

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
MARYLANDS SCHOOL**

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)
Ali'imuamua Sandra Alofivae

Counsel: Ms Katherine Anderson, Mr Simon Mount QC, Ms Kerry Beaton QC, Ms Jane Glover, Ms Anne Toohey, Ms Kima Tuiali'i, Ms Julia Spelman, Mr Winston McCarthy, Ms Echo Haronga, Mr Michael Thomas and Ms Kathy Basire for the Royal Commission
Ms Rachael Schmidt-McCleave, Ms Julia White and Mr Max Clarke-Parker for the Crown
Ms Sonja Cooper, Ms Amanda Hill, Mr Sam Benton, Ms Alana Thomas and Mr Sam Wimsett as other counsel attending

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

Date: 11 February 2022

TRANSCRIPT OF PROCEEDINGS

Adjournment from 3.39 pm to 3.58 pm

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CHAIR: Hello.

A. Morning.

Q. Or even good afternoon.

A. (Inaudible).

CHAIR: Good afternoon, Ms. Cooper, welcome back to the Commission for this part of the investigation.

MS COOPER: Thank you very much Commissioner. Shall I let you?

CHAIR: I'll just do the affirmation. What would you like me to call you?

A. Danny.

Q. Danny, thank you, that's good.

DANNOR ANDRE AKULA (Affirmed)

QUESTIONING BY MS COOPER: I'll get you to confirm your legal name is Dannor Andre Akula?

A. Correct.

Q. And you live in Auckland?

A. Correct.

Q. And you're nearly 70?

A. Yeah.

Q. And you identify as Pākehā?

A. Correct.

Q. We're just going to orient people before we get to Marylands. So, your parents were not married when you were born, which means that in terms of the law then you were an illegitimate child, but you have two half-sisters and a half-brother?

A. Correct, yeah.

Q. Sadly, you have no relationship with them, do you?

A. No.

Q. One of the things that we just wanted to cover off early on in your evidence is that you have done years of counselling, haven't you?

A. Correct, yeah.

Q. Your most recent diagnoses are Post Traumatic Stress Disorder, Major Depressive Disorder and Generalised Anxiety Disorder?

A. Yeah.

Q. And they are all directly linked to the abuse you suffered as a child in care, aren't they?

1 A. Correct.

2 **Q.** One of the things I also wanted to start off with very early on is right throughout your
3 reports, and this is even as a child, you were described as never having felt safe or secure as
4 a child and teenager. And that has led to the development of a number of defences,
5 psychological defences, including mistrust, failure, being over vigilant, and you are also
6 lacking in self-esteem and lacking in a sense of value to yourself and others?

7 A. Correct.

8 **Q.** And that would be how you would still describe yourself in many ways, isn't it?

9 A. There's no getting away from it. Once you've been tagged that's it, it's ongoing, only fear
10 itself, yeah.

11 **Q.** So, you come to notice at age two in 1955 because there was a complaint you were being
12 beaten by your grandmother. You're taken away and placed with a lady who you have no
13 recollection of, who wanted to adopt you?

14 A. **[Nods].**

15 **Q.** Your mother was interested in that, but your father didn't want you to be adopted, so you
16 had a short period of time in a children's home before going to live with your father at that
17 stage and your stepmother. That doesn't last for very long, and by January 1958 your
18 stepmother calls Child Welfare saying they no longer want you and this starts your first
19 placement as a four-year-old at the Berhampore Family Home. Now you and I have
20 already talked about that, but because it is your first experience of care really, will you just
21 tell the Commissioners what that was like for you as a four-year-old, including where you
22 were put to sleep at night?

23 A. My experience at that time was a clip around the ear, and a push and a shove, and my bed
24 was the drawer in the bottom of a closet, and that's where I slept. And when I wasn't
25 allowed to sleep in the drawer, they would grab me by the collar and the ear and the hair
26 and drag me into the closet itself and slam the door. I yelled and screamed and the more
27 I yelled and screamed the more tired I got and fell asleep, and when I fell asleep, they woke
28 me up to see if I was asleep, so...

