

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED INSTITUTIONAL RESPONSE 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)
Dr Anaru Erueti
Ali'imuumua Sandra Alofivae
Paul Gibson

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Ms Sally McKechnie and Ms Brooke Clifford for Te Rōpū Tautoko, the Catholic Bishops and Congregational Leaders

Mrs Fiona Guy-Kidd, Mr Jeremy Johnston and Ms India Shores for the Anglican Church

Ms Maria Dew KC, Ms Kiri Harkess and Mr Lourenzo Fernandez for the Methodist Church and Wesley Faith

Mr Brian Henry, Mr Chris Shannon and Ms Sykes for Gloriavale

Ms Sarah Kuper and Mr Matthew Hague for the Presbyterian Church

Ms Helen Smith and Ms Sarah Kuper for Presbyterian Support Central

Mr Sam Hider for Presbyterian Support Otago

Mr Andrew Barker and Ms Honor Lanham for Dilworth School and Dilworth Trust Board

Mr Karl van der Plas, Mr Jaiden Gosha, Ms Rachael Reed and Ms Ali van Ammers for the Dilworth Class Action Group

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

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TRANSCRIPT OF PROCEEDINGS

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**Hearing opens with waiata He Honore and karakia tīmatanga by Ngāti Whātua
Ōrākei**

3 **[9.07 am]**

4 **CHAIR:** Raurangatira ma tēnā koutou, tēnā koutou, tēnā koutou katoa. (Greetings to all the
5 distinguished people here, I greet you all). Today is the final hearing of the Royal
6 Commission into Abuse in Care. I think we will introduce ourselves quickly for those who
7 might be tuning in for the first time.

8 My name is Coral Shaw, I am the Chair of the Royal Commission and just to
9 describe myself for those who cannot see, I am an elderly Pākehā woman, I have white
10 short hair. Today I'm wearing a cream jacket and a blue top and I wear glasses but
11 otherwise I'm not disabled.

12 I'll just hand over to Dr Erueti.

13 **COMMISSIONER ERUETI:** Tēnā koutou katoa, ko Anaru Erueti tōku ingoa, nō Taranaki.
14 (Greetings all, my name is Anaru Erueti from Taranaki). I'm Anaru Erueti, one of the
15 Commissioners. I'm wearing a black suit today with a white shirt, Māori male,
16 middle-aged, nau mai haere mai.

17 **CHAIR:** Kia ora. Ali'imuumua Sandra Alofivae.

18 **COMMISSIONER ALOFIVAE:** Malo le soifua maua le lagi e mamā i lenei taeao fou.
19 (Greetings to good health and wellbeing on this new morning). I am Sandra, I am wearing a
20 white shirt with a black jacket. I have shoulder-length hair, I'm claiming my age bracket to
21 show I've made a break-through, I'm middle-aged, and I'm of Pacific descent, Samoan and
22 Chinese heritage, and I am a non-disabled woman.

23 **CHAIR:** Malo. And Paul Gibson.

24 **COMMISSIONER GIBSON:** Kia ora katoa, Paul Gibson, today wearing a dark suit, I'm a
25 middle-aged man with greying hair. I have headphones over one ear to listen to documents
26 on a computer, I'm blind with some peripheral vision. Kia ora.

27 **CHAIR:** Kia ora. Today is our closing day of closing submissions and we will be hearing, in
28 particular we will hear from Gloriavale, from the Methodist Church, and then from then on
29 we will be hearing from survivors, survivor groups and representatives to present -- so that
30 really the last word in this hearing will be from those who had the first word and have
31 continued to have a strong voice in this Commission, and that is the survivor voice.

32 So I won't be addressing anybody at the end of this, but- so- I just wanted to say
33 today to everybody in the room, everybody who is watching on the livestream that although
34 this is our final day of hearing, after four long years and I think 133 days of public hearings

1 that we have conducted, it is not by any means the end of our work. You will have heard us
2 asking witnesses if they're prepared to provide further information afterwards, and we are
3 still inviting survivors to come forward to give their accounts if they have gained some
4 confidence through watching this that it is a safe and appropriate thing for them to do.

5 So the work continues and the work of course will be aimed towards June 2023
6 when we will produce our final report. But there will be reports coming out in the interim.
7 So there's a tremendous amount of work, I can say that although we've been working quite
8 hard I think we'll be facing an even higher mountain to climb now and that's important as
9 we bring together all the threads of the immense amount of information we have received.

10 So just on behalf of the Commissioners and myself, thank you to everybody who's
11 participated in all of the hearings over all the time, in particular of course, the survivors
12 who have bravely given their accounts and without whom we cannot hold this Inquiry,
13 because their accounts form the foundation for all the work that we have done. So thank
14 you to all of you, and now I'm going to hand over to those who are going to be making their
15 submissions.

16 So I invite, first of all, submissions from, or the closing statement from Gloriavale
17 and I believe, yes, there's Mr Shannon.

18 Good morning, Mr Shannon. Thank you for appearing again today. Would you
19 like to introduce yourself and then we will be happy to hear from you.

20 **MR SHANNON:** Thank you, Madam Chair. My name's Chris Shannon, I'm appearing with Ms
21 Sykes for Gloriavale, I'm a Pākehā male, middle-aged, glasses, perhaps need a haircut, and
22 wearing a blue suit. And I'm non-disabled.

23 **CHAIR:** Just bring the microphone a bit closer to you, Mr Shannon, we're just having -- I'm not
24 sure it's going to make any difference. Thank you.

25 **MR SHANNON:** Can you hear me better now?

26 **CHAIR:** Yes, that's a little better, thank you.

27 **CLOSING STATEMENT BY GLORIAVALE**

28 **MR SHANNON:** Thank you. Parents at Gloriavale, like Rachel Stedfast, have hopes and dreams
29 for their children just as other parents do. They want their children to live healthy lives
30 unaffected by the blight of abuse. Rachel Stedfast has said that (inaudible) grandparents,
31 aunties, uncles, teachers, leaders, we all want our children, to protect our children and make
32 sure they're safe and well cared for and of course (inaudible) want new policies, ongoing
33 education and amended practices to prevent abuse of our children. This is a natural human
34 response we wanted these changes for ourselves.

1 So it is that Gloriavale has made changes in its practices, changes in terms of
2 policies, in terms of education and in terms of family time. And that's been supported by
3 external agencies, as Howard Temple realises that the community can't walk alone with
4 these changes. It's been percolated from the top down, as he told you, and there are hopes
5 that you'll have the notes that he had when he was educating community members on the
6 child protection, safety and well-being policy.

7 In this closing I'll deal first with some preliminary comments, then with the aspects
8 of the evidence, then last with a brief response to some of the leavers, and conclude.

9 In terms of preliminary comments, as you know, this Inquiry is not about freedom
10 of religion or freedom of association. Rachel Stedfast, Howard Temple and other members
11 within Gloriavale are entitled to choose their own religious beliefs, to wear whatever
12 clothing they like, just as other New Zealanders, and our laws recognise such freedoms
13 which protect us all.

14 Some segments of the media choose to continually criticise Gloriavale and its
15 residents. They label it a cult and generalise and judge the people there. There's a risk of
16 that approach promoting intolerance, of taking the unacceptable behaviour of certain
17 individuals and generalising towards a whole group. If something bad happens in the
18 suburb of Sockburn you don't say that Christchurch is a bad place, but too often that
19 distinction is not applied to Gloriavale.

20 Many groups in our society face prejudice, prejudice for being different, wearing
21 the wrong clothes, for not being mainstream, or for holding conservative beliefs.
22 Gloriavale residents are no exception to that.

23 Now, that's not to say that there have not been issues with the historic handling of
24 abuse; there have been. Howard Temple accepts that. Gloriavale's particular history is tied
25 up with Hopeful Christian who died in May 2018 and there's been a change of leadership
26 style since Howard Temple took over as Overseeing Shepherd. Howard Temple consults
27 more and has a more open leadership style.

28 You would have seen during his evidence that Mr Temple just tried to tell the truth
29 irrespective of how that came across. He didn't seek to defend the indefensible, he's no
30 autocrat. He went to Police himself in 2020. He and other leaders have taken expert advice
31 from Oranga Tamariki, Safeguarding Children, and others, and changes have been made in
32 implementing a child protection leads group, and Rachel Stedfast told you about how there
33 were women and young people on that group to increase avenues for reporting.

1 And despite the extensive scrutiny this community has undergone, neither Police
2 nor Oranga Tamariki have suggested any lack of cooperation or reluctance to participate
3 and change on their part in recent times. Indeed, in 2020, Police acknowledged the clear
4 support both the leadership and the community had provided to the Police in that
5 investigation.

6 There was a question, one of the Commissioners asked about whether a transcript or
7 video would be sent to members of the community so they could see what was going on for
8 themselves. Well, the morning after the hearing a - an- email was sent with a link to the
9 video so that members of the community could see the video for themselves and that was
10 sent to households, and that's come with -increasing transparency of what's going on.

11 The predominant fact allowing incidents of abuse and inappropriate behaviour in
12 the past was personal more than doctrinal, I suggest. The impact of a particular leader,
13 Hopeful Christian, on the then culture is a circumstance which is perhaps unique to
14 Gloriavale compared to the other faiths that you will have heard from. Under a different
15 leader the community has changed significantly and in beneficial ways.

16 Turning to the evidence, the Commission heard evidence-in-chief from Gloriavale's
17 witnesses for just over 10 minutes, that was followed by about four and a half hours of
18 cross-examination and Commissioners' questions. Now, having time spent on
19 cross-examination that's approaching 40 times longer than evidence-in-chief inevitably
20 tends to accentuate the negative. No re-examination time is allocated.

21 Now, the public hearings are necessarily a snapshot of all the evidence that you've
22 received beforehand and they can't show the whole picture, we're only seeing, publicly, part
23 of it. There were many questions about the What We Believe document from 1989 and that
24 was being -- sections of that were impugned in the questioning. However, it is an historic
25 document from over 30 years ago. It reflects a different leadership, a different time and is
26 very different to the current version.

27 The 1989 document is over 150 pages long and a few clauses from it (inaudible) in
28 questioning. The current version is only about 11 pages long. And in questioning a literal
29 interpretation was taken of that 1989 document, assuming no divergence between practice
30 and what was written on paper.

31 However, the 1989 document included things like "Therefore, as Christians, we
32 must fulfil Christ's main commandment. Be ye therefore perfect, even as your Father in
33 heaven is perfect." No mention was made of that and no literal interpretation was made.

1 There was quite a bit of questioning about the travelling away from the Church and
2 the need to have the full approval and blessing of leaders and it was suggested that that was
3 for control in the 1989 document. However, practices differed. Rachel Stedfast says,
4 "While I may at times advise community leaders of my travel plans if I happen to be in
5 discussion, many/most times I travel away I do so without their knowledge."

6 There were also questions about Police reporting on their Police Operation
7 Minneapolis in 2020. Three points are made about that.

8 First, Police said 61 young people are identified as involved in harmful sexual
9 behaviours either as offenders, peers or victims. The status of someone as a peer seems
10 unfair and there's not (inaudible) as to numbers in each category.

11 The second point is that the focus of that operation was on interactions between
12 some young people and that's a different issue between adults and children. And that was
13 why it was important to keep a closer eye on what young people did and to educate them on
14 appropriate behaviour.

15 Third, many or most of those young people referred to will be victims that still live
16 in Gloriavale. The question then is, how can we help them? Counselling and support are
17 being offered, and all victims should be treated with respect wherever they are. There
18 shouldn't be two categories of survivor, one that's the vocal leavers group, or some vocal
19 leavers, on the one hand, and then those that are inside the community or outside the
20 community but just less vocal.

21 Constant criticism of Gloriavale runs the risk of insensitivity to survivors within the
22 community.

23 On the topic of victims of abuse, Howard Temple was asked about during the
24 hearing whether some victims were required in the past to apologise before the whole
25 congregation or to forgive offenders before the whole congregation and he said that was
26 possibly the case, his response was vague. However, Rachel Stedfast has confirmed in her
27 second witness statement that in her entire life in the community, she's never seen nor heard
28 of someone appearing in front of the full congregation to forgive a perpetrator.

29 It's submitted that she's right about that, and Howard Temple has accepted that on
30 reflection he can't recall a victim ever appearing before the congregation to forgive an
31 offender.

32 Towards the end of the hearing one of the Commissioners suggested that the
33 community is slow to respond to abuse allegations but for the presence of Government
34 agencies. That's not accepted. When community leaders and members learned about the

1 findings of Police Operation Minneapolis, they wanted and implemented changes. It wasn't
2 about obliging State agencies but it was about the welfare of their families. Who loves a
3 child more than their own parents, grandparents and wider whānau?

4 There were some references in the evidence to State agencies. However,
5 Gloriavale's experience is that agencies such as Oranga Tamariki and Police have been
6 professional, helpful and offered a degree of expertise that the community simply didn't
7 have without them. And Howard Temple recognises that the community can't walk alone
8 and no blame has been placed on State agencies. Their support has been welcomed and
9 embraced.

10 During the hearing questions were asked about the treatment of Prayer, the
11 14-year-old girl who tragically choked and died, choked on a piece of meat and died in
12 about 2015. You'll remember Rachel Stedfast's reaction to that, how emotional she was. It
13 reflects that Prayer was a much-loved member of the community. Counsel Assisting the
14 Commission asked about the circumstances surrounding Prayer's death and cited the door
15 handle had been removed from the door.

16 Well, generalised references about Gloriavale having done that conceals that one
17 person was responsible for removing a door handle and that wasn't the cause of Prayer's
18 death. The Coroner confirmed the cause was asphyxia caused by a piece of meat blocking
19 her airway.

20 The Coroner states that a number of people went into the room to try and help her
21 via a window and the Coroner determined that the disabling of the door handle did not
22 contribute to Prayer's death in any way. Magill forceps are the tool that ambulance officers
23 usually carry to try and extract obstructions but households -- almost no households will
24 have such a tool, and the community as a whole shouldn't be impugned as responsible for
25 this terrible accident.

26 A few comments on the incorporation of Māori culture in the community. The
27 community is not part of the State and is under no obligation to practise aspects of Māori
28 culture, although the school and early childhood centres may be subject to obligations in
29 that respect. That said, the community does voluntarily teach and use te reo Māori, waiata
30 and other tikanga and has done for years.

31 As Rachel Stedfast explained, this comes from a genuine passion for learning our
32 national language and a core part of New Zealand's culture and history. She explained that
33 culture can have different meanings and that Christianity is the dominant culture in
34 Gloriavale and so she explained that Māori culture will be taught and incorporated up to the

1 point that it conflicts with Christianity, for example Māori gods and origin stories are not
2 taught as that differs from the community's religious beliefs.

