

EMBARGO UNTIL 11/05/2021

Witness Name: Desmond Hurring
Statement No.: [WITN0220001]
Exhibits: [WITN0220002 - WITN0220018]
Dated: 17 February 2021

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

WITNESS STATEMENT OF DESMOND ALBERT HURRING IN RESPECT OF RESIDENCES INVESTIGATION

I, Desmond Albert Hurring, state: -

INTRODUCTION

1. My full name is Desmond Albert Hurring. I was born on 1961.
2. I am the youngest of six children. My father's name was . He was of Maori, Tasmanian Aboriginal and British descent. My father's iwi is Ngāi Tahu. My mother's name was , and she was Pākehā. Both parents are now deceased.
3. My parents had a tumultuous, on/off relationship. Both of them drank alcohol regularly at home. My father left the family when I was about four years old, leaving my mother to bring up the family on her own, although he would periodically return to the family home, up until early 1968.

EMBARGO UNTIL 11/05/2021

2

4. I came to the notice of Child Welfare on 29 December 1969.
[WITN0220002]
5. I had a difficult childhood. I was commonly left at home with my older siblings or neighbours' siblings. This often meant I got a hiding from someone. I never had new clothes. I always received the hand-me-downs from my siblings and neighbours.
6. I was first sexually abused by a family friend at age 8. I remember that this family friend took me into town to see the Kingston Flyer. On the way back home, we stopped outside the NZR bus terminal, where the man sexually abused me. I still remember the man telling me not to tell anyone and that it was "our secret".
7. Before I was sexually abused, I was doing well at school. I remember that I was bumped up a class, going directly to Standard 2, because I was considered to be an advanced, above-average learner for my age. Immediately after the sexual abuse, my education levels began falling. I was unable to comprehend or understand many things. I was unable to concentrate. I remember my teachers portrayed me as a troubled kid.
8. At that time, no one ever thought about why there had been the sudden changes in my education levels or why my sleep patterns had suddenly changed. Nor did anyone think about why I was no longer interacting with other kids at school or in the neighbourhood.
9. I remember that during this same period, my teacher was abusive. He regularly hit me with the blackboard duster and kicked me. On one occasion, he kicked me all around his classroom while he was wearing steel-toed shoes.
[WITN0220003] My mother complained to the Headmaster about this assault. I suffered more punishments by being singled out in class. I was made to sit in the cold hallway. I was told off by other teachers and parents in the hallway and playground areas. I was regularly hit on my hands with a wooden ruler.

EMBARGO UNTIL 11/05/2021

3

10. Not only was I persecuted by teachers, but I was also bullied and teased. At home, I was hit by my mother, my older siblings, and their partners and some extended family members.
11. These experiences taught me to be very wary from a young age about adults. Unfortunately, this did not keep me safe from the sexual predators and violent abusers (staff and other boys) who I later came across in care.
12. I first appeared in the Children and Young Persons Court on 16 July 1970 after stealing money. **[WITN0220004]**
13. On 22 November 1973, I again appeared in the Children and Young Persons Court. **[WITN0220005]** The Court directed that I be assessed by a psychologist. A social worker, Mr Rimmer, said that my brother and I might have been a victim of our home situation, which was described as “not very adequate or stimulating”.
14. I was placed under legal supervision on 4 April 1974 for six months. **[WITN0220006]** On 4 July 1974, I was placed under supervision until 1 March 1975. **[WITN0220007]** After that, I was placed under preventive supervision for six months. During this timeframe and while I was between residences, I had multiple placements, mainly within my family. For a while I lived with an aunt and uncle in Mosgiel, which was a place I enjoyed as I learned a lot with them. When my aunt became very ill, I had a foster placement in Green Street, Mosgiel before I went to another placement in Wakari, Dunedin for a short period, before returning home. I do not remember seeing social workers during these periods, except for the purpose of transporting me to a new placement.
15. On 23 October 1975, I was again placed under legal supervision for a period of one year. **[WITN0220008]** At that stage, I was at home, trying for School Certificate, as I wanted to be an electrician.

