

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED REDRESS INQUIRY 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 Andrew Erueti
Ms Sandra Alofivae
Ms Julia Steenson

Counsel:

Mr Simon Mount, Ms Hanne Janes, Ms Kerryn Beaton, Ms
Katherine Anderson, Mr Joss Opie, Ms Echo Haronga, Ms Tania
Sharkey, Mr Michael Thomas, Ms Jane Glover and Ms Lorraine
MacDonald appear for the Royal Commission

Ms Sally McKechnie, Mr Alex Winsley, Mr Harrison Cunningham
and Ms Fiona Thorp appear for the Catholic Church

Mrs Fiona Guy Kidd, Mr James Anson-Holland and Ms India
Shores appear for the Anglican Church

Ms Jenny Stevens and Ms Helen Thompson appear for the
Salvation Army

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

Date: 30 November 2020

TRANSCRIPT OF PROCEEDINGS

INDEX

	Page
Opening Remarks	3
Opening submissions by Counsel Assisting - Ms Anderson	7
Opening submissions on behalf of the Bishops and Congregational Leaders of the Catholic Church in Aotearoa New Zealand by Ms McKechnie	17
Submissions on behalf of Network for Survivors of Abuse in Faith-Based Institutions by Dr Murray Heasley and Liz Tonks	23
Frances Eileen Tagaloa	
XD by Ms Sharkey	28
QD by Commissioners	64
Tina Cleary	
XD by Ms Anderson	70
QD by Commissioners	85
Mr G	
XD by Ms Glover	87
QD by Commissioners	104

OPENING REMARKS

(Opening mihi and waiata)

CHAIR: E ngā mana, e ngā reo, e ngā hau e whā tēnā koutou,
tēnā koutou, tēnā rā koutou katoa.

Welcome to everybody here today, particularly to the survivors of abuse who are here in person and who are watching on livestream, you are most welcome.

Welcome also to the representatives of the three Churches about whom we will be hearing evidence over the next two weeks. Thank you for coming and you also are most welcome.

I would like, as the Chair of the Royal Commission, to introduce my fellow Commissioners who are sitting here today. First, Dr Andrew Erueti.

COMMISSIONER ERUETI: Tēnā koutou katoa. Ko Anaru Erueti tōku ingoa. He uri nō te waka o Aotea. Ko Ngā Ruahinerangi, ko Ngāti Ruanui ngā iwi. Ko te mihi tuatahi, kei te mihi ki te tangata whenua o tēnei rohe, Ngāti Whātua Ōrākei. Tēnei te mihi nui ki ngā iwi taketake o te Pacifika kua tae mai ki te tautoko i te karanga o te rā. Nō reira, nau mai, haere mai koutou, kia ora.

CHAIR: Kia ora, Andrew. Ali'imua Sandra Alofivae.

COMMISSIONER ALOFIVAE: I le ava ma le fa'aaloalo lava, oute fa'atalofa atu i le pa'ia ma le mamalu o lo ua aofia, aiga, uo ma e masani ua omai e lagolago mai. Malo le soifua maua ma le lagi e mama (With the deepest respect, I greet you in this sacred space, family, friends and everyone here to support. Welcome. warm greetings and much respect to everyone here in the room.)

CHAIR: Thank you, Sandra. And Julia Steenson.

COMMISSIONER STEENSON: Julia Steenson. Tēnā koutou katoa. Ko Julia Steenson ahau. Ko Ngāti Whātua rāua ko Tainui ōku iwi. Ngā mihi nui ki a koutou katoa. Tēnā koutou. (Good

1 morning, I'm Commissioner Julia Steenson and I am of Ngāti
2 Whātua and Tainui descent, thank you very much for coming
3 today.) Now I'll take appearances.

4 **MS ANDERSON:** Tēnā koutou katoa, I am Katherine Anderson,
5 appearing with a sizeable Counsel Assisting team here this
6 morning, with Mr Simon Mount, Ms Kerry Beaton, Ms Hanne
7 Janes, Ms Jane Glover, Mr Michael Thomas, Ms Tania Sharkey
8 and Ms Echo Haronga and, Commissioners, there will be
9 further Counsel Assisting that you will meet in the course
10 of the hearing as they are leading evidence from the
11 survivors.

12 **CHAIR:** I note we also have our solicitor here as well,
13 Mr Powell.

14 **MS ANDERSON:** Yes, Mr Thomas Powell, and Ms Rebecca
15 Harvey-Lane and Ms Lucy Wesley-Smith.

16 **CHAIR:** Thank you very much.

17 **MS McKECHNIE:** Mōrena Commissioners, rangatira. We appear
18 for the Bishops and Congregational Leaders of the Catholic
19 Church in Aotearoa. Ms Sally McKechnie and I will be
20 supported over the next two weeks by Mr Alex Winsley,
21 Mr Harrison Cunningham and Ms Fiona Thorp.