3 The community has no objection to learning and using te reo Māori and aspects of
4 tikanga, and do so.

5 Ms Stedfast explained (inaudible) aligned with Gloriavale's beliefs and practices,
6 the tradition of communal living, family relationships that extend beyond the nuclear
7 family, as with whānau, and a spiritual leadership model that's common in both
8 communities.

9 Finally, I'll respond briefly to the witness statements of Ms Overcomer and other
10 leavers. Ms Overcomer made an opening address on behalf of the Gloriavale Leavers'
11 Trust at the start of the hearing with this aspect and she described key causes of abuse in the
12 community as Hopeful Christian holding the Overseer's Shepherd role, the community
13 seeking to resolve issues internally without involving external agencies, prioritising
14 communal living over family relationships, and a lack of written policies and procedures in
15 place for addressing abuse allegations.

16 As explained in the evidence of Howard Temple and Rachel Stedfast, each of these
17 possible contributing factors has been addressed in the nine years since Ms Overcomer left
18 the community. A change has been made, it doesn't represent the current position nor the
19 position for some years.

20 The Leavers' Trust represents a small group of individuals who have left the
21 community who regularly bring litigation proceedings against members of the community.
22 This particularly vocal group of leavers doesn't include every person who's left the
23 community. Necessarily, people who have left the community years ago will not have
24 recent experience of what it's like to live in Gloriavale.

25 The Leavers' Trust cannot be considered representative of the wider Gloriavale
26 community or representative of those who have left.

27 The Leavers' Trust have never been transparent about how many people it speaks
28 for and with what authority. Undoubtedly, it speaks for some but it's not clear who and for
29 what purpose.

30 Questions were asked of Howard Temple about not reaching out to survivors before
31 now. However, there are a number of ongoing civil proceedings brought by leavers against
32 Gloriavale leadership and care needs to be taken about when and how any reaching out is
33 done in light of live proceedings.

1 Now, all of this is not to say that there haven't been instances of abuse and issues in
2 the past. Gloriavale has repeatedly and openly acknowledged mistakes were made.
3 However, the leavers have provided evidence to the Commission through an historical lens
4 without the benefit of living through the period of change that's occurred in the community
5 since.

6 To conclude, you've received evidence from two Gloriavale witnesses explaining
7 these changes, both of them expressed genuine attempts to continue the culture shift at
8 Gloriavale to ensure that any abusive practices in the past are never repeated.

9 (Inaudible).

10 **CHAIR:** Thank you, Mr Shannon. Just in relation to the extra evidence that was being provided
11 by Ms Stedfast and Mr Temple, I can assure you we have received those and they will go
12 up on our website in the interests of clarity and transparency. Thank you for your
13 confirmation that the video of the proceedings or the link to that has been sent to the
14 community, that is helpful.

15 And thank you for presenting so clearly the concerns of Gloriavale in relation to the
16 hearing and putting the balance in their view back. That is important. We have listened
17 carefully and everything that you have said today will certainly be taken into account when
18 we are reaching our decisions.

19 Just so that everybody knows, this isn't the end of the opportunity for all parties to
20 comment. There will be a -- we have a strong natural justice process whereby whatever we
21 write, if it's adverse against a group or an individual, that person will have the opportunity
22 to comment before we reach a final decision on that matter. So just to assure your clients,
23 the Gloriavale community, that we will continue stringently to follow that natural justice
24 process.

25 Thank you very much indeed to you for your submissions and thank you to
26 Mr Temple and Ms Stedfast for making themselves available during the hearing, and for
27 providing, through your team probably, all the information that has been a very valuable
28 contribution to our work. So thank you very much, and --

29 **MR SHANNON:** (Inaudible).

30 **CHAIR:** Thank you.

31 That brings us then to the submissions for the Methodist Church and I invite Ms
32 Dew.

33 Kia ora, Ms Dew.

1 **MS DEW:** Kia ora tātou, tēnā koutou, Commissioners, and thank you for this final opportunity to
2 say something on behalf of the Methodist Church of Aotearoa --

3 **CHAIR:** Yes, I don't think your mic is on or you are not speaking into it.

4 **MS DEW:** It is on so -

5 **CHAIR:** -I think that's it.

6 **MS DEW:** Thank you very much for this opportunity. I appear for the Methodist Church of
7 Aotearoa New Zealand and Wesley College, together with my colleagues Ms Harkess and
8 Mr Fernandez. Tēnā koutou.

9 I'll describe my appearance for those that require that. I am a Pākehā female in her
10 mid 50s with a black jacket on today, light hair, and I don't have any visible disability.

11 So thank you, I have filed with the Commission this morning written closing
12 remarks on behalf of the Church and College and I am going to take you to portions of this.
13 I think I should be about 15 minutes but well within time allotted I think.

14 **CHAIR:** Thank you, and we have got the submissions, thank you for giving us a written copy, it's
15 very helpful.

16 **MS DEW:** Yes, and we have now ensured we do have a Word version for Mr Gibson.

17 **CHAIR:** Thank you.

18 **CLOSING STATEMENT BY THE METHODIST CHURCH**

19 **MS DEW:** I start by thanking, as all who have appeared before this Commission, by once again
20 on behalf of the Church and Wesley College, thanking survivors and the Commissioners for
21 the opportunity to be part of the Commission's mahi and for the opportunity to publicly
22 acknowledge and be held accountable to survivors for the abuse that was suffered while in
23 the care of the Church and College. They both take up the challenge given to them by
24 survivors and the Commissioners to maintain this commitment to action and setting right
25 for survivors.

26 The Church and College hope that through their witnesses' evidence this week that
27 their commitment was evident and authentic for survivors, the Commission, members of
28 their Church and College communities.

29 The Church and College witnesses expressed in the talanoa in various ways the
30 intrinsic incentive that lies at the heart of their commitment. They want all members of the
31 Methodist Church of Aotearoa New Zealand and the Wesley College community to carry
32 with them pride in their faith and their College. So those are short opening remarks.

33 A summary of the submissions I've laid out are matters arising from the hearing day
34 on Tuesday, designed to assist the Commission and survivors. There are six matters that

1 are going to be addressed in the submissions. I won't address each of them in full detail,
2 but you will have the submission to read on each of these matters.

3 The first is that the Church and College stand together in this mahi; secondly, the
4 Church and College's commitment to Te Tiriti; the importance of the special character to
5 Wesley College; the efforts of the College and Church to respond to the abuse; and
6 importantly, record-keeping for survivors that we heard about through the Commission's
7 week -- this week; and finally, redress and the ongoing call for survivors.

8 So firstly, the Church and College stand together. This has been an important
9 message for the Methodist Church to communicate when dealing with its response to this
10 Commission and to survivors. The Church holds itself responsible for the harm caused and
11 the redress required. This, of course, includes the former children's homes, survivors, the
12 college, former students and the parish and faith care settings.

13 The Church believes this is a moral duty it carries as a faith-based organisation. It
14 also believes it is the safest way to ensure the necessary learning, accountability and
15 restoration for harm.

16 Wesley College also believes it has and will continue to benefit from this standing
17 together. As the College works with the Church to deal with redress claims they will
18 continue to develop together a trauma-informed pathway for survivor redress. They will
19 also be able to ensure, together, that the College continues to develop its understanding and
20 resourcing to respond to the trauma needs of students coming into the care of the College.

21 The Church and College also recognise that this standing together will require the
22 involvement, the skills, input and investment of State agencies as a State-integrated school,
23 and particularly given some of the children that come into its care.

24 The second matter I wanted to address in submissions is the commitment of the
25 Church and College to Te Tiriti. The Church began this journey towards becoming a
26 bicultural Church almost 40 years ago and in Tuesday's evidence the Commission heard
27 much about the commitment by the Methodist Church and Wesley College to Te Tiriti. I
28 have set out that commitment for the Commissioners. I don't intend to go over this matter
29 further, but the Church and College hope that the Commission and survivors will see that
30 there is a real and genuine commitment to Te Tiriti in the governance and structures of the
31 Church and of the College.

32 The Church and College's commitment to Te Tiriti also requires that their approach
33 to redress and relationships with survivors are cognisant of tikanga, and this is something
34 that the Church is continuing to evolve in its redress process.

1 The third matter I wish to address was the special character of Wesley College. The
2 significance of Wesley College's special character as a faith-based school was, we hope,
3 evident at the talanoa hearing on 18 October. The values inherent in Wesley College's
4 faith-based education support the values of the community that that College serves.

5 The Commission heard from Sekope Kepu, a former Wesley College student, from
6 Etuini Talakai, the Vice President of the Methodist Church, about their passion for the
7 school and the importance that a faith-based school held in their community and their
8 families' lives.

9 The Commission heard the Church and College are determined to reclaim "The
10 Wesley Way" away from a wrong and misappropriated use justifying violence and bullying
11 and towards its true meaning of faith, learning, and service. And I've provided in the
12 submissions the strong statement by Reverend Tautari on that matter.

13 Over the page at 5.7, the Commission also heard that Wesley College's special
14 character brings with it complexities that were discussed at the talanoa. The College
15 recruits students from rural areas, sometimes with limited prior schooling, Pasifika
16 communities, the Pacific Islands, and students who require special care. The Trust Board
17 has always provided financial support for students to attend the College, but they and the
18 College and the Church accept that in the past it did not always have sufficient resources
19 and structures in place to meet the immediate emotional needs and that this one-size-fits-all
20 style of past decades is now recognised as not appropriate. This is a shared responsibility
21 with the State for the State-integrated school.

22 And the Commission, in the hearing earlier in the week, requested some further
23 information about the composition of the College boards, we've now provided that, and you
24 can see that there is a very clear ethnic diversity of te taha Māori, Pasifika and European
25 descent on both of those boards.

26 It is hoped that the Commissioners' recommendations will reflect that there is a real
27 place for special character education in New Zealand which the State education colleges are
28 not able to deliver for the communities that wish them.

29 The next matter I wanted to deal with is the response to abuse at Wesley College.
30 The evidence of abuse at Wesley College before the Commissioners earlier in the week
31 rightly focused on the periods from the 1980s and the 1990s where survivor witness
32 statements have been provided and the TVNZ Paul Holmes programme was shown. And
33 further into the 2000s with the poor ERO reports.

1 While the Church and College were frank in their responsibility for the failure to
2 protect students, the Commission is also directed to the evidence that was filed, and it's
3 understood that during the course of a one-day hearing we simply couldn't attend to those
4 matters, and rightly so. But we do want to draw the Commission's attention to the efforts
5 that were made over the period of the 1990s and into the 2000s so that the Commission can
6 consider why, despite those efforts, the violence did still occur.

7 And I've set out 13, I think, and I certainly won't be taking you through those
8 matters, but 13 instances where the Church and Conference, Conference of the Church and
9 Wesley College, can be seen to have worked together in different ways, receiving external
10 consultants' reports, conducting their own reviews, holding themselves accountable at
11 Conference. Each of those matters happened over the decades of 1990 and into the 2000s
12 and yet the abuse occurred.

13 What that tells us is that there's a complex set of causes and it's a complex set of
14 solutions that is needed to achieve the progress.

15 The Commission did hear from the current principal of Wesley College about the
16 significant ongoing attempts and additional funding for counselling support, for a second
17 director of boarding, well-being deans, closer relationships between the hostel and school,
18 and in 2022 the Wesley College staff and hostel staff now being given professional
19 development in the care and learning of students.

20 The work being done by the College is ongoing, Dr Brian Edwards, the current
21 principal, spoke about the steps being taken also to reduce violence and bullying and
22 change the culture of the school.

23 The next matter I wanted to address, and this is particularly for survivors to
24 understand the importance that the Church holds for record-keeping for survivors. There
25 was an acknowledgment in the hearing that those records were not as fulsome in decades
26 from the 1960s, 70s, 80s, but the Church does want to acknowledge the significance of
27 those records to the identity of those children in its care and the hurt that's caused as -- to
28 them as adults by the lack or loss of those records.

29 The Church wants to say that it believes children's homes records belong to the
30 person whose life they document. The Church policy is not to destroy any part of the
31 children's homes records and to maintain them in perpetuity.

32 And then I've set out in the closing submissions, and they'll be available for people
33 to read online, but that the Church has taken steps since the 1990s to maintain a centralised

1 Church archive of all Christchurch and Masterton home records since the 1990s, and the
2 Auckland home records have also been centralised into this archive since 2019.

3 Those records have all been catalogued and indexed and are available for survivors
4 to request. The Methodist Church website also has information about the availability of
5 those records.

6 The Church does want to also acknowledge those records do not include
7 information about residents' disability, and that is likely because the children's homes did
8 not recognise that need at the time. And they regret that that has added to the invisibility
9 and pain for the disability community.

10 Finally, I wanted to address the redress programme for the Methodist Church and
11 the ongoing call for survivors. The Church does encourage all survivors of abuse in its care
12 to come forward to seek redress through the Church's process. The scheme is open to
13 persons who have experienced abuse in a range of care settings with the Church and the
14 abuse, the definition of abuse is wide, including emotional, physical, sexual abuse, neglect,
15 or deprivation.

16 The General Secretary of the Methodist Church did speak at some length about the
17 evolution of that redress process. It commenced in 2018 in a new way and continues to
18 evolve as their experience with survivors, with the Commission, with overseas insights so
19 that it remains a work in progress as it should, but there is a genuine commitment to
20 reviewing past redress claims, and I've put in the evidence -- in the submission, reference to
21 the review of claims, and now the claim payments are more substantial, in the range of
22 25,000 through to 100,000, and there are average payments now much higher than in past
23 years when the evidence of those low payments was heard.

24 The Church is committed to a survivor-focused approach. They recognise that this
25 is hard work, and they won't always get it right, but they have the commitment of the
26 Church and the College that they will do their best to achieve a safe process for survivors.

27 Paragraph 8.8. We have also learned through the evidence before the Commission
28 that lawyers engaged in assisting State and faith-based institutions have not always got it
29 right. Lawyers acting for parties involved in redress matters must also gain a better
30 understanding of trauma so that they can assist with advice that does not contribute to the
31 harm. And I know that we've seen in the evidence sometimes letters written by lawyers,
32 advice by lawyers, and I think lawyers have to own some of this responsibility and take up
33 the challenge to understand the setting of trauma that they are working in and to do their

1 best -- and I include myself in that acknowledgment. We're all learning but it's important
2 that we learn fast and that we develop a proper way of assisting our clients.

3 The Church acknowledges survivors' call for an independent body and the
4 Commissioners' call to empower survivors in the design of a National Redress Scheme.
5 The Methodist Church will take up the survivors' challenge to engage in ecumenical
6 conversations. We've heard questions from the Commissioners about exchange of
7 knowledge-sharing information and attempting to seek a consistency of redress processes
8 perhaps. The Methodist Church is willing to engage in that both with other churches and
9 the Crown Response Unit.

