack us really, really hard. Oh it was painful.  
 33 And of course we were really angry by this and one of the kids actually broke the cane.  
 34 And he came in "what happened to my cane?" We were like "I don't know, I don't know."

1 So he came back with another one. He just replaced it. And it was kind of like a black and  
2 orange striped cane that he would have under his arm and the slightest mistake we made he  
3 would use it on us.

4 **Q.** So the students weren't naughty as such, they may have just made a mistake with their  
5 work; is that what happened?

6 **A.** Well yes, we were doing maths at that time, you know, so division, multiplication and we  
7 were trying our best and it was really tough going for me. You know, I just couldn't work it  
8 out, I couldn't work out the sums, and he'd come and say "that's wrong, you do it again."  
9 So back we'd go, through the times table again, but it happened to all of us, he'd say "you're  
10 all dumb." One of the Deaf Māori students actually stood up to him and said "hey, I'll give  
11 you this", and he showed him his fist. He sat back down, he was quite staunch.

12 The next morning it was art class. And we were at our tables and I was gluing  
13 something. And once I had done that he came along and he just whacked me on the back of  
14 the head, he kneed me in the leg. I was black and blue from that, I had a bruise, I was  
15 limping from that. So Mr Bury inquired, he said "what happened?" And I told him what  
16 this abusive teacher did. And he went up to him and said "hey, you leave them alone, stop  
17 bullying these kids." So what did that abusive teacher do? Just ignored it.

18 I had this really big bruise on the side of my leg. Another Deaf boy said the same  
19 thing to me, he asked what had happened and was there an explanation as to why? Well,  
20 anyway, so this was seeing this big bruise on the side of my leg, and I just said "well, it was  
21 that teacher again."

22 Anyway, there was Deaf Māori student there and a fight broke out between himself  
23 and that teacher, and I just sat there in the background encouraging it. And he says, "you  
24 know what? I'm going to get my whānau on to you." He had some whānau that were in a  
25 gang, so he threatened the teacher. He said "yeah, I've got a friend who's in Black Power."  
26 And so he ushered him along, he said "see this fella waiting out there? This is what will  
27 happen." And he took off, he took off. I saw it, I witnessed it myself. It was Black Power.  
28 You know, and it was a great support for us to try and stop what that teacher was doing.

29 **Q.** So the teacher was abusing yourself and the other students. How long did this go on for  
30 and how often, was it just one time or a couple of times?

31 **A.** It was continual. There was one Deaf Māori student who wasn't doing well at their sums,  
32 he'd say "you're dumb, you're thick, you can't get this." He was very oppressive to each and  
33 every student. We had to persevere. One year went by, another year went by, and then  
34 finally we got into the class of Mr Thompson. He was fantastic. And perhaps

1 Mr Thompson heard these rumours that were going around. I'm not clear about that, but we  
2 had to persevere through those years until we got into different classes.

3 I know another student who endured four years of the abuse, four years. And there  
4 was a Māori girl who was really, really upset. Anyway, she walked by, I saw her and said  
5 hello, and we had a bit of a chat. I said "what happened? What happened with the  
6 bullying?" So -- and she'd say "you know what? We'd do just the smallest thing wrong and  
7 we'd be slapped." "Was it the teacher?" "Yeah, it was the teacher, right on the face they'd  
8 slap us."

9 So it didn't just happen to me. I said "how long were you in that class for?" "I was  
10 in there for four years." We shared stories, my abuse of two years, hers of four years. And  
11 that's what this teacher was like, he just didn't care about the students and at any  
12 opportunity to put them down, he would.

13 **Q.** So the student that was slapped on the face, why were you shocked about that?

14 **A.** Because it was a very small thing that had been done, some minor incursion, she got a slap  
15 across the face. I've never forgotten it. It really happened. There was another student who  
16 said yes, they were being abused like I was. It seemed he started with our class and then  
17 carried on. I mean, I was an older student by now, I had left, but there was four years of  
18 continual abuse after I'd left school, it went on and on and on, from one class to the next  
19 class, from one year to the next year. It just repeated.

20 **Q.** So he was abusing both boys and girls?

21 **A.** Yes, he was.

22 **Q.** So how old were the students, 13, 14?

