

UNDER Section 20 of 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

**PRESBYTERIAN SUPPORT CENTRAL'S SUBMISSION IN RESPONSE TO
NOTICE TO PRODUCE NO. 524**

5 October 2022

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TO: The Chair and Commissioners

Looking Back

From 1950 until present day

2. *With the benefit of hindsight, what are the biggest mistakes PSC has made that enabled abuse against children, young people and vulnerable adults in the care of the faith to occur? Why were these mistakes not identified and addressed sooner?*

1. Presbyterian Support Centre (PSC) no longer provides care for children, young people or vulnerable adults.
2. In our submission dated 1 April 2021, PSC provided a history of PSC, details about the Berhampore Home (**the Home**) which it ran and the number of children (that PSC is aware of) who were allegedly abused at the Home. In short, the Home was operated by Wellington Presbyterian Social Services Association (PSSA) (later renamed PSC) from 1909 until it closed in 1985 with a change in focus from residential care for children to caring for the elderly and providing family support.
3. Because of historical allegations of abuse at the Home, PSC carefully searched our records (including almost 1,000 files relating to children in our care, board minutes and staff records) from the 1920's until the mid-1980s, when the Home closed.
4. The abuse allegations centre largely on the period after Walter Lake was appointed as Manager in 1959. Before joining PSSA, Mr Lake spent 20 years in the Public Service. He was Private Secretary to the Minister of Health, the late Hon. Ralph Hanan in 1955/57. He also served in the Social Security Department and Department of Health.
5. A number of survivors reported that, while in care from early 1960s to 1970s, they were abused, physically, sexually and emotionally by staff members and other children. Looking over our records, it appears as if some staff members at the Home persuaded the Board at the time that the allegations made were untrue and the complaints related to a new form of discipline that Mr Lake had brought to the Home.

6. There is also evidence (previously provided to the Royal Commission) that those staff members who had reported unusual behaviour by Mr Lake were not believed. In one case, it appears that the Board asked a staff member, who had made accusations about Mr Lake, to resign. It appears the Board believed assurances from Mr Lake.
7. We have reviewed all Board Minutes that are available for the duration of the Home's operation. None record complaints about alleged abuse from family members, children or staff members or any investigations conducted. As PSC explained in its April 2021 submission, allegations of abuse only properly came to light in 2002, well after the Home closed. The Board at that time appointed Dr George Barton QC to investigate the allegations and this eventually led to settlements with survivors in 2007.
8. It is difficult to understand why earlier Boards did not more closely monitor management's approach to the children under their care. We have been unable to locate any record of a complaints process from that time, whether recorded (as would happen now) or evidenced by proper engagement with those making allegations and investigations being undertaken (as also would happen now).
9. We are also aware that there would not have been robust recruitment and vetting processes while the Home was operating. There is certainly a different culture now for compliance with employment law and best practice when it comes to recruitment, interview, reference checking, vetting, selection, and appointment processes.
10. We have also been unable to locate any evidence of training for staff at the Home around safeguarding. This may have contributed to the enablement of abuse, as may have the historic lack of understanding as to how children exhibited trauma.
11. As noted above, PSC no longer provides care for children, young people or vulnerable adults. Nevertheless, like most organisations, business practices have been tightened because of a greater emphasis on health and safety and employment conditions. Today, all staff are Police vetted as they either work directly, or come into contact, with

vulnerable people (which for our purposes include children and elderly). These staff also receive training on working with vulnerable people and their whanau.

Since the 1980s

12. As we have previously shared with the Commission, PSC now runs two organisations, Family Works and Enliven (neither of which fall within scope of the Royal Commission).

Family Works

13. In 1976 the Wellington Counselling Centre was opened, later re-named Family Works. The aim was to support children, families and communities in need.
14. Family Works is a multi-disciplinary service which offers comprehensive support. We have grown these services to include courses for parents and children, and supplying the wider community with support and essential items. At no stage are children taken into the direct care of Family Works staff. Family Works holds a cross section of Government contracts and is highly regularised and monitored by the Ministry of Social Development and the Ministry of Justice.