10 Finally, during the 18 October hearing the Paul Holmes TVNZ programme was
11 shown in evidence reporting horrific abuse suffered by a former student in 1991 from other
12 students. The survivor has not yet come forward to the College or Church. However, he
13 and his whānau are invited, if they wish, to come to the College and Church to discuss
14 redress. The College and Church will continue Tatala e Pulonga, or lift the dark cloud.
15 They wish to lift that dark cloud from the Church and Wesley College. Thank you, those
16 are my submissions. **[Applause]**.

17 **CHAIR:** Thank you, Ms Dew. Just a clarification, and I think it's important what you've just
18 acknowledged on behalf of the lawyers and legal teams and their approach and I think
19 we've all seen, haven't we, the chilling effect of the legal process on what is in fact a
20 trauma-filled experience and I'm grateful for that acknowledgment.

21 I as a past lawyer, as a past judge, I too know and have watched as those processes
22 have chilled the attempts of survivors to gain justice, and so I personally, as a former
23 lawyer, am grateful for that acknowledgment, I think it's very generous and important for
24 all lawyers and those involved in the process to hear.

25 The second thing is that you graciously extended an invitation, if they wish, to the
26 family of the boy who was featured in that programme. You said they could come to the
27 College. I don't think you meant physically, I think you meant --

28 **MS DEW:** No, I'm sorry, I mean as in --

29 **CHAIR:** Yes, I want to make that quite clear for them, that they can approach the Church or the
30 College in any way they feel comfortable in order to discuss those matters; is that what you
31 meant?

32 **MS DEW:** Yes, absolutely, thank you for that clarification, it was certainly never even in my
33 mind that they might want to enter the premises again.

34 **CHAIR:** I thought so, so it's important clarify.

1 **MS DEW:** Yes, but thank you for that clarification.

2 **CHAIR:** Good.

3 Well, Ms Dew, may I finally thank the Methodist Church and the College for their
4 cooperation with the Commission, the talanoa I think was a very important milestone in
5 terms of the Commission, and the world, hearing about the changes that have been made by
6 the Methodist Church and we were very grateful for their participation. Thank you to you
7 and your team who have seen this whole process through and for the immense amount of
8 work you've had to go to in responding to the rather large numbers of notices that we have
9 issued. We are very grateful for that and it has certainly added to our ability to hopefully
10 come up with the recommendations which are required.

11 So many thanks to the Methodist Church, the College and to you and your team.

12 **MS DEW:** Thank you very much.

13 **CHAIR:** Kia ora.

14 **MS DEW:** Kia ora.

15 **CHAIR:** Kia ora koutou.

16 Now I have lost my run sheet -- here we go. So that concludes the submissions
17 from the faith-based institutions, and now we lead appropriately into hearing submissions
18 on behalf of survivors and the first group of survivors is the Dilworth Class Action Group.
19 Welcome back, Ms Reed.

20 **CLOSING STATEMENT BY THE DILWORTH ACTION GROUP**

21 **MS REED:** Madam Chair, Commissioners, ko Rachael Reed tōku ingoa, no Tamaki Makaurau
22 ahau, ko Ohinerau te maunga, ko Tāmaki ki te awa. (Rachael Reed is my name, I am from
23 Auckland. Ohinerau is the mountain, Tamaki is the river). I appear along with Ali van
24 Ammers and Karl van der Plas, who you met earlier, for the Dilworth Class Action Group.

25 For those who need the assistance of a description, I am a 51-year-old woman and I
26 would like to think that I am taller than I am at 5 foot 7 and a half, I am Pākehā and I wear
27 a black dress with a blue jacket, and glasses. I have mousey-blond shoulder-length hair.

28 **CHAIR:** Just bring your microphone a little bit closer.

29 **MS REED:** In contrast, Ms van Ammers is a 37-year-old Pākehā woman, she's 5 foot 8, with
30 blonde hair tied in a bun, she's wearing a dark navy suit and a light blue and pink blouse,
31 which actually means in summary she is younger, taller, slimmer, and prettier than me.

32 Mr van der Plas opened to you on Wednesday with the whakatauki: He waka eke
33 noa, we are all in this boat together. We have filed written submissions of the closing
34 address for the Commissioners and you should also have that in Word and in hard copy

1 form. We won't be able to address, in the time we have allocated, all parts of that closing
2 address, so we do ask you for your indulgence to only take highlights from it or parts of it
3 and skip through that closing address, but it was important for us to be able to do that in full
4 in writing to the Commissioners.

5 **CHAIR:** May I thank you and your team for doing that, they are very comprehensive. We only
6 received them recently --

7 **MS REED:** Of course.

8 **CHAIR:** -- so we haven't been through them, but you can be assured that we will be reading them
9 carefully and, again, they will be on the website for others to read. Thank you.

10 **MS REED:** Thank you, Madam Chair.

11 In this closing address for the Dilworth Class Action Group we address two key
12 issues, first, Dilworth's response to abuse at the time and secondly, its more recent redress
13 response. It is intended, with your indulgence, to split this closing address between myself
14 and Ms van Ammers, and the reason for that is important.

15 The work involved in this Dilworth Class Action Group has been immense for all of
16 us involved and we are all working -- I'm so sorry, I'm normally far too loud rather than far
17 too quiet.

18 **CHAIR:** And maybe a little far too fast as well.

19 **MS REED:** Of course, I will try and slow down. Thank you.

20 **CHAIR:** That's fine.

21 **MS REED:** It has been immense, the work for all of us involved, and as the Commissioners are
22 aware, we are with pride, working pro bono for the survivors of Dilworth. But it is
23 important that the huge contribution of each member of this team is recognised in a small
24 way and for Ms van Ammers that is in presenting part of this closing address to the
25 Commissioners.

26 So with that indulgence, if I could turn to Ms van Ammers for the first part of that
27 closing address.

28 **CHAIR:** Certainly.

29 **MS VAN AMMERS:** Thank you.

30 In opening we questioned whether in their approaches to redress and abuse Dilworth
31 and the Anglican Church have joined survivors in their waka, working together in
32 partnership, honouring the principles of shared values, recognition and mutual respect.

33 Now is not the time for us to address the Anglican Church's response. Discussions
34 between our group and the Church are still ongoing and in early stages. However, the Class

1 Action Group was heartened by the insight shown by the witnesses for the Church during
2 their evidence.

3 We encourage the Church to continue in this way and maintain that approach in its
4 discussions with us going forward.

5 Unfortunately, our experience with Dilworth has not been the same. Having heard
6 accounts of survivors across many decades, and now having heard the evidence from the
7 school, the school did not join with survivors at the time complaints were made and nor has
8 it now. Regrettably, our experience with Dilworth is not a redress success story. At least it
9 isn't yet.

10 Overall, the impression we have got is that the school is more concerned about the
11 Dilworth legacy or perhaps the perception it has of that legacy, rather than the reality of
12 students' experiences and the well-being of individual survivors. Certainly, that is the way
13 that their actions in recent times have been perceived by the survivors that we represent.

14 I will address our submissions on Dilworth's response to complaints of abuse as
15 they were made. All Dilworth witnesses acknowledged that the school's responses were
16 inadequate, at least until 2018. Plainly that was the case. While Dr Wilton and Mr Firth
17 appear to accept that had they known then what they know now, they would have acted
18 differently, they both attempted to justify and excuse their own and the school's failings.
19 Listening to those aspects of their evidence was extremely difficult. So long as these men
20 refuse to accept that they not only could but should have done better for survivors, their
21 apologies ring hollow.

22 For any apology to be meaningful, it must include an understanding of and
23 admission of the wrongdoing, but we have heard neither. In considering Dilworth's
24 responses to complaints, four key themes emerge from the evidence: The sheer number of
25 complaints and the number of offenders; Dilworth's lack of understanding of sexual abuse;
26 the school's failure to properly investigate allegations; and the school's extremely poor
27 treatment of complainants.

28 I will address each of these themes briefly in turn. To be absolutely clear, nothing
29 that has come out over the last few days establishes that there was no cover-up, or provides
30 any comfort the complaints were properly dealt with when made.

31 As the Commission is no doubt aware, Mr Wilton and Mr Firth's evidence is by no
32 means a comprehensive account of all of the complaints that were made to the school over
33 the years. Many other complaints were made but were not believed and were not elevated
34 to the Board.

1 Even if we accept the school's evidence at face value, allegations of sexual abuse
2 were not comparatively rare as was suggested; they were endemic. When Dr Wilton started
3 at the school, the first chaplain had just been moved on for sexual offending. During his 18
4 years as headmaster, he received complaints about five different staff members, two more
5 staff members were complained about after he left. That's seven known offenders. We
6 now know that there were at least 12.

7 This was a very small intimate school and consistently had sexual offenders
8 operating at it over four decades. For most of that period there were multiple offenders
9 operating at any one time. Many boys were abused not by one but by multiple offenders.
10 The unavoidable conclusion is that there was something in the culture of the school that
11 allowed the abuse to occur in the first place and then to continue.

12 Indeed, at his sentencing, Ian Wilson referred to being introduced to the
13 degenerative behaviour when he first arrived at the school in the 1970s. The suggestion
14 was that this was learned behaviour that was accepted amongst the staff. He was promoted
15 to assistant principal, relied on by Dr Wilton and remained at the school until he was
16 convicted for sexual offending in 1997.

17 Dr Wilton and Mr Firth's inability to see that the incidents that were reported to
18 them were serious demonstrates that the school has historically lacked knowledge and
19 understanding of sexual abuse, the dynamics of that abuse, key concepts like consent and
20 grooming. I'll just briefly touch on two examples.

21 Looking at the first chaplain, this man was in a position of special power and
22 influence. He was charged with the pastoral care and spiritual guidance of students. He
23 had been accused of inappropriately touching numerous boys, many of them very young
24 and all of them extremely vulnerable. It is difficult to envisage a world in which it was
25 appropriate for the school to simply move him on without reporting him to the Police.

26 Leonard Cave. In 1981 a boy reported that Mr Cave had plied him with alcohol in a
27 social setting and inappropriately touched him. Dr Wilton and Mr Firth sought to minimise
28 this incident by focusing on the supply of alcohol. Dr Wilton gave Mr Cave a glowing
29 reference so he could get another job in education. He says that is what the survivor
30 wanted. Even if that's true, and I'm not convinced that it is, this survivor was a young boy
31 who had recently been traumatised.

32 Dilworth was a powerful institution. It had a duty to protect vulnerable children.
33 Because it failed to do so, Mr Cave went on to offend at another school.

1 If Dilworth did not know the full scope and scale of the abuse occurring within its
2 walls, well, that's because it chose not to. On the school's own evidence, each time it
3 received a complaint, it failed to properly investigate the details of the abuse that occurred:
4 Whether any other boys had been abused by the same offender, whether any other staff
5 members had been offending in similar manners, what factors had enabled the offenders to
6 perpetrate the abuse, or what could have been done to prevent similar incidents from
7 occurring in the future.

8 Any investigations that were carried out were undertaken by the school itself and
9 cursory at best. The chances of the scale of the abuse coming to light were reduced by the
10 school's own actions in proactively seeking name suppression when offenders were
11 prosecuted and convicted for their crimes. Had it not done so, many other survivors would
12 have known that they were not alone. They might have come forward. Instead, the school
13 sought to and did maintain a culture of silence into the 2000s.

14 If the school had undertaken adequate investigations, reported incidents to the
15 Police, or not sought name suppression, the full scale of the abuse by each offender could
16 have been discovered and dealt with at the time. Offenders would not have been able to
17 simply move on and continue offending against children.

18 Survivors could have shared their stories and experiences earlier and received
19 support and redress decades ago. Much trauma and suffering could have been avoided.
20 Instead, the school left it until 2017, 40 years after the first chaplain's offending came to
21 light, to start looking into whether the school was in fact a safe environment.

22 It took the courage of survivors and Operation Beverley for the abuse to be
23 unearthed and confronted. It took even longer still with the Class Action Group's
24 intervention for the school to finally commission an inquiry and establish a redress
25 programme.

26 Lastly, Dilworth's treatment of complainants has been, quite frankly, disgraceful.
27 We heard yesterday about how long it takes survivors of sexual abuse to come forward, and
28 it is often decades. However, many boys bravely reported abuse at the time that it
29 occurred. Sadly, many of them were not believed and none of them were taken care of as
30 they should have been.

31 Strikingly, there is no evidence that any of the survivors who reported abuse to the
32 school were provided with any form of pastoral care or support. Mr Firth said that the
33 Board directed Mr Parr to ensure that the first chaplain's victims received counselling.
34 However, as he accepted, nothing was done to identify any other victims. Whatever

1 Mr Parr was told to do or in fact did, none of the survivors who were identified received
2 any support of any kind.

3 The school's treatment of survivors is a product of the attitudes of those in power:
4 The Board and the headmasters. Despite having handled sexual abuse cases as counsel and
5 having been involved in the Centrepoint proceeding, Mr Firth's attitude to survivors has
6 been callous in the extreme. His letter to Frances Joychild KC was chilling. If that was his
7 position then, surely it was his position in the decades prior and still is.

8 Even in his statement, Mr Firth criticised Mr Harding for media statements
9 suggesting that Dilworth had harboured known offenders. He referred to Mr Harding as
10 "mischievous". That characterisation of a survivor speaking out against abuse and those
11 who allowed it to occur is completely unacceptable. It is symptomatic of a culture of
12 disbelieving and disrespecting survivors.

13 Mr Firth accepted that his attitude reflected his age and his life view.
14 Unfortunately, the Board was made up exclusively of older Pākehā men with commercial
15 backgrounds for the entire duration during which the complaints were received. In these
16 circumstances, it is no wonder that the school's approach to complainants was so harsh.

17 Mr Snodgrass recorded the school having much the same attitude in 2018 -- worried
18 about money. The demographic of the Board has remained largely the same.

19 In summary, Dilworth's past responses to complaints of abuse have been woefully
20 inadequate, to put it lightly. The school failed survivors and their families. The consequent
21 harm has been immense and it continues today. Thank you.

22 **CHAIR:** Thank you, Ms van Ammers.

23 **MS REED:** Thank you, Commissioners. Now turning to the current redress programme, and this
24 is at -- from paragraph 43 of the closing address, although I won't follow exactly along, for
25 time purposes.

26 Turning to that response and in particular the independent inquiry, the redress
27 programme and the listening service, there are three areas we wish the Commission to
28 consider.

29 The first, which is important, is the process by way redress was reached and what
30 that says; second is the outcome of the redress process; and the third is the current culture
31 of the school as it relates to abuse and redress.

32 The last point is important, because culture drives behaviour and institutional
33 culture determines whether redress is truly restorative. Dilworth's process and the eventual
34 response demonstrates the culture of the Board now.