23 **A.** I was -- I think when I started with that abusive teacher I was -- let me just think; I was 14  
24 years old. Right. 1980, when I was nearly 15 and I was in Mr Thompson's class, which  
25 was great, there were other students, boys and girls who were being abused. I heard about  
26 this, there was talk at the school that the teacher was abusing them, and I was like "yes, that  
27 happened to me" and we all hated him, he was really cruel on an ongoing basis. Monday to  
28 Friday, every single day, it never stopped. We were very upset and depressed by this  
29 behaviour.

30 **Q.** I just want to go back to one of your friends that passed away in the year 2000. Your friend  
31 **[GRO-B]**, if you could briefly tell me about that?

32 **A.** So as I said, we had boys and girls in the class, we were in a bit of a horseshoe set-up  
33 and **[GRO-B]** was called up to the front of the class and laid into by this teacher. I couldn't  
34 think what the reason was for this, he put the knee in and he punched him. And then he

1 went back to his seat and sat down, and the teacher said to us "he's my friend, you aren't my  
2 friend." And we're like, are you mental? It was abuse.

3 I can't understand why parents are paying taxes to have their children educated and  
4 all the kids are getting is abused. [GRO-B] was a good man. He was really quite a tough  
5 guy. But I remember at play time he came out after being hit by the teacher and he was  
6 really sore, but he, you know, he didn't give it back. We were like "tell your father", he was  
7 like "no, no I'm fine." I'm fine? He was tough. He was a tough guy, he was a good man.  
8 [GRO-B] was drinking. I think he had -- and riding a motorbike and it ended in an  
9 untimely death.

10 **Q.** Was this after school?

11 **A.** After he left Kelston. He'd done nothing wrong, he was fine and he was abused.

12 **Q.** Did you go to his funeral?

13 **A.** Yes, went to his funeral, it was quite a crowd actually. And I can't believe that teacher that  
14 abused us was there. He tried to say hello to us. I couldn't be bothered speaking to him, I  
15 was quite grumpy by the fact that he was there actually.

16 **Q.** After the funeral did you talk with your friends about the abusive teacher?

17 **A.** Yeah, we said nothing to him though, we couldn't be bothered with him. I think he felt a  
18 little bit out of place, he didn't stay for long and left, which was good.

19 **Q.** Did he use his hands on you?

20 **A.** No, the stick, oh and his hands actually. Yes, he punched us and he used the cane, hit us  
21 with that, or slapped us. Yeah, physically abused us with either his hands or his cane.

22 **Q.** Did he kick you?

23 **A.** Sometimes.

24 **Q.** I want to ask you about the school bus. What happened there?

25 **A.** Right, at 3 o'clock when we finished there was a Deaf man, a really big guy that I would  
26 chat with. He would look after the children. Sometimes the bus was late to arrive, we were  
27 all just milling around waiting for it. Now that teacher that was abusive used to get very  
28 frustrated with us milling around, so you know the stapler, he would use it to hit a  
29 five -year old child on the -head -- oh sorry, the clipboard. The child would cry and be  
30 upset, and then go and complain and say "look I was hit, hit me on the head and it's sore."

31 So he wanted us to line up like we were in the Army and not move. As I said  
32 before, he used that cane on us. So this child had told the adult that he had a sore  
33 head -- she had a sore head, and the child was dismissed, told to go. And then this big  
34 person went over to the abusive teacher, took him by the collar and said "don't smack the

1 kids", and invited him to fight with him. We were all very pleased to see that, but he wasn't  
 2 keen to fight with this guy. He showed him his fist and said "don't do it." We were all very  
 3 grateful, that little child was very grateful.

4 And he, from that point on, looked after us, lined us up while we waited for the bus  
 5 to come. The abusive teacher said nothing, he just walked off. You know, hitting a five  
 6 year old on the head with a clipboard? What the heck for? All we were doing was  
 7 mucking around waiting for the bus which was late. He had no patience. Go figure.

8 **Q.** Did the other teachers see this or was it just the students?

9 **A.** We witnessed it and that big guy, he witnessed it as well. He saw him hit the child with the  
 10 clipboard because the child came to him crying, it was a blonde child, I'm sorry I don't  
 11 know the name of the child. But he was very helpful. Then he went over to that teacher  
 12 and said "why did you hit the kid on the head with the clipboard?" He was told to stop in  
 13 no uncertain terms and then I think it was later he was replaced by another teacher because  
 14 he was abusing little kids. I mean we're talking children from the age of 18 down to five.  
 15 Why was he hitting a five year old? This is just a little girl, a five year old, hit her on the  
 16 head, not good. She could get brain damage, you just don't know, but I know she had a  
 17 sore head.