Services for the Elderly/ Enliven

15. PSC currently offers a range of positive ageing services across the lower North Island, including eight retirement villages and fourteen aged care homes. In 2008, Services for the Elderly was renamed Enliven. Enliven has grown to be one of New Zealand's most trusted providers of aged care and retirement villages.

3. *With the benefit of hindsight what are the biggest mistakes PSC has made in relation to responding to reports of abuse? Why were these mistakes not identified and addressed sooner?*

16. With the benefit of hindsight, we think the biggest mistakes PSC made in responding to reports of abuse at the Home are:

- (a) Not having a reporting system in place for the Board or Management to monitor the children's care, including accusations of abuse at the Home. It is not clear if there was any external state agency review of care standards at the time. As with most social service providers the focus appears to have been on maintaining the financial viability of the Home rather than considering the possibility of abuse. In the early 1970s (as PSC expanded further into aged care services) the Board became more focussed on operational risk, not just financial risk. However, by then, the number of children had dropped considerably (sometimes to less than 10 children).
- (b) Not believing survivors, and instead being too trusting of some staff members.
- (c) Not questioning behaviours and attitudes, even those which might be considered more commonplace at the time.
- (d) Accepting the word of certain staff members at the Home, particularly those in positions of power, and not adequately questioning or investigating explanations given. While the cultural norm at that time, it was and is now clearly understood to be unacceptable.
- (e) Not properly understanding (through training) circumstances in which abuse can occur and how children may exhibit trauma, and not initially prioritising the safety and wellbeing of survivors of the Home including by responding to reports of abuse in the most trauma informed way (in terms of what we would now consider best practice).

4 What are the most important changes that need to be made by PSC to protect children, young persons and vulnerable adults in the care of the faith from abuse?

17. PSC no longer provides direct care for children, young persons and vulnerable adults. It last provided care for children and young persons

in the 1980s but that stopped when the Home closed. It is our understanding that elder care does not fall within the Terms of Reference of the Inquiry.

18. We have included some general comments on current Family Works policies, even though PSC (whether through Family Works or otherwise) no longer provides direct care to any children, young persons or vulnerable adults. We can provide more detail if that is required by the Commission, but we have not provided it at this stage because:
- (a) It does appear relevant to this question; and
 - (b) The services now provided by PSC (through Family Works and Enliven) are not within the scope of the Royal Commission's Terms of Inquiry, noting that no children, young persons or vulnerable adults are in its direct care.

Family Works abuse prevention

19. Family Works offers social support and counselling to tamariki, rangatahi and whānau. As we have said, that support is not "faith-based care" because no individual is taken into direct care by Family Works.
20. Even though its current operations are not "faith-based care", PSC is committed to providing a safe and appropriate environment for anyone who accesses its services.
21. This commitment is illustrated by:
- (a) Policies and processes to ensure appropriate review and risk management for those using our services, including prioritising the safety of people.
 - (b) These policies, practices and case notes are regularly reviewed externally by Government Departments and the Board.

- (c) A clear complaints process, with any complaint recorded and a process for enquiry with the client followed through and signed off by the Manager, kept in a file and viewed as a part of the Ministry of Social Development's audit process.
- (d) Clear policies and processes for making reports of concerns to Oranga Tamariki, and the reporting of this information to PSC's Risk and Audit Committee.
- (e) A bi-annual review of Family Works services (case activity, systems and processes) by the Ministry of Social Development Auditor for social services organisations. We also have regular file audits from Ministry of Justice and Department of Corrections. Advisors from these Government organisations undertake site visits and review files.
- (f) Peer and external peer review systems for Family Works teams, established so that if there is any suspicion of abuse (of any kind) this is addressed immediately.
- (g) Family Works staff record all case management notes on the case management (PAUA) system with review by the Team Manager.
- (h) Quality control processes, which include random sampling of client cases by the Practice Development Manager (PDM).
- (i) All clients are given evaluation forms for feedback. These can be completed away from the Family Works Centre, they have free posting and are sent to the General Manager of Family Works for reading. This provides independence from the Centre for Complaints and Compliments.
- (j) Each practitioner receiving one-on-one case management supervision from their Manager, which is then examined by the Ministry of Social Development auditor and Oranga Tamariki during their monitoring visits. For the Ministry of Justice, the contracting Government Department also

examines case records and compares this against their own information.