22 **MRS GUY KIDD:** Tēnā koutou, ko Mrs Guy Kidd ahau. Ka tū
23 mātou ko Ms India Shores, Mr James Anson-Holland, Anglican
24 Church of Aotearoa New Zealand and Polynesia, Anglican care
25 providers and most Anglican schools. Good morning
26 Commissioners, I appear for the Anglican Church with my
27 colleagues, Ms India Shores and Mr James Anderson-Holland.

28 I note that yesterday marked the start of the season of
29 Advent where Christians move out of darkness into light and
30 look forward with hope to the promise of what is to come, a
31 season of new beginnings; it seems apt for this part of the
32 Commission's work. May it please the Commissioners.

33 **CHAIR:** Thank you, Mrs Guy Kidd.

34 And we have representatives from Salvation Army.

1 **MS STEVENS:** Counsel's name is Jenny Stevens, I appear with
2 Ms Helen Thompson and we are here for the Salvation Army
3 and we are looking forward to listening and learning over
4 the next two weeks.

5 **CHAIR:** Thank you, Ms Stevens. And our last but not least
6 core participant is the Network of Survivors.

7 **MR HEASLEY:** Mōrena, tēnā koutou katoa, koutou katoa. I am
8 Dr Murray Heasley, Network spokesperson.

9 **MS TONKS:** And Liz Tonks, I am joining Murray today.

10 **CHAIR:** Ms Tonks and Dr Heasley, the microphone wasn't on
11 and I would hate your introduction to fall on deaf ears.

12 **MR HEASLEY:** Mōrena again, tēnā koutou katoa. I am
13 Dr Murray Heasley, a Network spokesperson for the Network
14 of Survivors of Abuse in Faith-Based Institutions and
15 supports, this is my associate Ms Tonks and we are very
16 happy to be here today. Ngā mihi katoa.

17 **CHAIR:** Ngā mihi, thank you both. So, now we've all
18 introduced each other, we are about ready to commence. I
19 just want to make one thing very clear. This first two
20 weeks of hearing, which is looking into redress systems in
21 faith-based institutions, comprises solely survivor
22 witnesses and these are people who have bravely decided
23 that they can and will share their accounts and their
24 experiences with the Commission and with the whole of
25 New Zealand who is watching.

26 We are very mindful that this is a very difficult and
27 painful and could be painful experience for them and so the
28 Commissioners are guided by the survivors as to whether we
29 ask them questions or not. Each survivor has their own
30 preference about that. If we do not ask questions, it is
31 not because we're not listening but we are respecting the
32 requests of the survivors and so, I just want to make that
33 quite clear. We will be sitting, we will be listening and
34 we will be hearing.

1 So, thank you all, Ms Anderson, I invite you to
2 commence.

3

4

5

6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

OPENING SUBMISSIONS BY COUNSEL ASSISTING - MS ANDERSON

Tēnā koutou katoa ngā rangatira mā e huihui nei ki te kaupapa. Ngā mihi mahana ki te mana whenua o Tāmaki Makaurau ko Ngāti Whātua Ko Katherine Anderson ahau.

Greetings to the Commissioners, I acknowledge the mana whenua of this place, Ngāti Whātua and also greetings to everyone who is in attendance today, whether in person or virtually.

As I indicated in the introduction, I am Counsel Assisting, leading this faith-based redress hearing. There is a significant collaborative effort that's gone into being able to present the evidence that you're hearing today and also to collect the witness statements of those who have given evidence but who are not giving oral evidence. I won't name those individuals today but it is a very significant team and not to be underestimated the effort it's taken to get us from a decision post-Covid lockdown number 1 through to having this hearing here, so the hands of many are in the work that the Commissioners are receiving in this two week hearing.

Before I begin the formal part of my opening, I wish to make some acknowledgments, again acknowledging Ngāti Whātua, not only as mana whenua of this place but also of the presence that is guiding us with waiata to open and close each day of this hearing.

I also acknowledge emphatically the victims and survivors giving evidence at this hearing and those victims and survivors who have worked very diligently with Counsel Assisting as we have prepared their witness statements with them. But also their whānau and supporters who have supported them through that not always easy process and including those whānau and supporters who are at this hearing to continue to provide that support.

1 I also acknowledge the core participants appearing in
2 this hearing, clearly these are the faith-based
3 participants, the Anglican Church, the Catholic Church and
4 the Salvation Army. I also acknowledge the Network of
5 Survivors of Abuse in Faith-based Institutions and their
6 Supporters.