1 Having heard that evidence, one would be forgiven for thinking that the process by
2 way redress was reached was a collaborative and constructive one and it was unfortunately
3 not. As Mr van der Plas noted in our opening address, the process was akin to a
4 commercial negotiation and there was an absence of genuine recognition, mutual respect
5 and partnership.

6 As one of our clients described it, it was a game of legal tennis with no regard to the
7 trauma they have suffered and the impact that that approach would have. It's not possible
8 within this address to comprehensively talk through the process by which redress was
9 reached today. Because of that, our remarks are just brief.

10 But, in summary, a few key points of the process. First of all, prior to our clients'
11 complaint to the Human Rights Commission being filed, Dilworth had not apologised for
12 its role in the abuse, nor had it offered or even indicated that it wished to engage in redress.

13 On filing of the complaint, we wrote to Dilworth inviting them to work with us on
14 redress and in particular the establishment of an independent inquiry and an independent
15 process for administering comprehensive redress.

16 Dilworth responded in a legalistic fashion, refused to engage in discussion
17 immediately about redress, and rejected dealing with us on a class action basis.

18 The class action was obviously required to address the power imbalance for
19 survivors. And it is an avenue where we are genuinely committed to survivors getting full
20 redress in a manner that does not provide further trauma to them, and that was the time and
21 we were the people to engage with, and of course there are other survivor groups too. But
22 we have over 130 registered survivors of Dilworth in our class action.

23 Despite Mr Snodgrass's suggestion that the Board had been exploring an inquiry
24 since 2018, Dilworth initially refused our request and calls for a commission of
25 independent inquiry, noting that it was unnecessary because this Commission would be
26 considering abuse at the school. At that point, of course, the constraints that would be on
27 the Commission were known.

28 We conducted several detailed survivor surveys which we provided to Dilworth and
29 at no point have the Trust Board themselves met with us or our clients despite requests.
30 Still to this day, Mr Snodgrass has not met us and when I last looked was not in attendance
31 today to be heard, and that physical presence, or absence, is noted.

32 Witnesses for the Anglican Church also noted that Dilworth's approach was one of
33 consultation, not collaboration, and that is where the distinction lies, and that is crucial for

1 survivors to feel that they are brought back into the fold, that they are listened to, that they
2 lead what they need and the school hears what they need, and that has not occurred.

3 When Ms Anderson asked Mr Snodgrass about the distinction between consultation
4 and collaboration with survivors in the redress programme, he rightfully acknowledged that
5 he could have done better and when pressed he provided two explanations for why that
6 wasn't done, the first being one of timing; and the second being one of a lack of
7 understanding of abuse and how to respond to it.

8 Well, if they had come on board our waka, they may have gained that understanding
9 and committed to that collaborative process. We suggest and submit that the Commission
10 should take a very critical view of this.

11 Our timeliness. Our discussions with Dilworth occurred over nearly a year rather
12 than the four months suggested. Over 100 communications were sent between the parties.
13 Timeliness was simply not an issue. There was time to adequately collaborate and bring us
14 on board. This was a cultural response and a cultural response driven by what had been the
15 past of Dilworth and what Dilworth does.

16 Just segueing a moment away from the closing address. Primarily, Dilworth is a
17 large commercial organisation set up by the will but primarily manages property and has a
18 school. If you look for a moment at the assets of Dilworth and the limb of the school and
19 the constitution of the board, you will see that it is a commercial entity and driven by
20 commercial and property interests and there is a commitment of course to the school which
21 has wonderful aims, should they be able to complete it.

22 But primarily, that commercial approach has infected the process of redress,
23 meaning it is not collaborative, it is commercial.

24 The reality of it was that it was a commercial negotiation where Dilworth was
25 focused on dismissing our clients' complaints and moving through the process quickly so
26 that they could say they offered redress in a manner without understanding the needs of
27 survivors. It meant that in doing so they were taking the view of limiting their own
28 financial exposure, pursuing their own interests rather than engaging with survivors with
29 recognition and mutual respect -- and I do underline the word "respect" -- in a collaborative
30 approach, and that further proliferated the power imbalance between Dilworth and the
31 survivors and very sadly through this process has caused them further trauma, because they
32 are not listened to.

33 Turning to the outcome of the redress programme, and I do appreciate we have been
34 over time and I will be as quick as I can, but it is important to address this briefly if I could.

1 We do acknowledge at the outset there has been progress despite the process by which it
2 was reached. It was hard reached but we have had progress from where we started from.
3 And the independent inquiry has our utmost support and survivors have had positive
4 engagement with the inquiry heads.

5 The redress programme that is now in effect is very different to what it started out
6 as being. Many of the changes we have suggested have been accepted. However, there are
7 fundamental issues that remain and we can't set them all out in the time that we have, but
8 just in terms of an insight into what those are that remain, because they are quite
9 fundamental.

10 The first, and I have this at paragraph 58(a) of the closing address, is the issue of
11 boy-on-boy abuse. Dilworth did not initially include that at all within the redress
12 programme. We finally, after consultation, got to the point where the terms were extended
13 to the extent set out in subparagraph 6. I'll read that briefly. It includes:

14 "Sexual abuse by another student where a Dilworth representative failed to take
15 reasonable steps to protect against the potential for that abuse or where the sexual abuse
16 was encouraged or permitted by a Dilworth representative."

17 The message is that boys who were sexually abused at Dilworth by another student
18 will -- may or may not, get redress, depending on the evidence that they'll be able to present
19 as to whether a representative should have known for the potential of the abuse and done
20 something about it. They seek to distinguish between boys who were sexually abused
21 under their watch. That is not redress for all survivors of sexual abuse at Dilworth. It is
22 still carving out survivors from obtaining redress.

23 There are still concerns about the parallel process running in tandem and how
24 survivors will engage and how much they will be required to engage with one or both. It
25 was interesting to hear Mr Barker address that there has been a terms of reference or a
26 protocol between the inquiry and the redress programme. That was the first we had heard
27 of it. We have not seen it. We have not been able to comment on it. No consultation, no
28 collaboration with us.

29 In terms of the cap, survivors saw this as Dilworth, the entity that allowed their
30 abuse to occur, to be unilaterally determining the price for it. Mr Snodgrass says they had
31 to have a cap and we reject that. If they wished to establish a cap because of their trust
32 deed, they could have sought advice and a recommendation from the redress panel, having
33 heard the outcome of the inquiry and then set a cap. But at present, setting a cap now,
34 before the outcome of the inquiry, means they do not know the facts on which it is based.

1 They do not know what they are providing redress for. It is illusory and it is simply done to
2 limit the financial obligation of the school so that they can commercially, as they do, put a
3 number on it.

4 **CHAIR:** Ms Reed, had the survivors group heard of the responses to our questions the other day
5 about, when we drilled down as to what was available to survivors in terms of being able to
6 put a claim in now, that it could be revisited later, etc? Was your group aware of that
7 before this hearing?

8 **MS REED:** We are aware of the terms. Now, the terms themselves are not wonderfully clear
9 because a survivor still has to sign in full and final settlement if they receive redress.
10 So -- and then the redress panel may, should it wish, revisit that redress after the outcome
11 of the inquiry. If we just sit back and think about that process for a moment and how that
12 practically may occur, the inquiry comes out after a survivor has got redress, the survivor
13 may never see the outcome of the inquiry or realise that parts of it indicate that their redress
14 should have been greater.

15 The redress panel may well not go back to the inquiry, review every part of it,
16 review all redress they've already ordered and determine whether or not that should be
17 rectified based on the findings, or even how those findings may impact the position if the
18 survivor had known that.

19 So there are real difficulties in that type of process which, in our view, should have
20 been avoided. And there were other ways to deal with it. For example, if a survivor was in
21 great need, there could have been a preliminary payment to meet that need with redress
22 determined later when the outcome of the inquiry is known, without a survivor then having
23 to find an inquiry report, determine whether or not it relates to them, put their hand up and
24 go through the process again of reassessment.

25 So there are other avenues, other ways that it would have met that initial concern,
26 and that is not what has occurred and, in my submission, is not in the best interests of
27 survivors.

28 **CHAIR:** Is there an ongoing relationship and communication in relation to this scheme? There
29 was indications from, I think Mr Snodgrass, that they were open to further discussions
30 "evolving" I think was a word that was used quite a lot. Is the action group involved in that
31 "evolution"?

32 **MS REED:** Standing here right now, no, I have not heard of an evolution or been invited on
33 behalf of the Dilworth Class Action Group to evolve the programme. We proactively still

1 pursue these issues with the resources that we have, but no, certainly not, I have not seen an
2 invitation.

3 **CHAIR:** So, in a nutshell, what the action group is seeking is the collaboration, collaborative
4 approach that you referred to at the beginning.

5 **MS REED:** That's right and our message today that we want to send, and that can probably take
6 me to my conclusion quite nicely, which should give some comfort on timing too, I'm
7 sorry, Madam Chair, but the message today is that it is not too late.

8 **CHAIR:** Yes.

9 **MS REED:** We remain here ready, willing and able, as we always have been, to do the best for
10 survivors of Dilworth, and Dilworth can come to us, Dilworth can come on our waka and
11 do the right thing by them. And it is about determining first what the right thing is to do
12 before then working out the legal technicality of how you achieve that.

13 So our message to the Board, and I do hope that they are listening online, even
14 though not physically present, that they should come to us and change that approach and do
15 the right thing by survivors now rather than barrelling on with a redress programme that is
16 deficient, that does not meet their needs when they have been told it does not meet their
17 needs. He waka eke noa. Thank you.

18 **CHAIR:** Thank you, Ms Reed, and I think it should be noted that Mr Barker for the Trust is in the
19 room.

20 **MS REED:** He is indeed.

21 **CHAIR:** And I am sure ears wide open.

22 **MS REED:** Yes, thank you, Madam Chair, but the point is the message it sends.

23 **CHAIR:** Yes. It's the actual representatives who are missing.

24 **MS REED:** And it's the dismissal of the survivor voice and not being present to hear it and not
25 giving it that level of respect to do so. They should be in the room. Thank you.

26 **CHAIR:** Well, may I thank you sincerely, Ms Reed, and your team. It is not overlooked that you
27 are doing this pro bono and I think the survivors can be very grateful for that work that you
28 are doing.

29 I just want to thank you on behalf of the Commission for your cooperation with us.
30 Again, it's a lot of work, we appreciate that, and we are very grateful that we've had the
31 responses to our questions, the submissions and all the rest of it.

32 But can I just say, again, grateful to the survivors, for their presence through the last
33 few days, for the petition that they gave up to us, it was a very valuable document which we
34 are taking seriously, and just to know, as for everybody else, that the door is not closed

1 although this hearing is over, the door is not closed to survivors and we welcome their
2 approach as well.

3 **MS REED:** Thank you for the opportunity.

4 **CHAIR:** Thank you very much, Ms Reed.

5 **MR BARKER:** Madam Chair, can I just -- just on Mr Snodgrass's availability, because I wouldn't
6 want that to be seen as any disrespect to the Commission or, indeed, of course, the
7 survivors.

8 **CHAIR:** Yes, Mr Barker.

9 **MR BARKER:** This hearing was originally, of course, going to be on Friday.

10 **CHAIR:** Yes.

11 **MR BARKER:** However it got changed, it was very -- he lives in Gisborne, it was very difficult
12 for him to get up for Wednesday and Thursday, which he was able to do, but we didn't
13 know that the Class Action Group wasn't closing until about mid-afternoon yesterday.

14 **CHAIR:** Right.

15 **MR BARKER:** And so he wasn't able to -- A, flights were a difficulty but B, he just wasn't able
16 to change his work commitments he had for today. So his apology, but I wouldn't want it
17 to be seen as in any way a disrespect to the work that's being going on.

18 **CHAIR:** Thank you, Mr Barker.

19 How are we going? Right. We are now on to the closing statement from SNAP.
20 Tēnā koe, Ms Oosterhoff.

21 **CLOSING STATEMENT BY SNAP**

22 **MS OOSTERHOFF:** Tēnā koe, ma'am. Tēnā koutou katoa. May it please the Commission.

23 Thank you, again, for this opportunity to appear at this, the last hearing of the Royal
24 Commission of Inquiry into Abuse in Care. Counsel's name is Ms Oosterhoff and I appear
25 on behalf of the Survivor Network of those Abused by Priests Aotearoa, also known as
26 SNAP.

27 A visual description of myself. I am a Pākehā female and since my last appearance
28 I have been told that I am not in fact of middle age, so I will say I'm approaching middle
29 age. I have long blonde hair which is currently tied back in a bun, I'm wearing a grey dress,
30 a black jacket and a pounamu necklace.

31 Commissioners, as with my opening statement, I'm appearing alongside
32 representatives from SNAP, Dr Christopher Longhurst, SNAP's national leader, Mr John
33 O'Malley, SNAP's senior advisor, and also here today is Alexander Cionca.

1 SNAP would like to start by acknowledging all the courageous survivors who have
2 come forward to share their stories with this Commission. It shows courage and mana to
3 share such trauma and pain. SNAP also acknowledges those survivors who have not yet
4 been able to come forward, which SNAP understands is for a range of reasons that are no
5 fault of the survivors.

6 SNAP thanks the Royal Commission for its hard work, for giving survivors a voice,
7 and for showing New Zealand that Aotearoa has a shame that many did not know existed.
8 This Commission has provided many with hope that the future will bring change and that
9 tamariki, rangatahi and vulnerable people can live a life free of abuse.

10 As mentioned in the opening submissions, SNAP has come to this Commission with
11 confidence and hope that those who sit at its heart have been heard and their lived
12 experiences will not be repeated.

13 As is fitting for a survivor-led network, Dr Longhurst will deliver SNAP's closing
14 submissions to you, written copies were provided last night and a slightly updated copy was
15 provided this morning.

16 Tēnā koe, Madam Chair, and tēnā koutou, Commissioners.

17 **CHAIR:** Tēnā koe, Ms Oosterhoff.

18 We have received a written copy, I'm not sure if we have got the updated one,
19 because we've just had one -- but I'm sure that you will illuminate us.

20 **MS OOSTERHOFF:** There were only very small amendments.

21 **CHAIR:** Very small amendments. All right, thank you.

22 **DR LONGHURST:** Ngā mihi nui, Ms Oosterhoff. Tēnā koutou katoa. Tēnei te mihi manahau ki
23 te mana whakahaere, ki ngā Kōmihana, me ā koutou mahi whakahirahira. Ki ngā
24 mōrehurehu kua puta mai, he mihi maioha. Heoi, ko ngā whakamānawatanga katoa ki a
25 SNAP me ā koutou mahi whakahirahira. Ō rātou kōrero, he tapu. Ō rātou reo, he kaha. Nō
26 reira, tēnā koutou, tēnā koutou, tēnā tātou katoa.