18 (Not being able to communicate about the abuse.)

19 **A.** And then, of course, school holidays you'd go home, your parents would ask you if you  
 20 were all right and you'd say "yeah, I'm all right, nothing to report", you know, we had  
 21 problems communicating with our folks. So really we just bottled it. We couldn't speak  
 22 up. We'd come back to school after the holidays and we'd say "did you tell your parents?"  
 23 I couldn't communicate with them, so we just bottled it. And we'd try to console each other  
 24 and pretend that we really didn't care about the way this guy was treating us.

25 **Q.** So you told me or told the Commission, you said that you told your brother and your father  
 26 about -- did you show them photos of the abusive teacher?

27 **A.** Yes.

28 **Q.** So when did you talk to them about that, what did you say to them?

29 **A.** I told my brother and my father that I'd been kneed in the leg and I'd been slapped across  
 30 the head and hit with this cane and it really hurt. I guess I used body language with my  
 31 brother to explain myself and I think he then spoke to my father about it. My father, I  
 32 think, decided he would talk to the principal and try and sort it out. My brother explained  
 33 this to me, so it was through my brother that things were explained. I had a bit of  
 34 understanding of the situation.

1 **Q.** So back at that time, did you have a sign for "abuse"?

2 **A.** No, we would have said "bully" actually, he was a bully. Then when you leave school you  
 3 get new vocab, so I'd learned abuse, but abuse and bullying, I thought they were different.  
 4 It was physical abuse and we were using bully, he was a bully. He was abusing us, that was  
 5 a new concept to us that we had to learn, because we hadn't been educated about this, we're  
 6 just like he's a bully. We didn't know what "abuse" meant, physical abuse even, so we just  
 7 used the word or the sign "bully".

8                   And it's like, I find it hard to believe that our parents were paying tax and this guy  
 9 became a teacher and he was teaching us and abusing us. People were very patient and  
 10 finally left school. But I believe that we're still traumatised by what had happened and we  
 11 can't let it go.

12   (Impact of abuse.)

13 **Q.** So now I'd like to talk to you about how did the abuse affect you. I think you said the  
 14 abuse started, you were talking with -- did you talk to adults, principals, other teachers, did  
 15 you talk about it with them?

16 **A.** No. We talked about it amongst ourselves, boys and girls talked about it, but we didn't  
 17 speak to the teachers, we didn't say anything to them. I'm sure Les Bury knew we were  
 18 being abused, I'm sure they'd heard gossip or rumours, but it was just discarded. And of  
 19 course I don't know what the teachers were discussing in the staff room.

20 **Q.** Did you think about talking to your parents about this?

21 **A.** No, I couldn't communicate with my parents. I think some of the kids could communicate  
 22 with their parents but they were bottling it, they were holding on to this information, they  
 23 didn't speak up. Perhaps the parents were aware that something was wrong, but the  
 24 children weren't speaking up, the problem being communication and mums and dads not  
 25 knowing how to sign, I'm sure that was the situation for some.

26 **Q.** So before you were telling me about your father and your brother, could you explain that to  
 27 me again, when was that?

28 **A.** I said we weren't getting enough education, not in English, not in math, it was really bad  
 29 actually. I think I did explain that to them, I explained that to my brother, I think my  
 30 brother explained it to my father. I'm sure he was quite curious about the fact that we were  
 31 receiving a poor education, the education we were being given wasn't good enough.  
 32 Because as I said previously, you know, parents pay tax to have their children educated,  
 33 and we didn't get much of an education. But I had teachers, before I left school, that were