22. Similar processes and protections are in place with Enliven.

5. What are the most important changes that need to be made to the way PSC responds to reports of abuse?

23. As above, we have included some general comments on the way PSC responds to reports of abuse, even though PSC (whether through Family Works or otherwise) no longer provides direct care to any children, young persons or vulnerable adults. We can provide more detail if that is required by the Commission, but we have not provided it at this stage because:

- (a) It does appear relevant to this question; and
- (b) The services now provided by PSC (through Family Works and Enliven) are not within the scope of the Royal Commission's Terms of Inquiry, noting that no children, young persons or vulnerable adults are in its direct care.

24. While working to minimise risks of abuse across our remaining services, PSC has made changes to the way that it reviews, reports, or manages incidents that are identified through the services provided by Family Works and Enliven. Copies of Policies and Protocols are available if required by the Royal Commission.

6. What barriers to disclosure continue to stop survivors from reporting abuse? How do you intend to reduce or eliminate these barriers?

25. It is impossible to speak for all survivors, as we imagine that for each the circumstances of abuse and the impact that that has had (and continues to have) is different. The barriers to disclosure are likely to be many and varied. However, we believe some of the key themes and potential barriers to survivors coming forward are likely to be around the fear of not being listened to, believed, feeling embarrassed or humiliated, and the fear of being alone and not having support, particularly in relation to cultural considerations.

- 26.** PSC believes it does all it can to lessen these fears and it is open to always learning about what more it can do to break down barriers for survivors.
- 27.** The PSC Board has decided to be survivor centric in our response to allegations of abuse. The organisation is supported to take a restorative approach to all survivors who were in the care of PSC in the past, by apologising for the harm, accepting responsibility and listening to survivor's stories and their needs.
- 28.** Some principles that underpin PSC's approach include:
- (a) A safe environment should be provided as a first step.
 - (b) First contact should be open, respectful, and non-judgemental.
 - (c) While clarification may be sought of events and times, this must be carried out in a respectful way.
 - (d) Survivors' cultural expectations and differences should always be considered and respected throughout the process.
- 29.** As detailed in our April 2021 submission, we received approaches from 20 survivors in 2000 and worked with them until those claims were resolved. With the Board's overview, these claims were investigated and a settlement process adopted. Since then, PSC has welcomed survivors coming forward and their concerns and personal accounts of their time in PSC's care listened to in a respectful way. The only exception to that (that we are aware of) is one instance where a survivor's requests for their documents was not dealt with quickly enough. We have apologised for that and have been involved in a positive redress process with that survivor. PSC continues to have a close relationship with that survivor, and we are grateful to that survivor for that.
- 30.** Since the Royal Commission's establishment:

- (a) The PSC Board has appointed a dedicated person (retired Chief Executive) to have full responsibility with the current PSC Chief Executive to liaise with survivors and investigate allegations of abuse. The Board felt it was important to do this to give survivors one point of contact, and to ensure that any complaints could be dealt with as quickly as possible.
- (b) The PSC Board has received a monthly Report from Patrick Waite (the former CEO who is the primary survivor contact point) about any contact PSC receives from survivors of the Home, what action has been taken and recommendations made.
- (c) PSC has reviewed, collated and recorded all of its records from the early 1920s when the Home opened until mid-1980 when it closed.
- (d) We have scanned all the photos that we can locate in our files so there is an electronic copy.
- (e) PSC has been pro-active in contacting those survivors who we have been told by other survivors may be interested in obtaining a copy of their file and/or photos. So far, we have contacted 37, some of whom are groups of siblings. Our experience has been that this contact has been well received. As a result, since late 2021, some 28 files have been provided to those who requested them.
- (f) We have maintained contact with one of the survivors who was in the initial group of survivors who came forward, finding out from her what else we could do to support survivors. Though her introduction to other survivors we have built a database of those who are interested in finding out more from their files – referred to earlier. This has instigated visits by her and her husband to our offices and return visits from us to her home. On one of those visits, the Presbyterian Minister (who became a very strong advocate for survivors and which resulted in the 2007 settlements) was present.