7 Others attending here today including members of the
8 Survivor Advisory Group.

9 I also want to acknowledge the important contextual
10 evidence that was received by this Commission at its first
11 hearing, including that of the Emeritus Professor Desmond
12 Cahill and Dr Peter Wilkinson relating to sexual abuse in
13 the Catholic Church, the Anglican Church and the Salvation
14 Army among other religious institutions that they refer to
15 in their substantial evidence. This has provided an
16 important foundation to the evidence in this redress
17 hearing, including an overview of care and safeguarding in
18 the Catholic Church in New Zealand. In addition there is
19 the evidence provided by Dr Anne Else relating to adoption
20 in post-war New Zealand, relevant to the experiences of
21 witnesses in this hearing, the evidence of
22 Dr Haenga-Collins on the impact of closed stranger adoption
23 on Māori, and also the evidence from Mike Ledingham
24 relating to abuse by a Catholic priest and the response of
25 the Church when notified of that abuse.

26 As I've said, there are the hands of the many who have
27 assisted to get us where we are today, including the
28 wellbeing team that have supported the victims and
29 survivors, the investigators, the Secretariat staff, all of
30 the technical people and of course all of those
31 participating via the livestream.

32 So, having concluded those acknowledgments, it is of
33 course important to acknowledge that this is the second
34 public hearing within the wider redress investigation. The

1 first, which concluded earlier this month, was focused on
2 how the State institutions responded to abuse allegations.

3 This phase of the hearing is to hear from victims and
4 survivors in the care of faith-based organisations.

5 Our Terms of Reference makes it clear that where a
6 faith-based institution assumed responsibility for the care
7 of a child, a young person or a vulnerable adult, that is
8 within our Terms of Reference.

9 Such responsibility can of course come from a very wide
10 variety of settings. For example, care might be in a
11 pastoral context, such as a Sunday school setting,
12 counselling by a religious leader or other interactions
13 between religious leaders and members of that religious
14 community.

15 Other examples include faith-based schools, including
16 boarding schools - and a number of the witnesses you will
17 hear from in this hearing have experienced abuse in that
18 school setting - social services providers or agencies
19 under the umbrella of the religious organisation, including
20 homes for young mothers and orphanages, to name a few.

21 This hearing is about the experiences of victims and
22 survivors of abuse in care when they engaged with the
23 redress and rehabilitation processes adopted by the three
24 faith institutions, including all of their subsidiary
25 entities underneath them.

26 What does this Inquiry mean when you're looking at the
27 redress and rehabilitation processes? As the terms of
28 reference set out, this means when somebody is effectively
29 seeking a remedy, whether it is a monetary remedy or a
30 non-monetary remedy, such as counselling or as we'll hear
31 from some of the evidence, sometimes it can be something
32 like wanting a photograph of a particular person taken down
33 from being on display in a prominent place.

34 I note the religious affiliations in New Zealand, we are
35 not an overly religious country compared to others. In

1 2018 census, there were 314,913 people who identified as
2 Anglican, that's 6.7% of the religious affiliations. And
3 we see across all of these, a downward trend relative to
4 the 2001 census.

5 295,743 persons identified as Roman Catholic, 6.2%, down
6 from 16.86% in the 2001 census. But there is another group
7 of those who identify with Catholicism (but not defined) of
8 a further 173,016 people.

9 And a much smaller number identified as affiliated to
10 the Salvation Army, 7,929 persons, so 0.17% of those with
11 religious affiliations.

12 Currently, and even more so historically, these
13 faith-based institutions that we're looking at here in this
14 hearing have touched the lives of many living in
15 New Zealand. That includes through their respective
16 pastoral care activities but also through the many schools
17 and social services provided by entities associated with
18 them. So, the number of people who were in the care of
19 these institutions is therefore not limited to those
20 affiliated to a particular faith over those years.

21 I pause at this point in the opening to note what this
22 hearing is not about. The core focus of this hearing is
23 not the nature and extent of the abuse in the faith-based
24 institutions. It is not about the factors, whether they
25 are structural, systemic or practical, that caused or
26 contributed to the abuse. It's not primarily focused on
27 the impact of the abuse or the circumstances that led to
28 the person being in the care of the faith-based
29 institutions. These are important aspects of the Inquiry
30 but they are to be explored in-depth in the investigations
31 into the Anglican Church and the Catholic Church and those
32 other faith-based institutions the Inquiry decides are to
33 be investigated.

34 However, Commissioners, you will be receiving evidence
35 of the nature and extent of the abuse of each of the

1 individuals appearing before you and also of the impact
2 that abuse had on them and their whānau and communities.
3 Much of this evidence is disturbing. It sets the context,
4 which is important to understanding the witnesses'
5 experience of seeking redress but also capturing this
6 evidence now means that these witnesses have told the
7 Inquiry their experiences once with that information being
8 relevant to multiple parts of the Inquiry's Terms of
9 Reference.