- 1 good at educating me, but that teacher that was abusive, no, he really affected my  
2 confidence. I wasn't confident with him at all, which was a big problem.
- 3 **Q.** So let's go back to when you were talking to your brother and father. Where were you, was  
4 this when you were still at school or after you'd left?
- 5 **A.** I think it was during the school holidays when we'd go home, I think I explained the  
6 situation then, then I'd go back to school and school life would carry on.
- 7 **Q.** So you said you lost confidence, so how do you think that affected your future learning,  
8 your study, opportunity to study?
- 9 **A.** Okay, you know, the word "abuse" and "physical" and stuff, I didn't even know what they  
10 meant, but I do now. So I've done some Deaf life skills, a course of study and a bit of  
11 English learning and my English has improved as a result, because I was being educated by  
12 a Deaf teacher, taught some vocab which built up my confidence. But I have to ask why  
13 teachers, you know, didn't bother to teach us difficult English words. You know, when  
14 I write things down, people now sort of, well, they think that Deaf children from that era  
15 don't have great English and they don't blame us, but, you know, they were being paid to  
16 educate us, and where was the education? I mean now the Deaf Education Centre has  
17 improved, it's much better than it was in the old days, it's quite different.
- 18 **Q.** Can I ask you, that word "abuse", you said you didn't know what that word was, so when  
19 did you learn about that?
- 20 **A.** I'd left school, it was a few years later I think. I might have been at Deaf Club, mixing and  
21 mingling and bullying and abuse was raised, and then "abuse" was signed to me and finger-  
22 spelt to me ABUSE, and I'd never seen that word before. I knew about "bully", but then I  
23 was told about physical abuse and other details that go hand and hand with that. That was  
24 at Deaf Club in the Deaf community. We were quite good at sharing communication there,  
25 because we weren't educated at school, and I have no idea why they left all those words out.  
26 But they weren't taught to us, we didn't get enough education, it was a very poor education.
- 27 **Q.** So you said you learned to drive and work, do you think you missed out on learning?
- 28 **A.** Yes, I've shared within the Deaf community, well that's how we've learned from each other  
29 really. And I've been involved in sports, Deaf sports. It was in situations like that that we  
30 shared and learned from each other, because the teachers didn't teach us, we didn't get  
31 enough education.
- 32 **Q.** Were there any teachers there that you felt did teach you, that were good teachers?
- 33 **A.** Well, there was just the one teacher that was abusive. Prior to him getting the job, I don't  
34 think there was abuse and as I've mentioned, Les Bury and Mr Thompson, great teachers.

(Going to the Police in 2008 with other ex--Kelston students.)

- 1
- 2 **Q.** So when you left Kelston Deaf School and you met other Deaf people, did you talk about  
3 what had happened to you?
- 4 **A.** We didn't really talk about it then. No, nothing was said. Time went by and the Deaf  
5 community, I suppose they talked. And then one person raised the issue of abuse and I  
6 think that got us talking. We decided to speak up and go to the Henderson Police Station.  
7 As I said, a number of us went there and told our story to them. But there has , to date, been  
8 no action. We're still waiting in 2022 and I have no idea, you know, they have a file.
- 9 **Q.** So that time that you went to the Police in 2008, did you know what was happen ing when  
10 you went? Did you have any idea what was going to happen when you reported it?
- 11 **A.** Well, I thought we were reporting our abuse and there'd be a file generated. It was five of  
12 us, five people who reported, who, you know, we all took a turn tellin g our story, there  
13 were five of us. We all took a turn, we had the interpreter with us, and each of us had our  
14 own perspective. They were similar, but each of us had our own perspective.
- 15 **Q.** What did you think would happen when you reported it?
- 16 **A.** I thought the Police would investigate, but nothing happened. They went quiet on us and I  
17 have no idea why. Just recently I've been to the Police again and explained myself to them.  
18 The Police said they will soon be investigating but I don't know when they' ll be ready to do  
19 so.
- 20 **Q.** So in 2008 when you went to the police station, who did you go with, was it your friends?
- 21 **A.** Yes.
- 22 **Q.** How many of you?
- 23 **A.** There were five of us.
- 24 **Q.** And you make six, do you?
- 25 **A.** Yeah, I think five and me would make six.
- 26 **Q.** So when you went into that room, who was in the room with you?
- 27 **A.** We had an interpreter, a policewoman called Debs who could sign herself. I'm not sure if  
28 there was a senior Police person there, and the five of us told our story to the Police. The  
29 interpreter did a great job and the Police took note. We each had a turn. And we were just  
30 talking about the one teacher who'd been abusive. So five plus three, two Police and one  
31 interpreter.
- 32 **Q.** So who made the decision to go to the Police? Did you all decide?
- 33 **A.** Yeah, all of us did. So after that report, after providing the Police with the information we  
34 had, we wanted him arrested, that teacher that had abused us, we wanted him to be arrested.