29 Later on, I just rebelled against it because of some feeling I got, and I couldn't do
30 anything about it, so I just got punished more for saying or doing something that I had no
31 control over, and --

32 **CHAIR:** For being angry probably.

33 A. For being angry, correct. But that was a feeling which was quickly extinguished, so yeah.

34 **QUESTIONING BY MS COOPER CONTINUED:** And then you went next to the Home of

1 Compassion, which was run by Catholic nuns, and this was another place where you were
2 also unhappy and afraid. So again, just talk a little about what you remember about the
3 Home of Compassion.

4 A. The violence was coming from nuns, it was very hard for me to understand what was going
5 on. I was constantly ribbed, hit and I was grabbed in certain places in the groin for various
6 reasons I probably rebelled against and stood up and the feeling has resurfaced, and it's just
7 abuse after abuse. I don't know how old, how old was I?

8 **CHAIR:** It says five years here.

9 A. So, yeah.

10 **QUESTIONING BY MS COOPER CONTINUED:** And one of the nuns described you even at
11 that stage as an extremely disturbed child who did not get on with other children. But you
12 say you were always afraid of what was going to happen there. And at this time, you have
13 one of a number of assessments along the way, so you're seen by a paediatrician in July
14 1958, and the paediatrician says that, at page 5, you'd been deprived of the security of a
15 father, a mother and a home, you had been moved from place to place first with one mother
16 substitute then with another.

17 But he then goes on to say that you were of normal intelligence and there was
18 evidence you were capable of forming warm relationships and you were hungry for
19 affection, and he recommended that you required care and a home where you would be
20 accepted and secure. And instead, what happened is the Presbyterian Social Services, along
21 with other professionals including Child Welfare, wrote to Marylands asking you to be
22 admitted there. And we talked about the service describing you as their most difficult case.
23 Do you have a comment on that at age five?

24 A. If I could have stood up for myself, I would have. If I – when you've had the fear of abuse,
25 it's hard to get a grip on what's happening at the time.

26 **Q.** So, then you go to Marylands, you're admitted there on 25 June 1960 and you're just seven
27 years old at that stage. You talk about arriving with your mother and it was the school
28 holidays. You've talked about the three dormitories; what are your memories of the
29 dormitories?

30 A. There were three separate dormitories, I was in the second one and that when you go to the
31 showers or you go to the toilets, when you're walking up and down, there's always that
32 chance you'll get hit by the cane. You'll get foot tripped, you'll get stood on, you'll get
33 ribbed. There's always that chance where no matter what you do you will always miss out
34 on something, you will always feel the effect of that verbal abuse, that rib and so on. You

1 just can't get away from it, it's, you know, you can't even hide from it because it's always
2 around the corner and you never know when it's going to get you. And like myself and a
3 lot of other kids, we didn't know what -- to do, we, you know, we got beaten, we got kicked
4 and we got abused.

5 **Q.** Is this by the Brothers you're talking about?

6 **A.** By the Brothers, exactly. And to speak out was more punishment. So, it's just ...

7 **Q.** You talk about one person, one Brother who you said looked like an angel and that's
8 Brother Sebastian?

9 **A.** Yeah.

10 **Q.** Why did he stand out amongst all the rest of them?

11 **A.** He – I think, you know, he didn't care who you are or what was wrong, he was always there
12 to help you, he was always asking questions and telling you it was all right and come and
13 pray and stuff like that and he was always comforting me. I think mainly because he knew
14 the abuse that was going on with me and the other Brothers and I think that's where the
15 comfort came from, but I know that all the other kids didn't have a problem with him.

16 **Q.** Danny, you have brought a photo of yourself as a child and I'd just like to bring that up on
17 the screen now, just to show the little boy that you were who goes into care?

18 **A.** Yeah, you know, when I look at it, and I look at that little boy and I think this is what they
19 write about me. If you look at that boy there's nothing wrong with that boy, he's at the A &
20 P show with his family having a good time.

21 **Q.** How old do you think you were there?

22 **A.** Say what?