10 The "looking forward" part of the Terms of Reference
11 includes how redress and rehabilitation processes should be
12 improved for those victims and survivors who report abuse
13 in the future. Obviously, a very important component of
14 the Inquiry's work. The evidence from those we are hearing
15 from in the next two weeks, together with all those who
16 have given witness statements describing their faith-based
17 redress experiences and the evidence that has continued to
18 be gathered relating to that topic, will provide an
19 important evidential foundation for the Inquiry's redress
20 recommendations to be developed in the future.

21 Now, it is important to emphasise that this faith-based
22 public hearing is part of a much broader investigation into
23 the redress and rehabilitation processes of those who were
24 abused in faith-based care. This aspect of the
25 investigation continues well beyond this particular public
26 redress hearing, which in itself is divided into two, with
27 the second part of this hearing scheduled for March 2021.

28 I want to note formally for the record, Commissioners,
29 the activity that is happening in this investigation space.
30 The Inquiry has received a substantial volume of documents
31 from the three faith-based institutions, that's about
32 complaints recorded in their respective systems, their
33 redress and safeguarding policies and processes, complaints
34 received and responses to those complaints. This
35 investigation gathering and analysis will continue.

1 As I've mentioned, the second phase of the faith-based
2 redress hearing commences in March 2021. The Inquiry will
3 hear evidence from the faith-based institutions themselves
4 about their redress and safeguarding policies and
5 processes.

6 Other faith-based institutions have been served with
7 formal notices by this Commission to produce information
8 about complaints they have received and their safeguarding
9 policies and processes. This evidence is to be delivered
10 to the Inquiry in early 2021. It will be the subject of
11 careful analysis at that point.

12 And, as I've said, the Inquiry will continue to take
13 witness statements from faith-based - about faith-based
14 redress experiences. Accordingly, those who wish to come
15 forward and share their experiences with the Inquiry are
16 warmly invited to do so. Their evidence is very important
17 to the Inquiry's work.

18 In addition to public hearings, significant research and
19 policy work of the Inquiry, including roundtables, hui,
20 issues papers, will inform the development of the
21 assessment the Inquiry will make of past redress and
22 rehabilitation practices of these institutions and the
23 impact that had on the relevant individuals.

24 It will assist the development of findings in relation
25 to the systemic and cultural factors that have contributed
26 to the form and extent of past redress processes. And it
27 will also assist the development of recommendations on how
28 institutions can better meet the needs of victims and
29 survivors, and that's both during and subsequent to their
30 redress processes.

31 Over this week and the week following, this public
32 hearing will hear from 24 people who reported their abuse
33 to one of these faith-based institutions and the redress
34 processes adopted by the institutions in response.

1 In relation to those who have experienced abuse in a
2 Catholic setting, we have 10 victims, plus one daughter of
3 a deceased survivor, so 11 witnesses in that context.

4 In relation to survivors of abuse in the care of the
5 Anglican Church, you will be hearing from seven
6 individuals.

7 And in relation to abuse in the care of the Salvation
8 Army, from six witnesses.

9 This evidence will reveal the extent to which the
10 institutions' policies and procedures were adequate in
11 terms of recognising unique and individual needs of each
12 victim and survivor, including their cultural and spiritual
13 needs. Whether the policies and procedures were adhered to
14 or consistently applied and whether there was equality of
15 outcomes.

16 The evidence will also reveal whether redress processes
17 and outcomes met the needs of the victim or survivor.

18 In this next part of my opening I comment briefly,
19 Commissioners, on some of the themes relevant to the
20 evidence that you will be hearing.

21 It is acknowledged, of course, that people will
22 experience redress processes and barriers to accessing them
23 differently. That difference in experience is affected by,
24 among many other considerations, their unique and differing
25 needs, their understanding of the process, their
26 expectations and also the culture of relevant faith-based
27 institutions.

28 Despite these differences, there are important
29 identifiable themes that are common to many of the
30 survivors' experience which will be revealed in evidence
31 during this coming fortnight.

32 In relation to trauma-informed engagement and support,
33 there is extensive research available that recognises the
34 need for any redress process to be sensitive to the trauma

1 that has been the subject of a victim or survivors'
2 abuse - and to prevent further harm from being caused.

3 The development and communication of expectations for
4 victims and survivors from the very start of the redress
5 process is therefore an essential component for a
6 trauma-informed approach.

7 As you listen to the evidence, Commissioners, you will
8 no doubt be attentive to whether the form and extent of
9 engagements and support necessary to understand and meet
10 unique and specific needs were adequate. Was a truly
11 trauma-informed approach adopted by the faith institution?

12 In relation to initial risk assessment and reporting, I
13 note there is significant research globally that's
14 identified a key motivation for reporting of abuse by
15 victims and survivors is to prevent further harm to others.
16 During this public hearing, evidence will reveal the extent
17 to which, following the disclosure by victims and survivors
18 of their abuse, initial steps taken by institutions and
19 whether they prioritised or not the prevention of further
20 abuse or reporting of abuse to Police or other relevant
21 civil authorities.