1 We wanted the Police to investigate. We thought it was on hold until they had done, but  
2 apparently they had to do some historical investigation. And goodness knows when they'll  
3 be ready to pick that up and continue with their investigation; we're still waiting. We hoped  
4 he'd be charged and arrested, but apparently they have to gather information first and talk to  
5 people who have similar stories to tell.

6 **Q.** So in that meeting room, with all the people in there, what did your school mates have to  
7 say?

8 **A.** It was the same story, very similar, about the abuse, about the teacher, about what happened  
9 in class, to me, and the others that had been in his class. I mean others had had a different  
10 teacher and I think they might have been involved as well; they had different stories which  
11 were separate to ours. But the teacher was abusing half of the people there. But we had  
12 stories that were different and stories that were similar. Basically our focus was the teacher  
13 that was being abusive.

14 **Q.** There was a woman student, your friend who explained about the showers. Can you  
15 explain what happened there, **[GRO-B]**?

16 **A.** Yeah, so the abusive teacher didn't respect privacy at all and just would barge in. And of  
17 course the girls were just in their undergarments and would try and cover themselves, and  
18 there was a real panic that went on with this, so -- or else they would -- and obviously they  
19 would then go for a shower and after the shower they would put a towel around themselves,  
20 and of course the teacher came in. And they're like "go away, get out of here", the students  
21 were really, really angry. And of course he would come in and just say "time, time, come  
22 on, be punctual."

23 But there was absolutely no respect for the dignity of the girls, just didn't care at all,  
24 just went straight in there. And then, of course, would go into the boys changing room and  
25 do the same thing. So just go had no respect for the privacy of the children at all. I have no  
26 idea what possessed him to do that.

27 **Q.** So just going back to the visit to the Police in 2008, at that time you've told us that there  
28 were around eight people in the room. Did you have a private conversation with the Police  
29 at that time?

30 **A.** Well, I was actually asked by that group of five if I wanted to go with them, so that's how  
31 that happened. And again, we all had very similar experiences of abuse.

32 **Q.** So when you were in the interview room, was it just one at a time with the police officer, or  
33 was it all five of you?

34 **A.** So it was all of us in the room and we all took a turn to tell our story.

- 1 **Q.** And when you finished explaining your story, what did the Police do?
- 2 **A.** So they heard our stories, and they accepted our reports and there was a voice recording,  
3 and of course we had a sign language interpreter present. And so once that process was  
4 done, we all went home, and then it's as if the process had stalled. There was no further  
5 action, we hadn't heard from the Police. And my five friends, we started talking about the  
6 visit to the police station and we were just enquiring amongst ourselves what was  
7 happening or why nothing was happening, and so no action had been taken. I don't know  
8 why.
- 9 **Q.** So when you visited the police station, did you think that you were just having a general  
10 conversation, or that it was a complaint?
- 11 **A.** Oh no, we were very clear that the five of us, my five friends and I were making a  
12 complaint against the abusive teacher. We were very clear about that. And of course there  
13 were slight differences to our stories, but it was recorded at the police station and again, we  
14 didn't hear anything after that.
- 15 **Q.** So when you all left to go home, what did you think was going to happen next? Was it  
16 explained to you?
- 17 **A.** No, again, we were waiting to hear back, we expected to receive a letter at least and we  
18 didn't get that. There was just no action taken.
- 19 **Q.** Do you remember telling the Police, Deb Leahy, the constable at that time, was there any  
20 conversation around, "oh don't worry, you don't need to complain", or would they be  
21 arrested?
- 22 **A.** Yes, I remember the comment that came back that, no, because we were saying "would you  
23 please arrest him", and we were told "no, he won't be arrested." And so there were about  
24 70 students, obviously now had moved all around the world, and so there were just those  
25 few that came forward to speak up in Auckland.
- 26 And so we got together and had that conversation and just tried to nut it out. And  
27 then there were some students who just didn't want a bar of it, they just didn't want to be  
28 involved in the process whatsoever. So I think that, you know, for that teacher they really  
29 got away with it. And the fact that, you know, no arrests were made.
- 30 **Q.** So Deb Leahy, the constable, do you remember telling her, "don't worry about arresting  
31 him, just let it go, we'll just bin the report", or did she ask you if you wanted to carry on?
- 32 **A.** Well we wanted to carry on. But there was no action, we couldn't move on, nothing  
33 happened. We were left hanging waiting to hear from Deb Leahy, the constable. And I  
34 have no idea what was going on and why there was no action on behalf of the Police. I

1 don't know why. We wanted him to go to court, we wanted to be able to move on for et it,  
2 but I don't know why the Police didn't pursue it. That's their job after all. You know, that's  
3 the police's job.