27 **CHAIR:** Kia ora.

28 **DR LONGHURST:** Ko Chris Longhurst tōku ingoa, ko Donald tōku papa, ko Leona tōku mama.
29 I te taha tōku papa nō Ingarangi ōku tīpuna. I te taha tōku māmā nō Aerani ōku tīpuna.

30 (Greetings everyone. Here, I sincerely acknowledge the organisers, and the
31 Commissioners for the significance of your role. To all of the survivors present, I warmly
32 greet you. However, with great respect I salute the exceptional service of SNAP. Their
33 stories are sacred, their voices are strong. With this, I greet, salute and address each and
34 every one present.

1 My name is Chris Longhurst, my father is Donald, Leona is my mother. On my
2 father's side my ancestors hail from England. My ancestors from mother's heritage are from
3 Ireland).

4 For those who cannot see me today, I am a Pākehā male, I am middle-aged, I am
5 wearing a blue suit today and a white shirt and a yellow tie and I have brown hair, long
6 brown hair, it is up today.

7 Thank you again for this opportunity to present at this last hearing of the
8 Commission of Inquiry into Abuse in Care on behalf of SNAP Aotearoa New Zealand.

9 We look to this Commission for full accountability for abusers, adequate redress for
10 survivors, and protection from abuse occurring in the future.

11 These closing submissions apply to all institutions that have been investigated as
12 part of this Commission and any other institutions that work with tamariki, rangatahi and
13 vulnerable people.

14 In our opening submissions we acknowledged how many foundations for
15 faith-based institutions were noble. We referred to Methodists principles to do no harm, to
16 do good, and to recognise the ordinances of God. However, founding principles are one
17 thing, practices are another.

18 We would like to recognise and thank Methodist witness Reverend Tara Tautari
19 who acknowledged us during her evidence and took responsibility for the suffering of
20 survivors. She agreed that theologically the ideals are there, however this was not the lived
21 experience of survivors. We would like to tautoko Reverend Tautari's evidence, though
22 add that unfortunately this suffering is still the experience of our members.

23 Sadly, in other places, this hearing has confirmed what we were hoping to avoid.

24 Each of the witnesses apologised to the Commission for the harm caused to
25 survivors while in their care. We acknowledge those apologies and the global recognition
26 of survivors' suffering. However, there are still survivors who wait for personal apologies.
27 We ask you, where are the personal apologies today? Our members continue to have their
28 complaints denied without any acknowledgment of wrongdoing. A public apology is not
29 enough. As we said at the start of the hearing, words are just words; words that do not
30 translate into actions are insincere.

31 For our closing submissions, SNAP has a number of points we would like you -- we
32 would like to ask you, Commissioners, to consider when you write your final report.

33 First, effective training, operational and financial auditing and full accountability
34 are essential for those who work in this area.

1 Second, there must be a statutory, mandatory reporting scheme for abuse.

2 Tied to this is our third point. Clergy and religious must not be exempt from being
3 required to report knowledge of abuse obtained through confession.

4 Fourth, those who abuse children should not be given a second chance within any
5 institution, faith-based, State or private.

6 Fifth, SNAP recognises the right of freedom of religion. However, we want it to be
7 recognised that rights come coupled with responsibilities. And finally, as we have said
8 time and time again, this is not a historical issue.

9 Regarding contemporary issues, on this last point, Commissioners, SNAP
10 understands the terms of reference of this Commission. However, we are regularly
11 contacted by survivors and their whānau. They are contacting us about abuse that occurred
12 after 1999. In fact, they are contacting us about abuse that is occurring today.

13 As a survivor-led network, SNAP contacts the relevant faith-based institutions to
14 report the abuse and to make our own complaints. Unfortunately, we do not always receive
15 the response we consider appropriate.

16 Commissioners, we have alerted Counsel Assisting, Ms Anderson, about our
17 concerns. We will provide copies of this with a memorandum.

18 **CHAIR:** Thank you, Dr Longhurst. Are those -- I can also say that the Commissioners have
19 received copies of the correspondence that you have been having with various parts of the
20 Catholic organisations, so we are fully aware of those.

21 **DR LONGHURST:** Thank you, Madam Chair.

22 **CHAIR:** Thank you.

23 **DR LONGHURST:** Regarding second chances, during evidence on Monday, Catholic Bishop Pat
24 Dunn said he disagreed with the Catholic Church's charter for the protection of children and
25 young people, also known as the Dallas Charter. Commissioners, that charter is an
26 instruction for instant dismissal of priests convicted of abuse and suspension of those
27 accused of substantial allegations.

28 Bishop Dunn called that charter a mistake, and claimed abusive priests should be
29 given a second chance. SNAP strongly disagrees, as we imagine most people would.

30 **CHAIR:** Can I just clarify something, and you may have altered this in your changes. In here
31 you've said "instant dismissal of priests convicted of abuse and suspension of those
32 accused" -- it says in the written submissions -- "of substantiated allegations", but you said
33 "substantial"; there's quite a difference, isn't there?

34 **DR LONGHURST:** Yes, I beg your pardon, substantiated allegations is what I meant.

1 **CHAIR:** You meant substantiated?

2 **DR LONGHURST:** Substantiated allegations, yes.

3 **CHAIR:** Okay, thank you.

4 **MS OOSTERHOFF:** Apologies for that, Madam Chair.

5 **CHAIR:** That's all right.

6 **DR LONGHURST:** Survivors get no second chances. They do not get a second chance at
7 childhood. They cannot request a second chance to live a life free of abuse. Survivors
8 must carry their trauma into their adult lives and as we know, often this displays itself in
9 destructive patterns. Some who were abused are no longer with us, because they
10 succumbed to the trauma that was so profound.

11 Pope Francis, Bishop Dunn's leader, instructed that the Catholic Church should have
12 a zero tolerance for abuse and abusers should be irreversibly dismissed.

13 In what Bishop Dunn said, he disrespected Pope Francis's own wishes, he put
14 tamariki and rangatahi at risk, and he put his own abusive priests before the safety of
15 children. This is unacceptable. SNAP asks that the Commission hold those who make
16 such statements to account.

17 We have confidence in this Commission. We consider that comments about second
18 chances for abusers disrespects the kaupapa of this Commission and the confidence that we,
19 the survivors, have placed in it. SNAP will file a memorandum with the Commission next
20 week with further information about the Dallas Charter.

21 We also heard again that the Catholic Church came here willingly with the intention
22 to work with this Commission. Again, SNAP does not agree. We, the survivors,
23 compelled the Churches to come here. As you well know, originally the Commission did
24 not encompass faith-based institutions. It was the survivors who lobbied for the Churches'
25 inclusion. SNAP's members have no recollection of the Catholic Church coming forward
26 as a willing participant.

27 Regarding committees, Commissioners, you will remember that during the redress
28 hearing we made substantial submissions about the secrecy of the committee that oversees
29 the work of the Catholic Church's National Office for Professional Standards, NOPS. This
30 is the National Safeguarding and Professional Standards Committee appointed by the
31 New Zealand Catholic Bishops Conference and Congregational Leaders Conference.

32 SNAP has repeatedly asked them for more information about this Committee,
33 including who sits on it. Unfortunately, our requests have not been responded to. We
34 thank Ms Anderson for raising our concerns in cross-examination.

1 In response, we heard that the identities of its members are not secret. However, we
2 are no closer to knowing who those members are. There is currently no information
3 publicly available. This means that safeguarding, the safeguarding practices are in fact
4 currently secret and non-transparent.

5 Regarding the Catholic Church's National Office for Professional Standards, NOPS,
6 in evidence the Church's representatives confirmed that if a complaint were made today,
7 this would be directed to NOPS. How is this accountability? You have heard time and
8 time again throughout this Commission that an institution responsible for abuse should not
9 be able to investigate its own abusers.

10 We were told individual complaints had been internally reviewed. However, the
11 Church is only actively considering an external audit. Substantial cost was the reason
12 provided for why an audit has not yet been performed. Yet this Committee can make
13 decisions with life-long impacts for survivors. To hear that cost is more important than
14 effective, transparent, independently-audited redress for survivors is, in SNAP's view,
15 disappointing and disingenuous.

16 The Catholic Church has significant land holdings, assets and substantial cash
17 benefactors. In the end, it is a matter of priority.

18 We heard about the figures paid by the Church for a stipend and legal representation
19 for the abusive priest Sateki Raass. We questioned why this money was available.
20 However, no funds are available to audit NOPS.

21 Regarding redress, SNAP made substantive submissions at the redress hearing
22 last year. We would like to thank you, Commissioners, for your comprehensive He
23 Purapura Ora, he Māra Tipu redress report. SNAP supports the recommendation of an
24 independent redress scheme for all survivors and their whānau, whether the abuse was
25 perpetrated by those in faith-based institutions or by the State.

26 We support the kaupapa of a united and equitable scheme that provides one redress
27 body for survivors. This will ensure that all survivors are acknowledged and respected.

28 In conclusion, Commissioners, we could continue talking about effective change for
29 survivors for hours. However, I'm mindful of time. Therefore, SNAP will use this
30 opportunity to reiterate what we have asked the Commission from when it was formed.
31 Please use this opportunity now to make comprehensive recommendations for change.
32 SNAP asks you to make recommendations that are not only survivor-centric but
33 survivor-led, which means survivors are part of the governance of change.

1 Here SNAP wishes to tautoko the evidence of Presbyterian Support Central whose
2 witnesses acknowledged this approach.

3 Abuse has been rife in Aotearoa New Zealand's history. It is still rife today. We
4 must recognise this and expose the darkness and the misuse of power that has allowed this.

5 We know that much of the abuse at the centre of this hearing was perpetrated by
6 those who abused their power, as well as those who shielded them. SNAP asks that
7 survivors are given back this power that was taken from them without their consent.

8 We also know a society is judged by the way it treats its most vulnerable.
9 Commissioners, SNAP asks you to make recommendations that ensure Aotearoa
10 New Zealand is judged favourably on the basis that those persons who are dealing with our
11 most vulnerable have integrity, that they are transparent, and held to account.

12 Finally, we would like to thank you, Commissioners, for the very generous legal
13 support and other support you have provided us over the course of this Inquiry. Nō reira,
14 tēnā koutou, tēnā koutou, tēnā tātou katoa. (With this, I acknowledge you and each and
15 every one present). **[Applause].**

16 **CHAIR:** Tēnā koutou. And may I, as I have for all the others, thank, first of all, Ms Oosterhoff
17 for your services to SNAP, I'm sure they have appreciated those and we have appreciated
18 your appearances.

19 **MS OOSTERHOFF:** Thank you, ma'am.

20 **CHAIR:** But to you three gentlemen standing there, thank you very much, you are diligent, you
21 are tenacious, you are courageous, you will not let go and I think that is appropriate, and
22 thank you for the work that you are doing on behalf of your survivors.

23 You spoke of continuing abuse, you spoke of the apparent restrictions from our
24 terms of reference which go up to 1999. We still hear from survivors who are currently in
25 care, who are currently being abused, and I know that you are seeing these people and
26 referring them. The door is still open, so please make it quite clear and that they will still
27 be listened to, their accounts will still form part of our considerations.

28 So thank you very much indeed to you all for your submissions.

29 I'm just mindful of the time. We, of course, as is our practice, we are running over
30 time and that's fine, because it's important everyone has a view. I'm proposing because our
31 stenographers, our interpreters have been working hard, that we take the break that was
32 intended to follow the Gloriavale hearing. So, sorry, Gloriavale people, we're delaying the
33 agony a little bit for you, but it's important that we take a break for the people who are
34 working very hard. So I propose that we take a short break until 11 o'clock, if that suits

1 everybody, we'll come back and then at 11 o'clock we will hear from the Gloriavale leavers.
2 I think there might need to be, and I'll check this, will there need to be a gap between the
3 Gloriavale leavers and the SNAP people -- sorry, and the SAGE submissions?

4 **MS ANDERSON:** That's my understanding, just in terms of for set-up.

5 **CHAIR:** How long will we need? 20 minutes? All right, so let's take a quick break now just for
6 10 minutes then we'll resume for that.

7 **Adjournment from 10.51 am 11.05 am**

8 **CHAIR:** Welcome back, everybody. We now invite the Gloriavale leavers, and particularly Ms
9 Overcomer. Welcome back, Ms Overcomer.

10 **CLOSING STATEMENT BY GLORIAVALE LEAVERS' TRUST**

11 **MS OVERCOMER:** Hi, thank you. I am here on behalf of the Gloriavale Leavers' Trust but also
12 as an ex-member of Gloriavale. Why is Gloriavale part of this Inquiry? How does the
13 Government neglect to do their job and therefore neglect hundreds of children and
14 vulnerable? What corruption was in the system that allowed Hopeful Christian, a convicted
15 man, back into our community as the senior leader?

16 I've recently come across letters written to me by Hopeful while he was in prison.
17 Who let Hopeful send those letters to a 10-year-old girl? He was still very much in charge
18 and running Gloriavale from prison. Those letters were him making sure even the children
19 who he groomed stayed loyal. Somehow our Government let us down.

20 Centrepoint was a similarly notorious community run by Bert Potter in Auckland.
21 When there was to be a Police investigation it was stopped by a senior officer who was
22 later convicted as a sex offender himself.

23 The question is, who was or is stopping Government action to protect the children
24 of Gloriavale?

25 I was seven years old in 1993 when the Police raided Springbank and Gloriavale.
26 We had already been taught in school not to talk to the Police. We had been told to run
27 away, to hide, if we saw the Police approaching. Not the normal reaction to Police a child
28 in New Zealand would be taught.

29 I can vividly remember reciting in school "I am not obliged to answer any of your
30 questions." This was what we were supposed to say should we not be able to run away fast
31 enough.

32 When the Police did raid, we were taken away on walks to harvest willow out in the
33 paddocks and kept well away from Police personnel.

1 The prison service didn't do their job. One of the service officers would come and
2 stay at Gloriavale regularly. Another joined for a period of eight months.

3 What We Believe was written in 1989. It was revised in 2018 with no material
4 change. To hear their lawyer in closing say this is a historic document was disappointing
5 and untrue. The new 2022 version was not known by the Gloriavale women who gave
6 evidence to the Employment Court last month. All they have done is deleted their
7 interpretation of the King James Bible.

8 Every society has the risk of sex offenders. They are leopards who do not change
9 their spots. The child protection lead teams are chosen by the very leaders who have failed
10 the victims to date.

11 So, unfortunately, due to past experience, I am not holding my breath that there is
12 meaningful change happening. I left nine years ago, but the same leaders lead. Once
13 identified, the Government has the responsibility to protect children from their abuse.
14 Neville Cooper was identified, convicted, imprisoned, yet the Government agencies
15 knowingly watched him set up an isolated encampment where I as a child, together with my
16 sisters, my brothers, my friends were sentenced to be victims.