22 In relation to the investigation and assessment process
23 after somebody has come to the institution and reported
24 abuse, as you hear the evidence you will be considering
25 whether these witnesses received the right level of
26 information about how their reported abuse would be
27 investigated and assessed. Did they receive adequate
28 explanations about what information and evidence would be
29 used, how that was accessed, who it would be shared with
30 and for what purposes? Were investigation or assessment
31 outcomes shared with them?

32 In relation to acknowledgment, also many international
33 inquiries have found the most significant barrier that
34 prevents victims and survivors from disclosing their abuse
35 is a fear of not being believed. Accordingly, there is a

1 profound need for institutions to accommodate this
2 dimension when designing and implementing redress
3 processes. An acknowledgment can often take the form of an
4 oral or a written apology. Commissioners, you will no
5 doubt be looking forward to the evidence on whether victims
6 or survivors felt they did or did not receive a meaningful
7 acknowledgment.

8 In relation to redress outcomes that meet the needs of
9 survivors, a further theme to focus on as you receive the
10 evidence from the victims and survivors is whether policies
11 issued by these faith-based institutions and which of
12 course underpin their respective responses to the people
13 coming forward to them, focus on redress outcomes that meet
14 their own institutional needs, rather than the needs of the
15 person abused or preventing abuse to others. In this
16 context, the question of whether prevention of future harm
17 was adequately addressed is an important consideration for
18 the Inquiry.

19 Madam Chair and Commissioners, my submission is that
20 those thematic aspects I have identified will be important
21 considerations for the Inquiry to bear in mind as you are
22 receiving evidence from an individual's experience but of
23 course which collectively add up and create these themes.

24 Against that setting, the witnesses giving oral evidence
25 over the two weeks are in relation to the Catholic redress
26 witnesses: Frances Tagaloa, Tina Cleary, Anne Hill, Gloria
27 Ramsay, Ann-Marie Shelley, Mary Marshall and five anonymous
28 witnesses, including one who will be heard in private.

29 In relation to the Anglican redress witnesses, you will
30 be hearing from Neil Harding, Jim Goodwin, Robert Oakley,
31 Louise Deans and four anonymous witnesses.

32 In relation to the Salvation Army redress witnesses, you
33 will be hearing from Jan Lowe, Darrin Timpson, Gloria
34 White, Roy Takiaho and two anonymous witnesses.

35 Nō reira tēna koutou, tēnā koutou, tēnā koutou katoa.

1 **CHAIR:** Tēnā koe, Ms Anderson.

2

3

4

1 **OPENING SUBMISSIONS ON BEHALF OF THE BISHOPS AND**
2 **CONGREGATIONAL LEADERS OF THE CATHOLIC CHURCH IN AOTEAROA NEW**
3 **ZEALAND BY MS MCKECHNIE**

4
5
6 **MS MCKECHNIE:** Mōrena, Chair, Commissioners, as the
7 evidence this week will be focused on the Catholic Church,
8 I have been invited to give an opening statement now and I
9 thank you for that opportunity.

10 There is a copy of the opening statement hopefully in
11 front of each of you.

12 **CHAIR:** Yes, thank you for that.

13 **MS MCKECHNIE:** I begin by acknowledging Madam Chair,
14 Commissioners, Counsel Assisting, fellow counsel, those in
15 the public gallery and those watching elsewhere. In
16 particular, the Bishops and congregational leaders of the
17 Catholic Church of Aotearoa New Zealand acknowledge the
18 survivors of abuse who have made the courageous and
19 difficult decision to give evidence before this Inquiry
20 this week and those survivors of abuse who are watching
21 this hearing, either here in the room or remotely.

22 I appear as counsel for Te Rōpū Tautoko, on behalf of
23 the Catholic Bishops and Congregational Leaders. Te Rōpū
24 Tautoko was created to co-ordinate the six Catholic
25 Dioceses and 43 Catholic Congregations' response to the
26 Royal Commission. Commissioners, this was necessary
27 because each of the dioceses and congregations are
28 independent from each other. There is no single entity or
29 authority that is "the Catholic Church" or "the Catholic
30 Church in New Zealand".

31 Instead, the Catholic Church is a collect of people,
32 communities, organisations, institutions and entities who
33 are all connected by their faith.

34 There are many others who have engaged with the Catholic
35 community, as my friend said in her opening, through the

1 schools and other services that the Catholic community
2 provides to the general community in New Zealand as well.

3 In creating Te Rōpū Tautoko and requesting to
4 participate in this Inquiry, each Bishop and congregational
5 leader committed to its key set of principles which will
6 guide their work before you in this Inquiry.

7 Commissioners, those are summarised in the statement before
8 you and are publicly available on the website that has been
9 created to support the work of the Church and the
10 Commission and are accessible to survivors or members of
11 the public who wish to see them.