EMBARGO UNTIL 11/05/2021

4

ADMISSION TO LOOKOUT POINT BOYS' HOME

16. On 12 March 1976, I appeared in the Children and Young Persons Court on a charge of theft. [WITN0220009] At this point, I was sent to Lookout Point. I stayed there until 7 May 1976.
17. At Lookout Point, I endured a lot of mental abuse, emotional torture, physical abuse, and sexual abuse over a long period of time.
18. I was sexually abused by a male staff member, whose identity I am not sure of because the abuse happened at night. What I am clear on, though, is that on five or six occasions I woke to find this male staff member's hand under my bedclothes.
19. In addition to the sexual abuse, I was physically abused by a number of staff members. Staff abuse was daily and often for no reason. I was hit, kicked, punched, yelled at, and dragged by my ears. Junior staff learned from the senior staff that violence against us boys was acceptable.
20. One staff member who assaulted me was Mr [GRO-B-3], a very tall man, who was possibly ex-police. Mr [GRO-B-3] hit me and punched me in the hallways regularly.
21. I was also regularly assaulted by a Mr [GRO-B-4] who hit me and gave me a thick ear.
22. Another staff member, Mr [GRO-B-5] who was a skinny, very fit man, took punishments to the next level of extreme. Every chance he could, Mr [GRO-B-5] would hit, punch, and slap me, while verbally abusing me as well.
23. On two occasions, Mr [GRO-B-5] squirted me with the fire extinguisher as punishment because he considered this to be a suitable punishment.

EMBARGO UNTIL 11/05/2021

5

24. On top of these assaults, a staff member called Mr [GRO-B-6] often gave me a kick up the backside or a clout around the ear. Back at that time, I probably did not think of these as assaults, but I later came to understand that staff were not allowed to treat me this way.
25. On a regular basis, I was made to clean the boiler room, also called "The Donkey" by Mr [GRO-B-5]. Mr [GRO-B-5] would throw me down the stairs of the boiler room and then make me scrub it clean with a toothbrush. When I had finished doing that, Mr [GRO-B-5] would tip ash out into the room and make me clean it again.
26. Staff were aware that I was allergic to fruit. On one occasion, two staff members (Mr [GRO-B-4] and Mr [GRO-B-5]) made me eat prunes and pears. I remember vomiting over the table as I was forced to eat this fruit. Mr [GRO-B-5] then forced me to eat the vomit, as a punishment that he considered appropriate. Mr [GRO-B-4] clearly also considered it appropriate, as he did not intervene. Mr [GRO-B-6] forced me to run around the tennis court, where I continued to vomit, and then I was made to clean up the vomit with a toothbrush. I was then forced to run around again until I couldn't do any further exercise.
27. I remember being forced to "stand to attention" at the tennis court on a frosty night, many times, dressed only in my underwear. This went on for hours on end, until I was finally permitted to come inside. I remember my feet looked a blue-black colour and I could not feel them touching the ground to walk. Staff thought this was a proper punishment to be used in winter when the ground was covered in ice. I very much doubt any staff would have treated their own children in this way.
28. On one occasion I was accused of urinating into a jug of juice that was put out on the tea table. As punishment, I was not given any tea that night. The next day I was sent to the principal's office where I was given "six of the best" with a leather strap on each hand. This was something I had not done. but I still got punished for it by the principal, [GRO-B].

EMBARGO UNTIL 11/05/2021

6

29. Privileges were often taken away without warning by staff. This would mean we would have no food or books, nor be allowed to watch TV, nor go out on a Wednesday night for our canteen. We would not get our quota of cigarettes. This was on top of being slapped across the head, kicked up the buttocks, cuffed across the ears, or yelled at, for no reason.
30. On top of that, the boys (including me) were made to take cold showers for up to 30 minutes. We were made to sweep and clean the driveway with our toothbrushes. We would have the bedroom lights flicked on and off while we were trying to sleep. These punishments were for minor infractions, such as taking food from the cupboards when I was hungry.
31. Staff members also belittled and put me down. On one occasion, Mr GRO-B-4 saw me reading a pamphlet about sex and male puberty. For a period of days, he humiliated me by telling everyone I had been reading the pamphlet.
32. On top of the abuse by the staff, I was also abused by a number of other boys, often when staff were present. I remember being beaten up by other boys. Staff failed to intervene and help me, even though they saw I was being beaten up.
33. I regularly saw other boys being beaten by staff or older, bigger boys. Staff did not intervene.
34. I remember trying to tell staff that I was being beaten by the other boys. Instead of being helped, I was told to stop lying. No action was taken to protect me from further harm.
35. One of the things I still remember is that male and female staff watched us boys when we were in the shower, or when we were changing at the swimming pool. We were given no privacy while going to the toilet either. To this day, I think it was inappropriate and embarrassing for staff members, particularly female staff members, to watch us while we were naked and/or

EMBARGO UNTIL 11/05/2021

7

toileting.