17 The Leavers' Trust has not brought any litigation against Gloriavale. Leavers have.
18 What they forgot to tell you in closing is that they have already lost the first case, the labour
19 court holding that they were operating sometimes violent and illegal labour practices.

20 The girls' case is halfway through a ten-week hearing, again, brought by a group of
21 leavers, not the Gloriavale Leavers' Trust.

22 There needs to be a full Royal Commission Inquiry as to how the Government let
23 hundreds of girls and boys live with such a dangerous leadership. The abuse has not
24 stopped with Hopeful, and documents do not change a deeply ingrained culture of abuse
25 and mistreatment of victims.

26 I have very clear recollection of victims having to forgive their abuser in public
27 before the whole community. The denial, in closing, shows nothing but a document facade
28 has changed. The current leadership are no better. When I got engaged, my now husband
29 said to me, "Keep away from those creepy old men."

30 An example of creepy old men is a letter I received from Howard Temple, then a
31 Shepherd, now the Overseeing Shepherd:

32 "Dearest sweet Rosanna. My favourite girlfriend. God bless you, sweetheart. And
33 I hope you are enjoying yourself tonight. And I wish I was there to do what I could do to

1 make it an enjoyable night. You are very precious to me and I would miss you terribly if I
2 were not to see you again."

3 Hardly appropriate from a spiritual leader to a 15-year-old girl.

4 I ask the Government to act. There are 400 children under the control of these men
5 as we speak. The system has to be held accountable.

6 **CHAIR:** Thank you, Ms Overcomer, thank you. As I said when you appeared before, you have
7 got such a good name for overcoming and we know that it's been a difficult thing for you to
8 appear on behalf of all your people and we respect you and honour you for your courage.
9 So thank you very much.

10 **MS OVERCOMER:** Thank you very much.

11 **CHAIR:** And thank you to all the other members of the Trust who are probably watching in --

12 **MS OVERCOMER:** Yes, they are.

13 **CHAIR:** -- and participating, thank you.

14 **MS OVERCOMER:** And members here today too.

15 **CHAIR:** And some of them are here today?

16 **MS OVERCOMER:** Yes. Thank you very much.

17 **CHAIR:** So now we're going to stop again, because there needs to be a re-set of the room and we
18 will depart, you will probably all have to stand up and move around, but when we come
19 back we will finish with the closing statements from our Survivor Advisory Group, SAGE.
20 Thank you.

21 **Adjournment from 11.14 am to 11.30 am**

22 **SURVIVOR KŌRERO**

23 **MS SUTHERLAND:** Kia ora I'm going to call on Te Ara Takatū now to come forward to do their
24 statement.

25 **MS CLARKE:** Heoi anō, kāti rā tātou, e tū atu ana i raro i te maru o tēnei whare e tika ana kia
26 mihi ki a koutou ngā hunga o te haukāinga Ngāti Whātua, tēnā koutou e ārahia nei i a tātou
27 e takototia hoki tēnei kaupapa tino taimaha. Nō reira, korōria, korōria ki a koutou. Tēnā
28 koutou katoa. (However, with this, I stand under the auspices of this house and respectfully
29 address you the home people of Ngāti Whātua, thank you for your guidance throughout these
30 burdensome proceedings before us. Therefore, here I glorify you. Thank you).

31 We are Te Ara Takatū, the Māori Advisory Group, and first of all it was important
32 for us to be acknowledging tāngata whenua, mana whenua of this place, kia ora; and I'm
33 Hera Clarke.

1 **MR COSTER:** My name is Louis Coster, I am a survivor of State and faith-based. I want to
2 acknowledge the faith-based hearings because initially it was just State; I went through
3 faith-based. If I hadn't have gone through orphanages in Hawke's Bay, I wouldn't have
4 transitioned into all those homes and institutions that myself and my brothers went through.
5 It was harrowing, that's all I need to say, so say thank you for listening to my voice.

6 **MS MESSITER:** Ko te wahine e tū ake nei nō Ngāti Pūkenga ki Waiau i tū ake au ki te mihi ki te
7 tautoko te mihi kua mihi i te rā nei, ka huri au ki te mihi ki a koutou he mana whenua, tēnā
8 koutou, tēnā koutou, tēnā tātou katoa.

9 (This woman standing before you is from Ngāti Pūkenga, Waiau. I stand in support
10 of the greetings conveyed today, I now acknowledge you the tribal authority, sincerely and
11 gratefully, I thank you.)

12 Kia ora, I'm Denise and I'm here with a bit of a voice and I'll speak later on, kia ora.

13 **MS MOYLE:** Kia ora koutou katoa, my name is Paora Crawford Moyle, I'm a survivor of State
14 and faith-based institutions and -- well, abuse really, and, yeah, it's been a big hearing this
15 hearing. I'd like to thank the Royal Commission for allowing, well, supporting Te Ara
16 Takatū to be here who are an organisation, a grouping of people of both survivor and
17 survivor advocates and we're a close-knit group and hats off to Royal Commission for
18 supporting us to be here.

19 We've experienced a lot and our purpose for asking to have a platform today is to
20 acknowledge all of those of our whānau who have been harmed intergenerationally who
21 don't get an opportunity to come into the city and be a part of everything and we want them
22 to be acknowledged by us if we can do that, so that's the purpose of asking to have a space.
23 So thank you to SAGE for I know, giving up some of your time for us, thank you, kia ora.

24 **MS MESSITER:** Just before I get to the context part, just to say that this is sort of like
25 off-the-cuff sort of, you know, but we're really good at doing this, we think. Anyway, so
26 I just sort of start off with this whakatauki, me aro koe ki te ha o Hine Ahu One. And for us
27 just briefly, without going into all that sits behind that whakatauki but also the pūrākau that
28 go with that, is that it speaks to the essence of humanity, it speaks to the essence of who we
29 are, it speaks to the essence of the significance of tāngata whenua and mana whenua, it
30 speaks to the significance of tamariki mokopuna that have been in care and who are
31 currently in care and that they carry the mana of their tūpuna. So that's the context within
32 which we are going to speak today, kia ora.

1 **MS MOYLE:** I think it's really important to acknowledge those tamariki who are before Oranga
2 Tamariki, I still have difficulty saying that. There are a lot of our babies in care who are
3 harmed and every five weeks one of them dies in State care.

4 We still have a long way to go and that is something that I'm constantly on the table
5 about, and we haven't got it right, and we do have the solutions, and that's something that
6 we're going to talk about today. But it's really just acknowledging all of us have mokopuna
7 in some way, shape or form. They are our tomorrow and in fact you know, we walk
8 backwards into the future in order to see our babies, and they're going to be here long after
9 we are gone, and ultimately what we are working with the Royal Commission to do in the
10 small part that we play is the recognition that our children, our tamariki, our mokopuna
11 deserve much more and we want a world in which they can stand strong and live their best
12 lives. That is the whole sole purpose of being here.

13 So that's the first thing that I wanted to talk about, and I know that we have a short
14 space of time. One of the other things that we wanted to talk to the Royal Commission
15 specifically about is there's nine months left of the work that you have to do, if you were to
16 ask us how do we look forward, what would we ask you to do in that timeframe would be
17 I'm going to hand it back over to Denise to speak to.

18 **MS MESSITER:** Kia ora ano. And just remembering the context that we're speaking into. And
19 with the nine months, isn't it interesting, nine months eh, that's when we think about
20 hapūtanga, eh, you know, so we're already in the birth of something new, something great
21 and we're all part of that.

22 And just to remind ourselves that as tāngata whenua, sometimes the approaches that
23 we need to take may not necessarily be the same as everyone else's, even though we're here,
24 we're all in this together. We have considerations around whakapapa, disconnection from
25 whakapapa, disconnection from whānau, the trauma of carrying that, the trauma of living
26 that and how that gets handed down generation after generation.

27 So within that context one of the things that we thought that we'd be pretty
28 confident the Royal Commission can do within the next nine months while we're in the
29 process of birthing this baby, is that, you know, our people who carry the trauma of being
30 harmed in State and faith-based care and the intricate connection between the two is really,
31 really significant and cannot be overlooked, is that we all live at home. We all carry the
32 trauma at home, we all share it with our whānau, we all share it with our hapū, we all share
33 it with our communities in different ways and it plays out in different ways for us and we've
34 all heard that information over the few years that the Commission has been involved.

1 So we're suggesting a way to connect, to continue to connect with the mōrehu is to
2 wānanga with them at home. And we hear the invitation for survivors to keep coming
3 forward, come forward, come forward, come forward, but they're at home, they're at home,
4 they're at home. So to wānanga where they live. You know, we already have marae, you
5 know, we have whānau healing places, we have Māori Health services, we have Māori
6 social services, there are whole places that we already have that are significant and
7 established that we are connect into to support our whānau and bring their voices forward
8 or to support their whānau to bring voices forward. Either way, same same. So that's
9 something that I think, well, we think, that can happen straight away.

10 The other one and I think you're already working on it, is looking at an enduring
11 restoration system. And saying restoration in the context that it acknowledges redress, it
12 acknowledges healing, but we're thinking in the context of the whakatauki, the context
13 we're speaking into, it's about the restoration of our people's mana, and the people that do
14 that are our people themselves with yourselves walking alongside them and how that
15 works. Paora needs to say something.

16 **MS MOYLE:** I know you guys have already been around a lot of places but you ain't been around
17 everywhere, and when you have less than 1% have engaged with you, that's still a lot of our
18 people. You have to go to where they are, because Wellington siloed ministries who dish
19 out "this is how we're going to fix you fullas back in your" -- they're not the experts. We
20 are the best experts on ourselves and our own communities. We already have relationships,
21 we're already looking after babies that fall down, whānau who are struggling. We're there
22 to do the kai, to look after those ones in the middle of the night where there's family
23 violence that has occurred, we're there doing that work. And to say that we're not and that
24 it has to come from government, it's the same kind of stuff we're talking about in the
25 churches.

26 Everything has to be survivor-led. If you're going to make change occur you make
27 sure you have them at the table on your boards, everywhere, because we are intelligent, our
28 longevity, our want to be there, our capability. Stop looking at us like we're broken. We
29 live lives and we contribute to our community. **[Applause]**. We're not there to be fixed.

30 So what I'm saying, if we are to be leaders in making things different, then we have
31 to bring our babies on board and that means sometimes we have to go to where the people
32 live their best lives, go and ask that mokopuna what's it like to go fishing in your area, how
33 do you do what you do, what you know. And I think that the Royal Commission in the
34 time that it's got left, it's not just about going and touching base with local people, but

1 survivors and their whānau and their mokopuna coming to invite you into where they are
2 and say "This is how we've been harmed. We haven't been able to come and see you, but
3 this is what harm looks like to us and this is what we feel we need to put restoration into
4 our picture to make it as right as possible for us. And that's not being covered enough I feel
5 in this going forward. Kia ora.

6 **MS MESSITER:** I think we're sort of about there. Just to remind everyone that it's the system
7 that's broken and this is why we're here and how we can join up some of the parts that may
8 be working but it's not all working. Some things may need to be dismantled.

9 So just one last word around transformation and systemic transformation and,
10 without going into the detail of it, thinking about that in terms of an enduring, enabling
11 restoration process system that has enablers at a local level, that has enablers at a regional
12 level, that feed into the overarching national, if it's going to be an independent body for
13 everybody, or an independent body for Māori and then there's another one for other
14 survivors as well.

15 So those are things that we'll leave you to think about, just remember that the
16 whakatauki that we opened with is what distinguishes us as tāngata whenua, and that we
17 don't all have a Christian ethos, eh. We talk about it in the context of te ha o Hine Ahu One
18 (the essence of Hine Ahu One). So kia ora. (Waiata Pūrea Nei).

19 **MS CLARKE:** Just in closing, just to say this is what we want, this is what we call enabling. It's
20 about survivors, so survivors front this, not everybody else. And I guess that's probably the
21 big message that you've received into the Commission. We want to say tēnā koutou, tēnā
22 koutou for making this a real opportunity and we've heard everybody else speak to that.
23 Talofa lava, kia ora koutou katoa.

24 **MS SUTHERLAND:** I'm just going to invite our SAGE members, faith survivors for a couple of
25 reflections.

26 **MR GOODWIN:** Hi, my name's Jim Goodwin and I come from Fairlie. I am a big, old, Pākehā
27 guy with not much hair except a little bit under my nose. I wear spectacles, I'm wearing a
28 dark blue shirt, a belt with a beetle on it and black trousers. I move around a lot so I could
29 almost carry this thing with me.

30 The faith-based hearing. I was abused in faith-based care. The faith-based hearing.
31 The good, the bad, and the ugly. If I could I'd sing the theme song to you.

32 Let's start with the good. The Dilworth petitioners. That was absolute gold guys,
33 thank you so much from the bottom of my heart. The people who apologised from their
34 hearts to the people harmed in the care of their institutions. Thank you to those people.

1 Good people. The organisations prepared to change, prepared to stand up in front of the
2 Commission and say so. Thank you, good stuff. The organisations with redress schemes
3 already, excellent, good stuff.

4 Now, the bad. The people who think they can do what they've always done about
5 abuse. We'll go off to the Commission, we'll do a bit of a rehearsal, and then we'll go back
6 to what we've always done. If you do what you've always done you'll get what you've
7 always got. Time for change. The people who have not put redress schemes into place.
8 Come on guys, you just need to talk to people from other denominations, they'll tell you
9 how to do it. Get on with it.

10 The ugly. The people who just couldn't remember the abuse that had happened in
11 their organisation, however hard they tried. The people who had this wonderful
12 opportunity and didn't apologise. The people who still regard survivors as the enemy,
13 people to push back against. Survivors will teach you how to do it right, you just have to
14 listen to us. Thank you for the opportunity to speak to you. **[Applause]**.

15 **MR AMATO:** Kia ora koutou. Ko Ngāti Kahungunu rāua ko Ngāti Hāmoa te iwi, ko Ngāti
16 Mākorō te hapū, ko Whakapūnake te maunga, ko Wairoa te awa, ko Rupene ahau. Tēnā
17 koutou katoa, ngā mihi ki a koutou. (Greetings, everyone. My people hail from Ngāti
18 Kahungunu and Samoa. Ngāti Mākorō sub-tribe, Whakapūnake mountain, Wairoa river, I
19 am Rupene. Greetings and acknowledgements to you all.)

20 My name is Rupene Amato and for those who cannot see me I present as a tall,
21 lighter shade of dark, handsome Māori-Samoan man who is vastly approaching the midway
22 in life. I am also a survivor of faith-based abuse.