12 Ultimately, the Inquiry, the survivors and Bishops and
13 Congregational Leaders of the Catholic Church share the
14 same goals: the complete elimination of all forms of abuse
15 for those in care and ensuring the survivors of abuse
16 obtain the support that they need. The Catholic Church is
17 very committed to the transformation of care in all
18 settings, so Aotearoa New Zealand is a safe place for all
19 people.

20 Commissioners, the hearing over the next fortnight is
21 about redress and the redress process begins when a
22 survivor comes forward to share their experience of abuse
23 with the institution who is responsible for that behaviour.
24 In the Church's experience, this is often an ongoing
25 process, sometimes over many years, and the Church
26 recognises the importance of both the redress itself and
27 the process of redress in responding to survivors and
28 assisting with their healing.

29 This part of your redress investigation into the
30 Catholic Church is in two parts. As my friend said, you
31 will hear from 11 witnesses this week giving evidence about
32 their engagement with several different Catholic entities
33 and those entities' redress processes. A number of the
34 witnesses who are giving evidence are currently involved in
35 those redress processes.

1 At the hearing in March next year, people with a deep
2 understanding of the Catholic Church's redress process will
3 be giving evidence before you. This includes Bishops,
4 Congregational Leaders, and leaders of the National Office
5 of Professional Standards, they will explain and answer
6 your questions and those of my friends about the current
7 approach of the Church to redress, how it has evolved and
8 developed over time because it most certainly has done that
9 and where they believe it is currently in need of
10 improvement.

11 As you will hear this week and in the evidence in March,
12 there is both co-ordination and independence in the
13 response of the Catholic Church's authorities. This is a
14 significant difference from the evidence you heard in
15 relation to the Crown.

16 While the National Office of Professional Standards is
17 now in existence and responds to complaints of abuse
18 involving - of sexual abuse involving clergy and members of
19 religious congregations, there's no single decision-maker
20 in New Zealand, nobody to determine the behaviour of the
21 Church or response of the Church in totality. This will be
22 plain from the evidence you hear this week when witnesses
23 describe their redress processes in relation to particular
24 institutions or particular congregations or dioceses.

25 Understanding that combination of independence and
26 co-ordination and how it's changed is key, in part, to the
27 response of the Catholic Church.

28 **CHAIR:** It might help us to know, when did the National
29 Office of Professional Standards come into existence, just
30 roughly? How old is it?

31 **MS McKECHNIE:** It's roughly 20 years old, Ma'am, slightly
32 more but it has evolved quite significantly over time, in
33 terms of the role that it has played. Cardinal Dew and
34 Phil Hamlin will be giving evidence in March in terms of
35 that evolution. The theme of the evolution, very

1 generally, is increased co-ordination, starting with very
2 little and leading to where we are now, which has centred
3 on that National Office.

4 **CHAIR:** Thank you.

5 **MS McKECHNIE:** And the hearing in March, as I go on to say
6 in the statement, will provide the opportunity for you to
7 explore those issues with the Church.

8 As my friend noted in her opening, there is other
9 evidence that will be given this week and the Catholic
10 Church supports the reasons why that evidence needs to be
11 given, that survivors are only required to tell their story
12 once.

13 There are profound accounts of harm to individuals
14 caused by members of the Church that will be given this
15 week, and their hurt and pain is acknowledged.

16 The bishops and congregational leaders express their
17 profound regret and sorrow that anyone has experienced harm
18 in the care of the Church.

19 It is important that these survivors can share their
20 experiences. They are speaking of their own experiences
21 and in some cases are talking about things that they may
22 have heard from others or understand may have happened.

23 The bishops and congregational leaders consider that
24 this hearing is not the place to question or challenge the
25 experience of survivors or the other matters that they may
26 wish to share with you.

27 Instead, they see their role this week and next week as
28 listening and learning.

29 My clients are committed to improving the redress
30 processes for those who need to engage with them. They
31 will closely listen and learn from the experiences and
32 proposals made this week and in the coming years, both by
33 witnesses, by expert witnesses and then ultimately by you,
34 the Commissioners, in your recommendations.

1 To demonstrate that commitment to listening and
2 learning, there are representatives from the dioceses, the
3 congregations and Te Rōpū Tautoko present during the
4 hearing this week and next, save for those instances where
5 the witnesses have asked that they not be present. Other
6 members of the Catholic community, including bishops and
7 congregational leaders, are following this hearing closely
8 through the livestream and the transcript.

9 An offer has been extended, Madam Chair, through the
10 Inquiry's Counsel Assisting to the witnesses if there were
11 particular individuals or entities they wished to be
12 present to hear their evidence, to bear witness to what
13 they have to say, and where survivors have requested
14 particular individuals or representatives from the Catholic
15 Church are present, all efforts have been made to ensure
16 that that is the case.