4 **Q.** So when you heard nothing from the Police, how did that make you feel?

5 **A.** We were still traumatised, but we decided we had to continue the fight, we didn't want to  
6 give up. We thought we'd need to report it again to the Police, so that they would  
7 investigate or carry on with an investigation, because nothing had happened from 2008. So  
8 recently when I had my discussion with the Police, they said they would investigate quite  
9 soon but I have no idea when.

10 (Making a historical claim through Cooper Legal.)

11 **Q.** Right, I'd like to talk to you about Cooper Legal, your lawyer. Can you explain what  
12 happened there please?

13 **A.** I talked to her about the abuse.

14 **Q.** Do you remember what year it was?

15 **A.** I'd forgotten but you're saying it's 2012?

16 **Q.** Yes, 2012. So when you had that meeting, did you think you were going to hire yourself a  
17 lawyer or...

18 **A.** There was me with an interpreter and Cooper Legal, two lawyers. They listened to my  
19 story and wrote it all down. I had an interpreter there voicing for me. They recorded it all.  
20 They posted me that documentation which I looked at and said yes, it was right. Some of  
21 the words were quite difficult for me to understand, but I do have a copy of that at home,  
22 which I got some time ago, but then that process stopped. They did provide me with quite a  
23 bit of information. The police station, Debbie Leahy, I never got any information back  
24 from her. So my experience with Cooper Legal was quite different than my experience  
25 with the New Zealand Police.

26 **Q.** So Cooper Legal, what happened after you'd, with the Ministry of Education after you'd  
27 contacted Cooper Legal?

28 **A.** I told them the same story about the teacher who was abusive, it was recorded.

29 **Q.** Was that the end of it or did you receive something as a result?

30 **A.** I believe it came to an end at that point, I had been receiving correspondence at that point,  
31 but at that point I believe it had stopped.

32 **Q.** I wanted to ask you, did they give you any compensation?

33 **A.** Yes, they did.

34 **Q.** You knew about that?

1 A. Yes, they gave me \$5,000, that's all.

2 Q. How did that make you feel, \$5,000?

3 A. It wasn't enough.

4 Q. So there was another time when you spoke about your story with CLAS, Confidential  
5 Listening Service, with Judge Henwood. You've put that in your statement to the  
6 Commission. That was in 2010, you went to the Confidential Listening --

7 A. Oh, yes that's right, I remember that, yes.

8 Q. Tell us what happened there.

9 A. Well, I explained again about the abuse, everything really, got it all off my chest. But  
10 I didn't receive anything back from them, I didn't receive a report. I'm not sure where that  
11 information went. Cooper Legal was great, told them my story and they provided me  
12 with" --

13 **MS THOMAS:** Sorry, can we just pause very briefly, just a short break.

14 **COMMISSIONER GIBSON:** Five minutes?

15 **MS THOMAS:** Thank you.

16 **COMMISSIONER GIBSON:** Thanks, we'll take a break.

17 **Adjournment from 2.54 pm to 3.08 pm**

18 **COMMISSIONER GIBSON:** Ms Kuklinski.

19 **MS KUKLINSKI:** We'll just carry on.

20 **[Video played]**

21 A. "I believe it came to an end at that point, I had been receiving correspondence before that,  
22 but at that point I believe it stopped.

23 Q. I wanted to ask you, did they give you any compensation?

24 A. Yes, they did.

25 Q. You knew about that?

26 A. Yes, they gave me \$5,000, that's all.

27 Q. How did that make you feel, \$5,000?

28 A. It wasn't enough.

29 Q. So there was another time when you spoke about your story with CLAS, Confidential  
30 Listening Service, with Judge Henwood. You've put that in your statement to the  
31 Commission. That was in 2010, you went to the Confidential Listening --

32 A. Oh, yes, that's right, I remember that, yes.

33 Q. Tell us what happened there.

1 A. Well, I explained again about the abuse, everything really, got it all off my chest. But  
2 I didn't receive anything back from them, I didn't receive a report. I'm not sure where that  
3 information went. I mean Cooper Legal was great, I told them my story and they provided  
4 me with paperwork. They wrote everything down and posted me quite a few documents for  
5 me to check.