36. I hated the staff for treating me in the way they did. I also grew to hate the other boys. I started to not trust anyone because of the way I was being treated.
37. I started to question myself, asking why this had happened to me. I questioned whether I was different. I thought it must be all my fault that I was at Lookout Point being punished again.
38. On 10 September 1976, my residential social worker, Mr Campbell, recommended that I be admitted to Kohitere. **[WITN0220010]** This recommendation was declined on 22 September 1976. **[WITN0220011]**
39. My records show that Lookout Point was not a good place for me. For example, in a report written on 6 October 1976, it was stated that there was little point in me remaining at Lookout Point, because I was in need of a structured environment where I would receive work training and some attention to my social and behavioural needs. **[WITN0220012]**
40. A report written in late October 1976 said that I was suffering at Lookout Point because it was not geared towards catering for my needs. **[WITN0220013]** Despite this, I stayed at Lookout Point for a further four to five months.

KOHITERE TRAINING CENTRE (“KOHITERE”)

41. On 17 February 1977, I was discharged from Lookout Point and sent to Kohitere. **[WITN0220014]**
42. My introduction to the Kiwi Dorm on the first night was to be covered by a blanket by a group of boys and then have the crap beaten out of me. This was my welcoming. Some of the boys used weapons in socks, including hard-covered books. On my second day at Kohitere I got an initiation stomping

EMBARGO UNTIL 11/05/2021

8

when a large group of boys pushed me to the ground and punched, kick and beat me. After that, fights were usually one-on-one.

43. Kohitere staff welcomed me the next morning by tipping a bucket of cold water over me while I was in bed. I was yelled at to get out of bed onto the parade ground. I remember being made to stand to attention, dressed only in a white singlet and underwear. I was wet from head to foot while I stood on cold ground without shoes.
44. One really cruel staff member was Mr [GRO-B-7], who acted like a drill sergeant. I remember he always yelled into my left ear and punished me by making me shovel heaps of coal into the boiler room, before I could eat. This was for not moving quick enough out onto the parade ground, or for not standing straight, or from standing too close to another boy while on the parade ground.
45. While I was at Kohitere, I was sexually assaulted by a staff member who was in charge of Kiwi House. To this day I have been unable to disclose the details of that abuse to anyone because of the impact of the abuse on me.
46. Physical assaults by staff at Kohitere were common. I remember staff members called Mr [GRO-B-8], Mr [GRO-B] and Mr [GRO-B-7]. These staff would cuff me around the ears and kick me up the backside. Mr [GRO-B-8], particularly, hit me and dragged me. I remember one occasion when he dragged me across the parade ground from the dorm because my boots were not clean enough for parade that day. That same night I was in trouble with the housemaster responsible for me, after one of the kitchen staff gave me an extra pudding. I was punished by being made to do 100 press-ups in the parade ground, in the rain.
47. I was also physically assaulted by a staff member from the forestry gang, who kicked and beat me. This was because I was never good with understanding how to prune the trees and one day I cut a tree in the wrong place, stunting its growth. I remember I was kicked out of forestry after that and put in the

EMBARGO UNTIL 11/05/2021

9

farm fencing gang.