23 To start I'd like to acknowledge all survivors affected by faith-based institutions and
24 their support networks. I'd also like to acknowledge the Commission for the role and the
25 hard work they have ahead of them. Lastly, I'd like to acknowledge the faith-based
26 institutions who participated whether willingly or not. For some I thank you for giving
27 some survivors closures, validity and peace.

28 For me the past few days has been, and I'd like to quote a very, very wise man, "like
29 a box of chocolates". Some have been amazing, delectable and surprisingly easy to digest
30 and you wish that there were more. Some started off as flavourful, delicious even, only to
31 discover that when you get to the middle it leaves a foul taste in one's mouth. Some you
32 just take one bite and immediately know that this is not for you. And some you're familiar
33 with because you've tasted them before and they stay untouched and discarded when you
34 throw away the box because no-one really likes them anyway.

1 Admittedly I've been impressed with some organisations who have committed to
2 righting the historical wrongs and have actively sought mechanisms to ensure the safety
3 and protection of our people. In particular, those who have included survivors into this
4 process, those are the best chocolates.

5 Sadly, however, there are some organisations who, for whatever reason, seem
6 reluctant to take a proactive approach, whose responses I likened to the most seasoned
7 politicians who answer questions by not actually answering the question. Those are the
8 chocolates no-one likes and we throw those away.

9 Now we are nearing the end of this hearing I encourage those organisations who are
10 being proactive, who have taken responsibility for atrocities and who are working with and
11 supporting survivors to continue this work. There is still more work to be done.

12 I implore those who are lagging behind to put their egos and their self-protective
13 reactions to the side. It is difficult to see progress when your head is deeply buried in the
14 sand and quite frankly, no-one wants to talk to an arse. Usually the response is always
15 stink.

16 In addition to this, I note some barriers by all organisations in regard to an
17 independent body. Through this process faith-based institutions spoke of barriers they
18 faced, employment rights, bad legal advice, self-preservation, terrible records, I would
19 encourage you all to take that leap of faith. This is something survivors have recommended
20 and this should be non-negotiable.

21 I would like to wrap up my kōrero, with another chocolate reference, by just saying
22 wouldn't it be nice to have a box of chocolates where everyone can enjoy the delicious
23 morsels and where no chocolate has to be thrown in the trash. Tēnā koutou, tēnā koutou,
24 tēnā koutou katoa. **[Applause]**.

25 **MS TAGALOA:** Talofa lava. Ou te faatalofa atu i le pa'ia ma le mamalu. Malo le soifua.

26 (Welcome. Greetings to distinguished guests. Welcome.) My name is Moeapulu Frances
27 Tagaloa. I'm a survivor of Catholic abuse and on our survivor advocacy group of experts,
28 SAGE. So just for those who can't see me, I am wearing -- I'm a Samoan woman, I'm
29 wearing a black jacket, a black dress with a hibiscus design on my dress and I wear a
30 flower in my ear, as is my custom.

31 It's right that as we opened with survivors' voices that we close with survivors'
32 voices. It's been a challenging and emotional week listening to the faith-based responses.
33 I gave an opening statement talking about expectations and I just want to reflect back on
34 those. You know, we've clearly seen how faith-based institutions and churches failed to act

1 and failed to take responsibility, and in these cases of abuse of children and vulnerable
2 adults. It's been very clear that each institution in these hearings failed in their supervision
3 and accountability. Whether it was neglecting safeguards, neglecting to remove pastors, or
4 priests, or chaplains, or teachers immediately, not investigating claims or lack of action,
5 there are obvious failures. And the huge power imbalance was very clear, the faith
6 institutions have all the power in comparison to survivors.

7 But the faith-based institutions seem to struggle with that thought of the power
8 imbalance. They seem to not understand the depth of that barrier. You know, survivors
9 typically have few resources, they are dealing with ongoing traumatic effects of their abuse,
10 they lack the experience needed to navigate these redress processes. The faith-based
11 institutions have all the power and survivors have none.

12 And some institutions expressed reservations about an independent body that the
13 Commission has been recommending. As a survivor, it's paramount that barriers are
14 removed and that there be an independent body that survivors can go to. It just astounds
15 me that a survivor is expected to go back to the very institution that perpetuated the abuse
16 to seek redress. I feel this is a non-negotiable.

17 Faith-based institutions have lacked record-keeping. They admitted to it. They
18 even admitted to destroying records. As a survivor, it is so devastating to hear that we
19 won't know the context of our abuse, we won't be able to see the records, that lifetime of
20 unanswered questions will continue, those areas of our lives will continue to be gaps,
21 continue to be voids, and that will prevent or hamper our healing process. So records are
22 essential.

23 And I'm also unsure that the systematic racism that many faith-based institutions
24 have had in their past, I'm unsure that that has changed enough. We need Māori and Pacific
25 leaders in our faith-based institutions to at least be speaking to and helping others to
26 understand the systemic racist issues in our faith-based organisations.

27 And I was appalled to hear how protection of the Church and reputation has been
28 paramount. That helping survivors heal and obtain justice has to take a back seat to
29 protecting the institution and sometimes the perpetrators. The Catholic case of Ms CU
30 epitomises how the Church believed and protected the perpetrator, giving the perpetrator
31 \$60,000 to help defend his abuse, but not the same was afforded to the survivor. It seems
32 that those leaders would fail survivors again today.

33 As a survivor, it was confronting to hear these leaders say they never saw abuse, or
34 never heard of abuse confessed. This kind of talk is inappropriate, but it minimises the

1 abuse that happened, it almost infers a doubt around whether the abuse really happened.
2 It's offensive. What would have been a better approach was for leaders wholeheartedly
3 accepting the abuse happened and that they took responsibility. That's what I was hoping
4 to hear. We didn't always hear that.

5 Most of the faith-based institutions have developed their own redress schemes, and
6 some have progressed, which is great to hear, like the Methodist Church with Wesley
7 School, or the Anglican Church and with the independent Dilworth redress. Others like the
8 Catholic Church seem to have the same systemic issues with little change, and I didn't hear
9 Gloriavale having any redress scheme.

10 However, the issue for survivors is that we still have to go back to the very
11 institution to seek redress. This is why we need an independent redress body with one
12 scheme, with an equal playing field, with equity.

13 You know, another observation was the inequity in redress. Dilworth having a cap
14 of 200 or 300K, a Methodist Church expressing payments of 60K, but from my experience
15 of the knowledge that I have with the Catholic Church, the average is 5K for a redress. The
16 inequity of all the different schemes became very obvious and that's what an independent
17 body will help provide, a more equitable, level playing field for survivors.

18 Some faith-based organisations have been brave enough to express support for the
19 recommendations of the Commission and for an independent body. Some have had
20 reservations, like provision of spiritual healing or connection with the community.
21 However, I still believe faith-based institutions need an independent body to help that
22 healthy accountability.

23 So I want to close with a Bible verse -- sorry, before that last bit, I was listening to
24 the Catholic counsel talking about encouraging the Commission to not hold back from
25 recommendations to Rome regarding Canon Law, and I do reiterate that. I think if there are
26 doctrines that faith-based institutions have that is leading to abuse, I want to encourage the
27 Commission to not be afraid to press into those issues, because they need to change, we
28 can't just stay away from faith because they have faith doctrines. If those faith doctrines are
29 leading to abuse, it needs to stop.

30 So I end with a verse Psalm 145: "The Lord is near to all who call on him. To all
31 who call on him in truth. He fulfils the desires of those who fear him. He hears their cry
32 and saves them".

33 So I now think our Pasifika team is going to have a little -- this is the ceremony part
34 to end our faith-based side, but to close out our whole public hearings. (Lei ceremony).

1 We're just going to sing a Samoan song, the words are on the screen if you want to sing
2 along with us. (Samoan song).

3 Malo lava Pasifika team. I just want to accept these leis on behalf of all survivors.
4 We accept this lei to acknowledge the process of these public hearings and how survivors
5 have contributed. We just want to celebrate survivors telling their stories, being given a
6 voice, and it's a symbol really of the giving the voice back to survivors. Malo lava.

7 **MR WIFFIN:** Kia ora koutou. My name is Keith Wiffin, I am a survivor of State abuse from the
8 70s. I stand before you wearing a green shirt, green jersey, tied back hair, doing my best to
9 hide the grey bits. It's a great honour to receive this lei and very humbling.

10 I might start with a few acknowledgments. That's to all survivors that may be
11 watching this online and all survivors who have participated in all the hearings and those
12 that have come forward to participate in private sessions. It is a painful experience, it is
13 one that is relived making a sacrifice. And the sacrifice is made because we want the abuse
14 to stop.

15 And sadly, for a lot of survivors of my era and others, it hasn't stopped. And we've
16 heard that recently from Oranga Tamariki. The abuse rates are continuing to rise, 6 to 8%.
17 Aligned with that from Chappie Te Kani and his presentation was a disgraceful statistic,
18 that of those who are in care now, 79% of them are Māori. That is an absolute disgrace that
19 we all should be ashamed of.

20 I would also like to acknowledge Sekope Kepu from Wesley School. He made a
21 very gallant, noble, courageous act of solidarity with all survivors, when for the first time
22 and very publicly he talked of his own abuse. That was very impactful and I just wanted to
23 acknowledge him and thank him for that.

24 When I arrived here on Tuesday I was approached by someone who shall remain
25 nameless and he said to me "Keith, they're a bit worried about what you might say on
26 Friday" and I said "Really?" He said "Yeah, in terms of natural justice and that, you
27 know." "Oh dear", I said "you know what? In terms of natural justice, or indeed any sort
28 of justice, survivors have been denied that for decades and it's why we're having a Royal
29 Commission of Inquiry. So I don't really care about that. And if I offend a few people,
30 especially of the legal variety, you may have to get in the queue."

31 Later on that day a survivor got in touch with me and said "Keith, I'll be watching
32 and listening online. And I've heard the occasional reference to those officials being a bit
33 uncomfortable." He said "I want them to know that I've been uncomfortable for 40 years.

1 And it's because they continue to refuse to take responsibility and until they do, I won't be
2 able to smile and laugh again."

3 It was a powerful anecdote, but it's true of so many that are still denied justice and
4 are still denied meaningful apology.

5 I've got a few reflections on the faith-based hearing. I was here since Tuesday, as
6 I said. I'll keep it short. I was mightily impressed personally with the Methodist
7 presentation and testimony, in particular Reverend Tautari; she just got it. She did not
8 equivocate at all. There was no equivocation. "We were wrong" she said. And she gave
9 tangible examples of how they are making a genuine attempt to put it right.

10 The problem is, that approach is not uniform across that sector, and indeed it applies
11 to the State as well. What I witnessed in some cases you could almost say it was something
12 like the dark ages. There was a continuation of minimisation, there was the old boys
13 network which was ever apparent, the legacy of that. Plenty of examples of gender
14 imbalance, plenty of examples of disrespect culturally to tāngata whenua and to Pasifika.
15 Things won't improve until those things are addressed.

16 But I say to all those organisations, you cannot now continue and operate the way
17 you have in the past without the levels of impunity you've had. The landscape has changed.
18 Coral Shaw said a few days ago that next year in June this Royal Commission of Inquiry
19 will disappear in a puff of smoke, and that is true. But the impact won't and the scrutiny
20 will continue and as will the accountability until you get this right.

21 What I also found in listening to the faith-based hearing was the similarities
22 between faith and State. And there is a real connection there, in that, for example, the State
23 enabled those churches and faith-based organisations to exist. They set them up. They
24 failed to monitor them, and then they denied the abuse. There is a very strong link.

25 I want to get to also -- I was very interested in listening to the Crown response at the
26 end of the faith-based hearing when that person was talking about so-called progress made
27 in terms of redress. "We are working on the interim listening service, we are working on
28 different ways to develop models of records, we are working on an apology." That's good.
29 But it should have happened ages ago. And they left the most important thing of all off,
30 which is the most pressing thing that needs to happen at the moment; which is the advance
31 payment scheme. **[Applause]**. That's what survivors need now. It wasn't mentioned. It
32 should be the number one priority.

1 Government when they received the redress report committed to that being done
2 early. It has not been done. You need to go back and think about that, because that's a
3 betrayal yet again.

4 What I want the Commission to consider in its final report is what has changed in
5 the lifetime of the Commission in terms of these organisations and what hasn't. Let me
6 give you an example of what hasn't; and that's the Ministry of Social Development, the
7 claims process.

8 Out of the blue I was rung by a journalist from the New Zealand Herald who wanted
9 me to comment on the fact that several staff had approached her to complain about the toxic
10 culture inside the organisation. I can speak to this because it's in the public arena. And
11 I certainly did speak to it. I said it came as no surprise to me because staff had come to me
12 over the years and complained of the same thing. There was some powerful stuff from
13 those staff. One saying when claimants came along to us in good faith, we spat in their
14 face. It doesn't get much more powerful and descriptive than that. And after that article
15 was printed, a whole lot more staff came forward and complained of the same thing. It is
16 another clear example of why we need an independent process as soon as possible.

17 I'm thinking also of all those who haven't made it and there is lots and lots of them.
18 And they continue to pass on at an ever increasingly rapid rate. Another reason why we
19 need, and I'm thinking in particular right now of that wonderful survivor advocate, Alison
20 Pascoe. She should have had, before she passed, some sort of justice. She didn't get that.
21 Those that are supposed to be designing that process, I hope you're listening to that.

22 **MS MOYLE:** Are they here?

23 **MR WIFFIN:** But what I would say is that, as Denise alluded to, there is a new birth, the
24 landscape is going to be different. But the work is not done, and we desperately need new
25 ways of doing things. As Paora mentioned, we can look after our own, but we need the
26 resources to do it and the understanding of how that will work.

27 The damage to this nation is immense. Our prison population, 90% of them have
28 been in State care. Gangs, 80 to 90% of Black Power and Mongrel Mob have been in State
29 care. Most of those people would have had different lives apart from that abuse. And you
30 don't have to be a psychiatrist or rocket scientist to see the cause and effect. It is a truly
31 astonishing thing to realise that.

32 I think lastly I'd just like to acknowledge all the very, very hard work of all the
33 Commission staff. They come under a bit of criticism from time to time, and like me they
34 don't always get it right. But they are tasked with a mammoth task, they have faced a

1 mammoth task. There's no inquiry like it ever in this country. And I would suggest that
2 looking worldwide at other jurisdictions, none bigger at all. Nor is the impact on our
3 country.

4 So thank you to all, all the legal people, all the administration staff, all the
5 well-being staff and to the Commissioners themselves. I was asked, finally, I was asked
6 recently, and I won't mention the person's name, a senior Cabinet Minister asked me "In
7 your view, is that Royal Commission of Inquiry working?" And my response was, like a
8 lot of things in life, "It's not perfect, but is it working? Most definitely yes. It has helped
9 expose the scale, it has helped explain the impact on the country. These hearings have been
10 a very important part of that. It has helped raise awareness with the public. Media now
11 have a far better grasp of this and they are exposing it for what it is. So I said "Most
12 definitely it's having an impact. But if you are to reap the reward of that investment that
13 you have made, you must honour your pledges. Kia kaha, noho ora mai. (Be strong all of
14 you here). [Applause].