6 But when I went to the Police in 2008, when we went to the Police in 2008, we  
7 received nothing to say we'd even been there, and there was no action on behalf of the  
8 Police. Cooper Legal did give me documentation of my story, the Police did not.

9 (Recommendations.)

10 Q. Just thinking of the future, what do you think about who should be teaching Deaf children,  
11 what sort of qualification should they have? Teachers that teach Deaf children, what sort of  
12 a qualification or study do you think they should have to become a teacher of the Deaf?

13 A. Well, educating hearing children is quite different than educating Deaf children. We learn  
14 visually, and we need to be -- so the teacher needs to be qualified in a communication style  
15 that suits us. I think a hearing teacher, or especially the one that abused us, would be quite  
16 different than a Deaf teacher. I think we could share with a Deaf teacher and communicate  
17 with a Deaf teacher. I mean we were yelled at, that teacher had a really bad attitude, there  
18 was nothing gentle about his approach, it wasn't appropriate. Things were not explained to  
19 us, we were yelled at, which really affected our confidence. I guess I'm trying to make a  
20 comparison between what I think or see a Deaf teacher would do and what I see that  
21 hearing teacher do.

22 Q. What do you hope would happen to that abusive teacher?

23 A. What I want to see happen is that he's arrested and has to go before a judge and court. And  
24 I'd like the jury in that court, if it was to be a jury trial, to be Deaf. And they'd definitely  
25 put him in jail. That's what I want, I think that's what the Deaf community want too, that's  
26 what they've said they want. I mean other people in other schools that have abused children  
27 get arrested, so I'd like to see a bit of equity here for Deaf kids out of the Deaf School, to be  
28 fair.

29 Q. So if that person was to go to prison, how would that make you feel?

30 A. I'd feel free, I think I'd be able to dispense with the trauma. It would open up my life to be  
31 able to travel, go overseas, kickback, have a drink, have a smoke, take it easy.

32 Q. Because that abusive teacher has not been arrested as yet, how does that make you feel  
33 right now?

1 A. I'm waiting. The Police, they've had the report. We've been told by Deb Leahy not to  
2 worry, it's an ongoing investigation. I want equity for us Deaf kids. Others get arrested, I  
3 don't want him to be able to hide behind Deaf Education. That teacher should have been  
4 dismissed rather than it just kind of brushed under the carpet and the abuse continue. It  
5 needed to stop.

6 Q. In terms of the future, what would you like to see different for Deaf people?

7 A. I think just as my five friends got together to have that discussion, I'd really like it to be  
8 more of an open conversation with the Deaf community as well. If in the event that person  
9 is arrested, I think that it should be put on TV so that the Deaf community know that this  
10 has occurred. After all, we are a visual people.

11 Q. So after you left Kelston School, did you hear about an award that was given to the abusive  
12 teacher?

13 A. Right, so yes, of course I'd left school at that time and I'd heard talk that he had been  
14 commended. And of course this was shocking to hear given the abuse that we had all  
15 suffered at his hands. And so -- and the principal had been fooled and wasn't aware of that  
16 teacher's background and he was given a commendation.

17 Q. Right, so that was after you'd left Kelston that teacher was given that award?

18 A. Yes.

19 Q. And how did that make you feel?

20 A. Look it wasn't fair, it just wasn't fair because I thought back to our childhood and what had  
21 happened to us, and I don't think he should have been given that award, I think it should be  
22 taken from him. Why, why would you award someone for behaviour like that?"

23 "(Narrator) When Mr EV engaged with the Royal Commission he was supported to  
24 make a referral to the Police to complain about this teacher. The Police have contacted  
25 Mr EV. At the time of Mr EV's pre-recorded evidence being filmed in June 2022, the  
26 Police were arranging to meet with Mr EV face-to-face with an interpreter. The  
27 investigation into this teacher is ongoing."

28 **MS KUKLINSKI:** We're going to have a little break to set up the AVL so that you can ask  
29 Mr EV questions.