48. The boys were no better. In addition to the initiation beating, boys forced me under the trampoline where I was sexually assaulted by them, kicked, punched, spat on, and beaten to a pulp if I could not get out while another boy would still be jumping on the trampoline, hitting me each time on landing.
49. Some boys stood over me and forced me to perform unspeakable sexual acts on them, taking the tobacco I was given for the week, or taking my canteen. Some staff knew about this but did nothing, except turn a blind eye. I also witnessed boys being sexually assaulted by other boys and a staff member.
50. I had to align myself with another boy to teach me the ropes to protect myself from other boys and staff. At Kohitere, I witnessed boys doing things I had never seen before, including sniffing glue and petrol from rags. The boys got high off the fumes. This did not appeal to me after I saw the effects of what this did to them, so I never tried it.
51. During my time at Kohitere, a "kangaroo court" operated, during which boys would decide on the punishments they would dish out to the other boys. I was often the victim of assaults from other boys following these kangaroo courts. I am certain that staff members were aware of the kangaroo courts but failed to put a stop to them, or to prevent me or others being beaten up, and abused.
52. Some of my worst experiences were in the Secure Unit. I remember being sent to Secure on three occasions. I was only allowed to wear shorts and a singlet. I was not given any bedding and was instead made to sleep on the floor.
53. I remember being woken up at night and forced to participate in really punishing physical training ("PT") for hours on end. I remember there being PT and more PT. During this, staff would be yelling at me and physically hitting me with a leather strap. I felt that the staff were trying to break me down and make me give up, but I wouldn't. Just like at Lookout Point, I hated the

EMBARGO UNTIL 11/05/2021

10

staff with a passion. I still do.

54. Secure, or "Disneyland" as we sometimes called it, was different from the rest of Kohitere. Besides the physical and brutal PT sessions, we were only fed once a day with what staff called toast. Actually, it was just mouldy, stale bread, curling up on the edges with cold mashed potato served up on a tray with a cup of tea that looked and tasted more like dirty dishwater.
55. As I have explained, there was no bedding usually. If I did get bedding at night, all I got was one blanket which had to be laid out on the cold, hard wooden floor. That blanket would be removed very early in the morning. I remember that I was hit and kicked by staff members in the Secure Unit. I understand that in a report written in 1977, it was recorded that the conditions in the Secure Unit were worse than those in Paremoremo Prison. In my view, it was quite unacceptable to keep a teenage boy locked up in those conditions.
56. Staff at Kohitere knew I had a talent for electronics and wanted to become an electrician. This interest is mentioned in many of my reports, including my psychological report by a psychologist named Jennifer Bradshaw, for a possible application to Kohitere. [WITN0220015] I remember that senior management gave me use of a room to study electrical items and electronics. Sometimes staff would bring in an old radio or toaster to see if I could repair it. After I got into trouble, I lost the privilege of being able to use that room. While I accept that I got myself into trouble, I regret that more steps were not taken to encourage me to continue my education so that I could go down this track in later years.
57. Staff at Kohitere constantly put me down and told me that I would end up in prison. They also constantly threatened to punish me. As I have already said, often my food was taken away as punishment.
58. I was also threatened with being kept as a State Ward until I turned 18. I was told I would be sent to borstal. I was also threatened with the Secure Unit. On

EMBARGO UNTIL 11/05/2021

11

top of that, staff also threatened to arrange for the kingpin and his associates to deal with me.

59. Punishments included having to watch other boys eat when I was not given any food, shovelling coal, being forced to run around the buildings, washing dishes for a week, losing smoking privileges, scrubbing pig bins, washing staff cars, and scrubbing the floors and stairs.
60. As at Lookout Point, there was a strong “no narking” culture at Kohitere, probably stronger than Lookout Point. Even so, I complained to staff about the abuse I was suffering at the hands of other boys. Instead of the staff helping me or protecting me, they set me up to be stomped by other boys and took away my privileges for complaining.
61. I remember that I wrote a letter of complaint to the Director-General of Social Welfare while I was at Kohitere. This was about the sexual abuse and violence I was being subjected to by other boys and staff. I am still unsure to this day if the letter was ever sent. I certainly never had a reply to my letter. I don't believe it was ever found on my file. I am also fully aware that all incoming and outgoing mail was censored by staff.
62. There were some good things about Kohitere. I remember that Kohitere hosted a singer/songwriter, Dean Waretini, who wrote a song “The Bridge” telling the story of building of bridge between Māori and Pākehā. He talked to some of us about our mana and how to make carvings. Although I found it difficult to trust Dean because he was an adult, I have always remained respectful and very thankful of meeting him because of what he taught me.
63. I also learned many things about bird wildlife in Kohitere after being allowed to go to Kāpiti Island, where we spent a week painting a visitors' hut.
64. However, what sticks with me is that it was during this timeframe when gangs and patches were beginning to evolve. I am clear this is because institutions like Lookout Point and Kohitere created violent offenders, just like a

EMBARGO UNTIL 11/05/2021

12

production line ready to move on through the prison system.