15 **MR GOODWIN:** It's to me again. I look just the same except I'm now wearing a lei. Thank you
16 very much Pacific people. I'm going to move on to doing something different now. I invite
17 you all to go into your imagination and we're going to start to bring some people into this
18 room in our imaginations. As you go just breathe, take care of yourself, this isn't going to
19 be traumatic. Bring the survivors who have passed here with us. Keith's mentioned Alison
20 Pascoe, I'm thinking of many survivors I've known, far too many of whom have taken their
21 own lives. Let's bring them all here with us today.

22 The survivors who couldn't make it here to this hearing, let's bring them here, the
23 people that have to work, people who have family commitments, the people who couldn't
24 afford it, let's bring them all here with us today in our imaginations. The survivors who are
25 in prison, hospital, rest homes, let's bring them here as well around us, with us today. The
26 survivors who have yet to speak out, who are thinking about it, maybe, maybe not, let's
27 bring them here with us today. The survivors who have not been believed, who have tried
28 to tell their story and for some reason or another one someone has shut them down. The
29 room's beginning to fill up, we're beginning to get hundreds of thousands of people here
30 today with us.

31 The survivors who have been silenced for whatever reason who have been shut
32 down. They're here today with us. The survivors who are too scared to speak out, it's hard
33 to speak out, it's hard to be public with this, it's even hard to go to a private session. I have
34 great respect for the people who are too scared to do that yet. Let's bring them here today

1 with us. The survivors who haven't realised that they've been abused; hell of a lot of them.
 2 People who don't quite know what abuse is, they think it's all sexual abuse. Far too often
 3 people have experienced violence, the people who have been gaslit, let's bring them here
 4 with us today. Let's bring the whānau, the family, the supporters, the children, the parents,
 5 the aunts and uncles, the people who are close to survivors and whose lives are affected by
 6 the things that have been done to their loved one, I'm thinking of my three children. I've
 7 got them here with me today.

8 Let's think now of the people who are yet to be born, because these are the people
 9 we're doing this for. Let's give them the best of lives, the happiest, healthiest lives. Thank
 10 you very much. **[Applause].**

11 **MR WILLIAMS:** Tēnā koutou katoa. Ko Moutini, te maunga, ko Mangahoairi te awa, ko Ngāti
 12 Porou te iwi. (Greetings, everyone. Moutini is the mountain, Mangahoairi is the river,
 13 Ngāti Porou is the tribe). I am Gary Williams. I sit at the intersection of Māori and
 14 disability. I want to follow-up on what Jim just said because I need to remind everybody
 15 that survivors started their journey as innocent people and through the journey they become
 16 hurt and (inaudible) and punished, and punished and punished again. And so today
 17 survivors continue to be punished by the abusive ways the organisations stop caring for
 18 them.

19 I was going to go backwards in time. but I'm not going to, I'm going to look forward
 20 and I'm going to suggest to the Commission that they need to suggest to the people who
 21 will make the decisions, and here I'm talking about the people who may be disinterested
 22 third parties, to adopt a view of intolerance to abuse. Because if we stop having survivors
 23 of abuse then we wouldn't need to set up all these systems of redress. Let's have that as the
 24 vision for the future, because I don't want the babies born today or tomorrow to be
 25 survivors. **[Applause].** Tēnā koutou and I'll hand over to you Tu. **[Applause].**

26 **MS CHAPMAN:** E raurangatira mā, tēnā koutou katoa. He uri ahau nō Ngāti Kahungunu ki
 27 Heretaunga, nō Ngāti Awa ki Rangitaiki, Ngāti Tūwharetoa me Taranaki whānui, ko Tū
 28 Chapman tōku ingoa. Ka huri aku mihi ki Ngāti Whātua. Ka hoki āku mahara ki te rā
 29 tuatahi i hīkoi ngātahi ai tātou ki te whakatuwhera i tēnei whare hei āhuru mōwai, mō ngā
 30 mōrehu, mō ngā purapura ora. Tēnei mātou e tū whakaiti nei ki mua i a koutou. (My
 31 esteemed leaders, I greet you. I descend from Ngāti Kahungunu in Heretaunga, Ngāti Awa
 32 in Rangitaiki, Ngāti Tūwharetoa and the breadth of Taranaki, my name is Tū Chapman. I
 33 now wish to address Ngāti Whātua. My thoughts recall that first day when together we

1 embarked on the journey to open this building as a safe haven for the survivors, the
2 purapura ora. Here we stand humbly before you.)

3 To describe myself -- this is the fun part -- I'm Māori with brown skin, medium
4 height with short black hair that is my everything. So if there is one strand out of place,
5 then the day is a disaster. I am wearing a pink and white patterned blouse, dark blue
6 rimmed glasses. I'm also wearing a pounamu tiki with pounamu earrings and, dare I say it,
7 I have also just been leied.

8 Serious now. Today marks a moment in history that can never be forgotten. The
9 last hearing of the Royal Commission of Inquiry Into Abuse in Care effectively ending the
10 most public opportunity for survivors to have their experiences heard and documented in
11 evidence. Not all survivors will have had this opportunity and I acknowledge them here
12 and now.

13 I am the co-Chair of Intersex Aotearoa, the representative peak body that advocates,
14 lobbies and educates on intersex issues. I want to acknowledge the wider rainbow and
15 takatāpui and rainbow communities, and this is no criticism, have been left out of this
16 Inquiry. While some engagements have occurred, it is not enough. But is it ever going to
17 be enough?

18 My plea is for the Commission to continue to engage with our community and also
19 as the co-Chair of Mataatua Takatāpui Trust and director for Hui Takatāpui 2022,
20 I welcome the Commissioners to attend this year's national event at the beginning of
21 November.

22 Whilst I do not represent all survivors, I am mindful that we collectively carry the
23 burden of effecting change. As a member of the Survivor Advisory Group of Experts to the
24 Inquiry, it has been an arduous journey that needs to be acknowledged. Past members of
25 SAGE, some who join us here today watching via livestream and in person, nei rā ngā mihi
26 matakui ki a koutou katoa (it is my pleasure to address you all). You have laid the
27 foundations for us to be standing here today. Your fight, your strength, your passion and
28 commitment to seek answers, redress and justice has been formidable. But the fight is not
29 over, and now more than ever, we must band together.

30 I further acknowledge the passing of Alison Pascoe, a past member and major
31 contributor to the survivor voice and the work of this Inquiry. Alison and I lived on the
32 same street in Poneke and we often bumped into each other at the bus stop. Bus stop
33 conversations with Ali is what I called our little hui. She always had a kind word to say
34 about the Crown and its inability to do anything right. Moe mārire mai e te māreikura, kua

1 ngū te reo kaha, heoi ka whawhai tonu mātou. (Sleep peacefully treasured one, your
2 strong voice has been silenced, however, the fight continues with us.)

3 Ki ngā mangai o te Kōmihana, koutou ngā Kaikōmihana e whakapau kaha nei ki te
4 aro atu ki tēnei kaupapa. Me pēhea rā te whakatakoto i ngā mihi. Tērā pea mea waiho te
5 rere o ngā mihi, kia oti pai ai ngā mahi o tēnei uiuinga. (To you the representatives of the
6 Commission, the Commissioners who have committed tirelessly to focus on this hearing.
7 How can I possibly begin to acknowledge you? Perhaps it is best to express our gratitude
8 for the time when this inquiry has reached its conclusion.)

9 Thank you for your time, thank you to your families for giving you to us, your
10 energy, commitment and determination to do the best for survivors has been unwavering.
11 Thank you.

12 To the many kaimahi past and present, your efforts have not gone unnoticed. Thank
13 you for your work and for your enduring support to survivors. Through the good, and there
14 have been many good, and the bad, we could not have got this far without you all.

15 Finally, I want to acknowledge my fellow SAGE members: Keith, Gary, Frances,
16 Rupene and Jim. We are an eclectic bunch of very passionate, determined and loving
17 people who bring loads of experience and skills. Our dynamic as a group is phenomenal
18 believe it or not, and we have differences that we have all embraced. Our connections are
19 not only as survivors but as people. We are under no illusion that the pressures on our time
20 will ease up and I make this commitment on behalf of SAGE: to ensure that we remain
21 connected to the remaining work ahead of us as we now shift our focus towards June 2023.

22 And for the last time in this hearing space, tuia ki te rangi, tuia ki te papa, tuia ki
23 ngā muka katoa e here nei i a tātou, tēnā hoki e te whare, ka huri. (Enmeshed in the sky,
24 entwined on the earth, interlaced with the ties that connect us, to all present in the house my
25 acknowledgements, here is my conclusion.) **[Applause]**.

26 (Waiata Te Aroha)

27 **KAUMATUA NGĀTI WHĀTUA:** Ka anga mai arā ko te mātai tonu, kia tau mai arā ko te mātai
28 tauā. Kia pā tinitini, kia are tamariki ki tona ingoa, tōna ingoa ki a Ihowa, ki a Ihowa.
29 Tihewa mauri ora, tihewa mauri ora ki te whai ao, te ao mārama. Mā te wairua hoki i a
30 tātou tēnei whare, mā te wairua hoki ki a koutou, mātou tēnei te tangata ki te hara mai nei,
31 tae mai nei i tēnei wā. Nō reira ki a koutou, tēnei te mihi aroha, te reo karanga mai o Ngāti
32 Whātua ki a koutou, ā, tēnā koutou, tēnā koutou, tēnā koutou katoa.

33 Mea tuatahi, ki te mihi ana ki a koe, te tangata o te mamae, tātou tēnei kaupapa. E
34 mihi aroha mā te waiata Te Aroha, Te Whakapono. Ka auē, ka auē, he nui, he nui kaha, te

1 wairua ki a koutou, ki a koutou. Te whakarongo mai au te kōrero, tō aha, auē te mamae, auē
 2 te mamae, tangi te ngākau, tangi te ngākau ki a koutou. Hei aha āpōpō, kia kaha, kia māia,
 3 kia manawanui. Engari, ki te kōrero te mana o tātou kaupapa mā te Kōmihana, i te mahi
 4 tūturu, me te hoki koe ki te ka oratanga. Ō tātou kōrero ki a koutou, hoianō, ki a koutou. He
 5 tikanga, arā, mō tātou ka mihi ana, nō reira āe, tēnā koutou, tēnā koutou.

6 (From the mātai a war canoe appears, that reaches the multitude, for his children to
 7 hear his name, his name is Jehovah, to Jehovah. I sneeze with life, it is the breath of life
 8 into the world of light. May the spirit be with us here in this house, and also with you and
 9 all of us that have arrived here at this time. Therefore, I extend to you with compassion the
 10 call from Ngāti Whātua, greetings, acknowledgements and salutations.

11 First, I address those of you who have experienced suffering, the purpose for which
 12 we are here. I extend my love to you through our song Te Aroha, Te Whakaponu. Alas,
 13 may the great strength and spirit be with you. As I listen to the stories, and your
 14 experiences, what pain and grief my heart mourns and feels for you. For the future, be
 15 strong, be courageous, be steadfast. Albeit, it is for the Commission to speak with authority
 16 and integrity on these proceedings, that your well-being be restored. I leave these words
 17 with you. That there is a process and for that we acknowledge you. With this, I greet and
 18 acknowledge you all.)

19 I pay salutations to the house, to the whare, where we have been pouring the
 20 mamae, the words of sadness. But until the end of the day do we try to create a happiness.
 21 So we begin with our karakia to begin our journey and we end with a karakia to complete
 22 the journey. As we have heard by our survivors, by our whānau, never ending. Never
 23 ending.

24 But I stand by you, Ngāti Whātua stands by you to hear the words that you've said,
 25 to ask for the support. And we stand by our Commissioners who are here today to absorb
 26 the words you have given, to absorb your wairua, your hearts, and to pass on to further
 27 afield with the concept of making changes, making changes. And I stand by them, we
 28 stand by them as the mana whenua, Tāmaki. We stand by you, those who need our help.

29 Ngāti Whātua have a saying, our door is always open, our door is always open.
 30 Haere mai, haere mai. If I'm not there Uncle Tem will be there, or my song birds will be
 31 there. If they're not at the door they'll be sitting up on the fence... hei aha, āe.

32 So the mana in this house will hold always the mauri of your hearts, the mauri of
 33 your hearts. When you go home, this place won't be empty, the mauri will be still here,
 34 until such time, until such time that the Commissioners' journey will be complete. And

1 when the next generation of people that use this house, Ngāti Whātua will be here to bless
2 for the next journey, but the mauri will still stay in here, nā, te rākau up there, te pare up
3 there nā.

4 So don't be disbanding the space when you leave, the mauri will be here, your mauri
5 will be here and Ngāti Whātua will make sure that it will be in here until such time the
6 place may not be here.

7 So ki a koutou, aroha mai ki a koutou. We've heard the tears, we've heard the
8 journey that our Commissioners are going to be taking from here on in for another nine
9 months, and we give thanks to all those who have supported, whether just by turning up to
10 be supporting (inaudible), to the technical side of the world, the lawyers and co, to all the
11 staff who are backing up our Commissioners, doing all the supporting the records and all
12 that, and to the simple people like myself looking for a dentist still, hei aha, that time may
13 come tomorrow, I've been waiting 70 years.

14 But it is about people, about people, care of people, and this week caring for all our
15 survivors, hearing those stories, as sad as they are, as sad as they are.

16 I'm just grateful that I was given the opportunity to begin and end these journeys,
17 it's certainly (inaudible) in my heart. So I say to you all thank you for me to be here, to our
18 Commissioners, kei te mihi atu ki a koe, tangi te ngākau for all our survivors here, for
19 everyone else, tēnei te mihi atu ki a koe, ki a koutou. (I greet you, my heart sobs for all our
20 survivors here, for everyone else, here I acknowledge each and everyone of you.)

21 (Mōteatea)

22 Nā, kua mutu ko tātou tēnei kōrero o Matua hoki, Matua Rangi. That's the end of
23 our speech I sort of said. Next minute we're going to do a himene and I went to plan B or
24 plan D.

25 **MR RIPIKOI:** Plan A.

26 **KAUMATUA NGĀTI WHĀTUA:** Plan A. Sorry mate, back to plan A.

27 **KAUMATUA PAPA TEM:** The waiata committee out at the van had a -- we said what did you
28 do most? I said He Hōnore. (Waiata He Hōnore - honour and glory to God).

29 **Hearing concluded at 12.53 pm**