17 There have been a couple of individuals who have
18 requested people be here, Ma'am, and they will be here.

19 Ma'am, to conclude these opening remarks, I reiterate on
20 behalf of the bishops and congregational leaders their
21 respect for survivors who will be giving evidence this
22 week. They are demonstrating real courage.

23 Ma'am, the Church is also aware that others will be
24 watching this hearing. The bishops and congregational
25 leaders extend an invitation to all survivors to engage
26 with them or with the National Office of Professional
27 Standards. And likewise, to any survivors of abuse who are
28 listening or watching this and have not yet come forward,
29 the bishops and congregational leaders encourage you to do
30 so in the ways that are appropriate for you.

31 You will be listened to.

32 As I have previously on behalf of my clients, Ma'am,
33 they reiterate any survivor watching is encouraged please
34 to contact the New Zealand Police about any abuse and my
35 clients are fully committed to transparent co-operation

1 with any criminal investigation and would support and
2 encourage anyone to approach the Inquiry as a place for
3 survivors to share their experiences.

4 Ma'am, while the bishops and congregational leaders seek
5 to ensure their redress processes are robust, fair, and as
6 respectful as possible, they acknowledge this is an ongoing
7 journey. This redress process has changed much since its
8 inception in approximately 1995, Ma'am, and it will
9 continue to evolve, especially in light of this Inquiry and
10 your recommendations.

11 Therefore, once again, the Catholic Church thanks the
12 survivors who are going to be giving evidence this week and
13 reiterate that they will be heard and their experiences and
14 proposals will be taken on board by the Church. The
15 bishops and congregational leaders will continue to work to
16 improve these redress processes so that all who need to
17 engage with the Church are heard and supported.

18 Thank you, Madam Chair, Commissioners.

19 **CHAIR:** Thank you, Ms McKechnie. I now invite the Network
20 of Survivors of Abuse in Faith-based Institutions and their
21 Supporters, Dr Heasley and Ms Tonks.

22

23

24

25

1
2 **SUBMISSIONS ON BEHALF OF NETWORK FOR SURVIVORS OF ABUSE IN**
3 **FAITH-BASED INSTITUTIONS**
4 **BY MURRAY HEASLEY AND LIZ TONKS**
5

6
7 **MR HEASLEY:** Mōrena Madam Chair, Commissioners. Ko mātou
8 ngā māngai me ngā mōrehu o te hunga e whakapono ki te
9 whakanōhanga ki a rātou kaitautoko.

10 We are here to give voice to the Network and our victim
11 survivors of abuse in faith-based institutions and their
12 supporters.

13 Kotahi te kōhao o te ngira ka kuhu mai: te miro mā, te
14 miro pango me te miro whero.

15 Our network is a needle, our Network represents the
16 needle, which has one eye through which pass the white
17 thread, the black thread and the red thread. The white
18 thread represents the incredibly heroic victim survivors
19 who have stepped forward to inform this Inquiry and the
20 public of New Zealand of the serious problem we face with
21 the abuse of children in the care of Church institutions.
22 None of us would be standing here today without their
23 heroism.

24 The black thread is the media that began to believe them
25 and brought their stories into the public realm from the
26 late '80s.

27 The red thread is that of the many advocates and experts
28 globally who use their experience and expertise to validate
29 and support the experiences that victim survivors report.

30 We acknowledge those abused in the care of the State and
31 faith-based institutions. It is an error to see the issues
32 facing abuse in State and faith-based care as separate.
33 They stand together and meet many of the same barriers when
34 seeking redress, protection of institutional reputation
35 and financial assets being the hardest to overcome.

1 But let us remember, many have died without ever
2 receiving justice - the term they use when referring to
3 redress.

4 For many victims who have passed on or who took their
5 own lives because the pain was simply too much to bear, we
6 remember you today.

7 I now beg the indulgence of the Commissioners and ask
8 all those present to join with us in a few moments of
9 silence to remember them.

10 He nui, he whakaaro nui i te haumūmūtanga.

11 How powerful the silence.

12 **CHAIR:** Kia ora, Dr Heasley.

13 **MS TONKS:** Commissioners, over the next two weeks you will
14 hear testimony from victim survivors who were abused in the
15 care of the Catholic, Anglican and Salvation Army Churches.
16 These are not the only faith-based institutions where abuse
17 occurs, of course, however they will provide a snapshot of
18 the abuse that happens in Church institutions in
19 New Zealand and illustrate the common pattern of further
20 trauma victim survivors face when they seek redress.

21 Victim survivors again reporting their experience and to
22 a public hearing is not without risk of further trauma. We
23 thank them for their courage to do so.

24 We are mindful they risk their evidence will be seen as
25 "just another survivor story" by the New Zealand public, a
26 public that is saturated with example after examples of
27 such abuse and whose lack of outrage can only be understood
28 in terms of how a tolerance of abuse has become woven into
29 our New Zealand culture. A tolerance and acceptance that
30 is a huge barrier for all victim survivors to overcome.