AFTER KOHITERE

65. After I was discharged from Kohitere, I was briefly placed in a foster placement. **[WITN0220016]**
66. Here, I was physically assaulted by a large Māori boy, who hit me not long after I had arrived, in front of the foster mother. I remember that I was knocked to the floor as a result of this assault. The foster mother said and did nothing. She did not reprimand the boy, nor did she ensure that I was okay following this assault.
67. Because of this, I went up to my room, packed my clothes into a suitcase and left the house.
68. John Angus, a social worker, recorded in my file on 29 September 1978 that *“Des has several ups and downs, but despite this does not appear to have “blown up” in any major sort of way. This is encouraging”*. **[WITN0220017]** I was discharged as a State Ward on 6 December 1978. **[WITN0220018]**

EFFECTS

69. After leaving Kohitere, I started drinking heavily and used drugs to help me forget what had happened to me in care.
70. I remember I was pleading guilty to crimes I didn't do, because I could not remember what I was doing. I had fallen into the trap of constantly taking drugs and excessively drinking alcohol to forget the painful memories. At this early stage, I really didn't care if I lived or died. Not surprisingly, I ended up in prison.
71. At the age of 21 I was released from prison. I adopted a rescue dog, which was a big positive for me.

EMBARGO UNTIL 11/05/2021

13

72. Eventually, I got my life back together. I obtained employment. I had purchased a house and was in a long-term relationship, and then I had children.

THE REDRESS PROCESS

73. I contacted Cooper Legal in January 2004. I remember this came about after my brother visited me and said he had seen a story on television about Kohitere. The news item said that those who had been there or in other DSW placements should contact Cooper Legal.
74. I remember that my first contact was by phone as I was very wary of anyone wanting information about Kohitere — especially because I had tried, unsuccessfully really, to hide my past and leave it behind me.
75. It took a very long time for my case to be resolved.
76. At the request of Cooper Legal, I was assessed by a psychiatrist, Dr Earthrowl, in October 2005. This was to address whether I had legally brought my claim in time, and to assess the damage I had suffered due to my time in Social Welfare care. My memory is that Dr Earthrowl diagnosed me with chronic PTSD, a pathological use of alcohol and social avoidance.
77. I also worked with Cooper Legal on a statement about my experiences in care, which was completed between 2005 and 2006.
78. After that statement was completed, Cooper Legal prepared the legal documents to file my claim in the High Court at Wellington. These were filed in June 2006.
79. I am aware that, towards the end of 2007, Crown Law, on behalf of MSD, raised legal issues about whether my claim could get through the Limitation Act barriers. In a letter dated 20 September 2007, Crown Law suggested that my claim be withdrawn, or else it might take my claim to a leave hearing and then seek costs from the Legal Services Agency. **[WITN0220019]**

EMBARGO UNTIL 11/05/2021

14

80. Because my lawyers refused to withdraw my claim, Crown Law asked that the High Court dismiss it. I am aware that the hearing took place in mid-2008. I am also aware that the High Court refused to grant leave in my case, because I had not adequately explained why I had delayed filing my claim, which had the effect of bringing my claim to an end. I am aware that Sonja Cooper and Amanda Hill talked about this when they gave evidence at the State Redress hearing last year.
81. In December 2008, Cooper Legal closed my file because my funding was withdrawn by Legal Aid.
82. At that stage I thought I would never get any justice.
83. In November 2011, I again made contact with Cooper Legal. I was advised that MSD had changed its approach and would now consider settling my claim. I instructed Cooper Legal to take a claim for me through this approach, which at that time required me to meet with representatives from MSD. I was told that the representatives would then investigate my claim and, if appropriate, make an offer to settle my claim.
84. My file was reopened, and a lawyer from Cooper Legal wrote to MSD, setting out the details of my claim and proposing a settlement offer.
85. On 2 December 2011, MSD considered my claim, and invited me to meet with members of MSD's Care, Claims and Resolution Team on 21 February 2012. I really struggled with the interview, and I was unable to disclose some of the sexual abuse I had suffered. I asked a lawyer from Cooper Legal, Sam Benton, to pass on those details to MSD.
86. Because of the big backlog of claims, MSD asked Cooper Legal to prepare offer letters for all historic abuse claimants. This meant Cooper Legal needed to obtain my records, which had earlier been destroyed.