- (g) We visited another survivor who lives in Ōpōtiki and listened to his experiences at the Home and with foster families – again to learn more about survivor experiences and to understand how we could better respond to enquiries.
- (h) We have maintained contact with the survivor whose witness statement was presented at the Royal Commission Pasifika Hearing. Listening to him give evidence has helped further shape our understanding of some of what happened at the Home. We have met with him and his family at his home and at our offices and provided copies of photos of him when he was in the Home. At our invitation, he has offered to speak to our Family Works teams on his experience dealing with agencies so that we can learn and do better in how we respond and provide care for those in need.
- (i) Through our online media presence and website we continue to encourage survivors to make contact with us and/or approach the Royal Commission, including any survivors who received a settlement through the 2007 process.
- (j) Since 2019 PSC has had a page on its website dedicated to the Royal Commission. This page has been updated over time. The page currently states:

There is currently a Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions (Royal Commission) taking place.

As part of its work, the Royal Commission is inquiring into historic abuse that has occurred within faith-based entities during the period 1950-1999. The Royal Commission was set up by the government and is completely independent from the government and from faith based entities.

We acknowledge the hurt and pain that has been caused in the past to those affected while in our care. We are devastated that this has happened to some people in our care and are so very sorry. The abuse and mistreatment of children, young people and vulnerable adults was never ok, and is certainly not who we are today. Our values will guide us as we walk the long road with survivors to a place of healing. We will be open and transparent. We will show compassion and humility.

As these historic abuses came to light, we have worked with the survivors who came forward to apologise and support them as best we could.

Presbyterian Support Central has welcomed the Royal Commission and wishes to assist with its transformative goals. In April 2018, Presbyterian Support Central wrote to the Commission welcoming the Inquiry and offering full cooperation. We are committed to work with the Royal Commission and will take their recommendations on board. In the meantime, as an organisation, we have taken a good hard look at our internal processes and procedures to ensure we always operate to best practice standards.

If you or a member of your family has been harmed while in the care of Presbyterian Support Central, there are a number of ways your complaint can be heard:

- *If you have concerns or experiences that you want to share directly with Presbyterian Support Central or wish to seek redress, please contact Patrick Waite in the first instance at pat.waite@psc.org.nz, or by phone on 04 439 4980.*
- *If you wish to engage with the Royal Commission (either at the same time or separately to bringing your concerns to us directly) there is information on the Royal Commission's website at www.abuseincare.org.nz.*
- *If you have signed a settlement relating to an abuse claim with Presbyterian Support Central, we waive any confidentiality clause or obligation on you that might have stopped you talking to the Royal Commission.*

Presbyterian Support Central also encourages any survivor of abuse to approach the New Zealand Police. We will cooperate with the Police in any criminal investigation or prosecution.

7. What issues, if any, have you identified with PSC's record keeping policies and practice relating to reports of abuse? How do you intend to improve current record keeping policies and practice?

- 31.** Historically, records were paper-based and were inherently prone to gaps. As noted above, the historic Board minutes do not appear to record complaints about alleged abuse from family members, children or staff members or any investigations conducted. Since 2000, when PSC had better awareness of allegations of abuse at the Home, it has put in place processes to record, respond and address allegations. The IT systems, and backup processes that are now in place, support the continued availability of information and recording of questions or

survivor enquiries in a secure, confidential environment. Files and paper records are held in a secure locked room.

32. As noted above, the PSC Board has received a monthly report about any contact PSC receives from survivors of the Home, what action has been taken and recommendations made.
33. Although PSC has not provided faith based care since the mid-1980s, Family Works has detailed policy and practice guidance for all staff regarding identifying concerns and making reports of concern to Oranga Tamariki. In addition, services and processes are reviewed bi-annually by the external Ministry of Social Development and three monthly site visits from the Ministry of Justice to look at files, quality and compliance. PSC has Level 2 MSD accreditation, which includes examination of the system and process we operate, and then cross referenced in the Family Works sites to ensure reporting framework is followed.
34. Family Works has a process for Report of Concerns for children to Oranga tamariki. These reports are signed off by the team Manager, and sent to General Manager. They are collated together for reporting purposes to the PSC Risk and Audit Committee. This process ensures that the Committee are aware of any children we are working with that are presenting of being at risk.