30 **COMMISSIONER GIBSON:** Thank you, back in five minutes, thanks.

31 **Adjournment from 3.16 pm to 3.22 pm**

32 **COMMISSIONER GIBSON:** Ms Kuklinski.

33 **MS KUKLINSKI:** Mr EV, we're ready now for the Commissioners to ask you some questions, if  
34 you're happy to do that. Thank you.

1 **COMMISSIONER GIBSON:** Yes, Commissioner Shaw, do you have any questions?

2 **CHAIR:** Hello Mr EV. I don't have any questions for you, but I've listened very carefully to the  
3 evidence that you have given and thank you very much for the time and trouble you've  
4 taken to give it to us, so thank you.

5 **COMMISSIONER GIBSON:** I've got a couple of questions, Mr EV. First, you talked about the  
6 possibility of an open conversation amongst the Deaf community about the specific  
7 instance of abuse, but I also think there's probably something, is there a need for a wider  
8 open conversation about abuse in the Deaf community, what's known, how the Deaf  
9 community can better have processes to support itself and better processes to complain?

10 A. Okay, yes. Just having a think. This has been such a valuable experience for me and has  
11 given me so much confidence, seeing my story summarised the way it has been here at the  
12 Commission. And I'm hoping that New Zealand has been watching. I think this has been a  
13 really great opportunity.

14 **Q.** To your knowledge, is it starting up more conversations in the Deaf community about  
15 abuse?

16 A. Yes, Paul, I believe that we have started to have that conversation, and I'm hoping that in  
17 the not too distant future that with the help of my friends, actually with a bit of support,  
18 we'll be able to get these people together, educate them and get more informati on from  
19 them. Perhaps I can even convince people to come into the Royal Commission and tell  
20 their future in the story -- sorry, tell their story in the future, excuse me. Over to you Paul.

21 **Q.** Yes, we welcome hearing more -- the stories, experiences of Deaf people.

22 A final question about the quality of education for Deaf people. Apart from ideas  
23 like more Deaf teachers, do Deaf people have enough say about the future of Deaf  
24 Education at the moment?

25 A. Just thinking about our response. Me, I'm unsure if people are working in the sector that  
26 are unqualified, and who's to say that qualified people might not be better people to work  
27 with us. Kelston Deaf Education Centre, I'm not sure how robust their interview process  
28 has been when they recruit teachers to teach Deaf people, I'm really unsure, so that could be  
29 looked at.

30 **Q.** Yeah, thanks. Commissioner Steenson, do you have any questions for Mr EV?

31 **COMMISSIONER STEENSON:** Hello Mr EV, it's nice to meet you.

32 A. Same to you.

33 **Q.** I don't have any questions, it's just left to me to thank you. But before I do, I just want to  
34 let you know, it's good that this process has been good for you. So while the Royal

1 Commission doesn't have any power to put anyone in jail, please be assured that we have  
2 heard your statement and we'll absolutely take it on board in formulating our  
3 recommendations to the government. And that's the case for all the survivors who come  
4 forward, regardless of whether it's done publicly through this kind of process or through our  
5 private session process.

6 But it's been so important for us to learn about your experiences as a Deaf student  
7 and being bullied, Mr EV. You've helped us understand the massive impact that one  
8 teacher can have by physically and mentally abusing children. And as you've said, the  
9 inaction of other teachers to do something about it also weighs on those who are receiving  
10 that abuse. I imagine it must have been so difficult given your limited ability to  
11 communicate with your parents to tell them, which we know is hard enough for children  
12 without a hearing or a disability, let alone a child with Deaf communication.

13 So you've told us about the devastating impacts on you and your friends and those  
14 children who didn't survive the abuse, so thank you so much for speaking out today, for  
15 yourself and for those children who can't speak and who didn't make it. So again, on behalf  
16 of the Royal Commission, thank you so much, Mr EV, all the best, and take care.

17 A. Thank you very much.

18 **COMMISSIONER GIBSON:** Thank you, and now we'll take another short break as we change  
19 between witnesses?

20 **MS THOMAS:** If we take the afternoon tea break for 15 minutes to resume at 3.45pm.

21 **COMMISSIONER GIBSON:** Thank you.

22 **Adjournment from 3.29 pm to 3.48 pm**