EMBARGO UNTIL 11/05/2021

15

87. Cooper Legal requested my records in May 2012. My records were ultimately provided to Cooper Legal in May 2013, over a year after they had been requested.
88. Because of this, Cooper Legal took a claim for me and a large group of people whose records had been delayed, to the Human Rights Review Tribunal. As a result, I was eventually paid compensation of \$9,000 in late 2016/early 2017.
89. My claim was ultimately settled in 2016, when I accepted the sum of \$12,000 which was offered to me under MSD's Fast Track Process.
90. I paid the so-called compensation money I received directly into the mortgage fund. I feel like the money I got from MSD is "dirty money", mainly because MSD has never shown any real remorse or given me a proper apology or acknowledgement for the abuse and harm I suffered.
91. I did not take this case to get compensation. I was expecting MSD to admit the wrongdoing done against me. I was also expecting a real apology from the government, and criminal charges being laid against the perpetrators, like GRO-B-5
GRO-B-5. It seems so unjust to me that he is still employed by the State and has never been made accountable for his abuse of me, to this day.
92. I am now terminally ill with heart and lung problems that have no known cure. I spend most of my days not being able to work any longer. As a result, my wife and I have had to sell our house and move into a smaller house, because I can no longer maintain our section. We have already lost our vegetable garden and have to employ a contractor to cut the grass weekly.
93. I want to live whatever life I have left with my wife, knowing at least that I have tried to right the wrongs out of my control, because of MSD and its cover-ups, denials and lies of lost and/or destroyed paperwork, along with a broken system that remains to deny the truth of facts that to me are as clear as day.

EMBARGO UNTIL 11/05/2021

16

94. I would like to sincerely thank Sonja Cooper and Cooper Legal and all the Cooper Legal staff who have worked tirelessly on this issue from the start, to the hearing of the Royal Commission.
95. I would also like to sincerely thank Dr Elizabeth Stanley for the contribution she has made by writing her book, *The Road to Hell: State violence against children in post-war New Zealand*, a book I also contributed to, using my own name.
96. I can only hope that, before the Royal Commission makes its final findings, MSD decides to make urgent change now — not just to mend, deny or cover up, but to replace a broken system for the children who still need care and help. For me, this comes way too late. I am very lucky I found a way to survive through the horrible addictions and traumas in my life, largely due to the support of my wife. To me personally, that's worth more than any compensation money could ever make up for.

EMBARGO UNTIL 11/05/2021

Statement of Truth

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed: Des Hurring...

GRO-C

Dated: 17-2-2021.....

17-02-2021

Annex B

Consent to use my statement

Desmond Albert Hurring, confirm that by submitting my signed witness statement to the Royal Commission of Inquiry into Abuse in Care, I consent to its use in the following ways:

- publication on the Inquiry website;
- reference and/or inclusion in any interim and/or final report;
- disclosure to those granted leave to appear, designated as core participants and where instructed, their legal representatives via the inquiry's database or by any other means as directed by the Inquiry;
- presentation as evidence before the Inquiry, including at a public hearing;
- informing further investigation by the Inquiry.

I also confirm that I have been advised of the option to seek anonymity and that if granted my identity may nevertheless be disclosed to a person or organisation,

EMBARGO UNTIL 11/05/2021

•
•
including any instructed legal representatives, who is the subject of criticism in my witness statement in order that they are afforded a fair opportunity to respond to the criticism. As my name is already in print in the aforementioned book I have no issue whatsoever with it being published. I'm not seeking anonymity in any such form from this commission of inquiry, I'm a survivor of the abuse.

Signed...Des Hurring.

GRO-C

Date...17-02-2021.

17-02-2021