8. There has been poor reporting of ethnicity of Survivors reporting abuse by faiths (and the State). What changes are you planning to make in relation to recording Survivors' ethnicity?

35. PSC's historic records of survivors have been reviewed and where ethnicity appears to be clear, records have been updated.
36. As enquiries from survivors are received, their ethnicity will be reviewed and updated on our files.

9. Does PSC collect data about its members who have a disability or mental health issue? If not, what changes are you planning to make in relation to collection and or reporting such data?

37. PSC as a charitable entity offers membership to the organisation under its constitution, but members are not in the care of PSC and no data of this nature is collected about them.
38. From the paper records available, PSC cannot locate any records which describes disabilities or mental health issues of those in PSC's care or of survivors.
39. Again, PSC no longer provides care for children, young people or vulnerable adults. However, if at some stage in the future PSC decided to provide that care (and it has no plans to do so) we did we would obviously reflect on best practice at the time to ensure proper safeguards are in place for care and accurate reporting and engagement with people about their needs.

10. What do you consider is the role and responsibility of faith-based governance and management bodies in ensuring that Māori can exercise their rights as guaranteed by Te Tiriti o Waitangi in Aotearoa New Zealand? Does the answer change if faith-based governance and management bodies are exercising powers that the Crown has delegated to them or are funded by the Crown to deliver?

40. PSC considers that it is essential to include Māori voices in governance. That is why there is a position on the PSC Board for the Presbyterian Church to appoint a Māori member. There have been Māori members of the Board in the past. Unfortunately, PSC has found it difficult to both attract and retain Māori in this role and at present there is no Māori representative on the Board. This is something PSC is working on.

11. To what extent can tino rangatiratanga be exercised by Māori in PSC's governance structure? What needs to change to ensure that Māori can fully exercise their rights as guaranteed by Te Tiriti in the governance and management of faith-based institutions that care for children and vulnerable adults? How should such change be led and implemented?

41. PSC endeavours to ensure that Māori have a voice, and influence, in its governance and management. To honour te Tiriti o Waitangi,

Presbyterian Support New Zealand (**PSNZ**), which is the federation body which includes PSC, is advised and supported by Te Roopū Pā Harakeke, whose members are cultural competency advisors employed in each region and whanaungatanga and whakapapa to their region. Te Roopū Pā Harakeke have hui twice a year, to give guidance and collective voice to Te Manukura (national mouthpiece or Chair) and cultural advice to the National Executive Officer. PSNZ is then supervised operationally by a group called the National Executive Group (**NEG**), comprised of all seven regional CEOs, plus te Manukura o te Roopū Pā Harakeke. The NEG meet at least four times annually to support national objectives and advocacy.

42. Te Roopū Pā Harakeke is facilitated by PSNZ to ensure all regional Cultural Advisors including the Cultural Advisors employed by PSC, collaborate for consistency on their development of regional cultural development plans. These plans ensure regional procedures reflect local Māori values and include:
- (a) The provision of high quality and culturally acceptable services for Māori, and work with whānau to reduce poor life outcomes, and promote wellbeing, identity, and belonging.
 - (b) The meaningful participation of Māori and values the perspectives and contributions of Māori in the ongoing provision and development of services.
 - (c) The provision of training and opportunities for all staff and volunteers to develop their cultural awareness, safety, and competency to practice within their community.
 - (d) Support Māori staff to enable them to develop and extend their cultural practice.
 - (e) Respect that Iwi, hapū and whānau have distinctive laws, traditions, beliefs, languages, kawa and tikanga. Presbyterian Support respects and supports each iwi in their region as potential community partners in their respective takiwā (Region).

43. Through Te Roopū Pā Harakeke, PSNZ works toward cultural awareness, and ensures that:
- (a) Safety and competence are integral parts of Presbyterian Support's staff training and development.
 - (b) Presbyterian Support operates in a culturally inclusive and relevant way at all levels of engagement and operation.
 - (c) Presbyterian Support regional and national representatives develop meaningful relationships with iwi, hapū and Tāngata Whenua organisations within their communities.
 - (d) Presbyterian Support staff work with Māori clients to achieve:
 - (i) Enhanced quality of life.
 - (ii) Wellbeing, social functioning, and improved social and community connections.