31 To you, Commissioners, and the public, we emphasise the
32 importance of understanding that the testimony you will
33 hear is not unique to those who are speaking at this
34 hearing. They are all - they speak for the many that are
35 silent, have been silenced or who have suffered again as

1 they sought redress and a safer future for New Zealand
2 children.

3 Evidence from victim survivors of abuse in the care of
4 the Catholic Church will begin this hearing. We ask,
5 respectfully, Commissioners, on their behalf you listen
6 carefully to their evidence while keeping in mind they were
7 reporting and seeking redress from an institution with a
8 culture based on guilt, shame and a belief that all people
9 are sinners and sins need to be absolved. And the priest
10 and religious are represented as a higher level of human
11 being, equivalent to God on earth, that seeks to hide its
12 sins, minimise and shift blame, so that the roles are
13 reversed and the child victims are left feeling they are
14 the offenders and carry guilt and shame of the abuse that
15 happened to them. Members of our Network have
16 requested we underline to you the importance they give to
17 this Inquiry's investigation into redress. It is their
18 belief, that with their evidence, and the outcome of the
19 redress hearings, sufficient will be known to understand
20 the systemic issues that prevent the Churches being the
21 appropriate bodies to investigate the abuse that happens
22 within their institutions and that they can no longer be
23 left to investigate complaints and continue to deny victim
24 survivors the redress they deserve.

25 We put it to the churches, this Inquiry should not have
26 been needed. The churches, like the Crown, have known for
27 decades upon decades the abuse that was happening under
28 their purview. They have had decades to put measures in
29 place to prevent it happening. They have had decades to
30 put appropriate trauma-free processes in place to ensure
31 victim survivors have redress and that the redress
32 reflected the resultant loss of life potential and the
33 seriousness of the abuse they suffered. It has not
34 happened.

1 From their earliest submissions to be included in this
2 Inquiry, our victim survivors have consistently asked not
3 to be expected to trust an institution they couldn't trust
4 to keep them safe from abuse to investigate their
5 complaints and to determine what redress they receive.

6 Asking them to trust a Church to investigate itself and
7 then determine redress is simply wrong and traumatic for
8 them.

9 They have also consistently asked that this be dealt
10 with, with urgency. They are relying on you,
11 Commissioners, and this Inquiry to achieve that for them.

12 **MR HEASLEY:** But there is another issue we must address.
13 Only 10 short days ago you held a procedural hearing into
14 matters around the suppression of names of paedophiles and
15 their enablers from witness testimony. As an advocate and
16 voice of our members, I attended that procedural hearing.
17 From the Churches I heard a call for natural justice,
18 accompanied by a demand for the redaction and suppression
19 of names. All this in the name of preventing trauma to the
20 families of those whose names would be brought into the
21 light. In doing so, the Church sought to use its
22 significant legal resources to silence victim survivors to
23 prevent others who have never reported from knowing that
24 they are not alone.

25 In that hearing, Ms McKechnie, appearing for the
26 Catholic Church, made issue of the "colourful language"
27 used by Mr Cleary in his statement. Was she suggesting
28 that the language he used as he was dying somehow
29 undermines his credibility? Should he have been
30 colourless! His life was torpedoed as a child by two of
31 the most odious and disgusting of men, former rectors of St
32 Pat's Stream and St Pat's Town. Mr Cleary recently passed
33 on and now his daughter will read his testimony. She is no
34 less a victim than her Dad, as the trauma of abuse
35 radiates. Was any consideration given by the Church and

1 their legal counsel to the trauma they would create by
2 targeting the testimony as they did?

3 At the Contextual Hearing a year ago, the Catholic
4 Church had the last word. Ms McKechnie delivered the
5 following message on behalf of the Church and I quote, "The
6 bishops and congregational leaders are committed to working
7 with the Royal Commission in this Inquiry and have asked me
8 to publicly reiterate that both to you and to those who are
9 listening this afternoon. They are committed to their
10 errors and omissions being examined transparently and
11 openly".

12 Take a moment to consider how child abuse could be
13 referred to as "errors and omissions". Consider how
14 seeking suppression orders aligns with open and transparent
15 examination.

16 We commend the Commissioners for denying the Churches'
17 attempt to silence our victim survivors once again. Any
18 other outcome would have been outrageous. Now the victims
19 get to speak. Kaua e wahangū, silent no more..

20 **CHAIR:** Ngā mihi ki a kōrua (thank you very much). With
21 the conclusion of the opening statements, I believe it's
22 appropriate that we take a short break and to enable our
23 first witness to be ready. We will resume again at 11.15.
24 Is that suitable, Ms Anderson?

25 **MS ANDERSON:** Yes.

26

27 **Hearing adjourned from 11.00 a.m. until 11.20 a.m.**

28

29

30

31