23 **Q.** How old do you think you were?

24 **A.** Four; three – four.

25 **Q.** So just before you go into care?

26 **A.** Yeah, that was the last day of the rest of my life.

27 **Q.** Thank you, we can take that down now.

28 **CHAIR:** Thank you for sharing that with us.

29 **QUESTIONING BY MS COOPER CONTINUED:** So, now let's talk about the Brothers that
30 you had bad experiences with. The first one you talk about is Brother Thaddeus who you
31 remember was the head Brother. Just to the extent that you feel comfortable, Danny, what
32 were your experiences with Brother Thaddeus?

33 **A.** Brother Thaddeus. A man of power, authority and command and demand. I think a
34 couple of kids there realised as well as myself to get what you want you've got to do what

1 you're told and doing what you're told meant getting down on your knees and blowing him.
2 Not just once. And other Brothers as well. And we did what we had to do because we
3 were told to, we were in the Christian way.

4 I was an altar boy. I was a head altar boy. I believed in what we were doing was
5 right, because we were told so. It wasn't just the sexual abuse; it was the physical and
6 mental as well. And to carry all that weight for doing nothing wrong, it's not right. It's not
7 right that we should suffer. Not right, not right at all. No kid should be put through that
8 today, no kid should experience that kind of pain, that kind of weight. No wonder so many
9 kids' lives are destroyed because of the way the Government treats them today. It's not fair.
10 That child doesn't have a say.

11 And the people in charge, the people who are supposed to be responsible for
12 looking after that child and that never happened to me and all those other kids. It's not fair.
13 Most of us kids ended up with nothing, we got nothing. All we got is bad memories,
14 heartache and hardship and everything else. I could have been somebody, I could have
15 been something. But they took all that away from me. They took away from my religion,
16 my wellbeing, my choices, they took it all. Never been right. Never.

17 **Q.** So, just – you tell me if you need a break, so we're talking about Brother Thaddeus, he
18 would – also try and put his penis into your backside as well, wouldn't he?

19 **A.** Yeah, every time he saw me out in the swimming pool, and he'd call me into the office and
20 tell me a story about Christ and how he did this and how he did that and how thankful we
21 should be for this and that.

22 **Q.** You also talk about him being physically abusive. You talk about him stripping you off
23 and then smacking you with a cane?

24 **A.** Yeah.

25 **Q.** Did that happen often?

26 **A.** Yeah, it happened, yeah, it happened quite a bit, not just to me but to all the other kids as
27 well.

28 **Q.** Another Brother you talk about was Ignatius?

29 **A.** Yeah, he was a mean man. He was very powerful and verbal and mental abuse, physically
30 he was very demanding, yeah.

31 **Q.** You talk about him kicking out your knees from underneath you?

32 **A.** Between the ankle and the knee. If you hit it a person will collapse and he would do that
33 behind you, behind me and push me against the wall, my head would hit the doorway. He
34 would grab me by the ear and pull me up and drag me along and tell me to get a move on.

1 **Q.** And you talk about him also making you do chores for hours on end?

2 **A.** Yeah, yeah. We were made to make other boys' beds, clean the toilets with toothbrushes
3 and in the showers, that we would be doing the showers and they would turn the shower on
4 cold water, and we would get all that. And the verbal language is probably where I learned
5 how to swear. So, they teach you all sorts of things about pain over there.

6 **Q.** And he was another Brother, wasn't he, who sexually abused you?

7 **A.** Yeah. Always after sports, I would be in the shower, he would come in and all the boys
8 were out somewhere else, and he would make me masturbate him and he would play with
9 me as well.

10 **CHAIR:** Do you mind if I just – sorry to interrupt. I'm interested in the verbal, the verbals,
11 I mean you don't have to tell me the words that he used, but I've got an image in my mind
12 of a Brother – religious Brother, who speaks softly and quietly and gently and nicely and
13 you're not saying that in this case, are you.

14 **A.** No, no. The verbal abuse is carried by what's coming next. So, he's got me by the arm and
15 he's taking me down somewhere, and he's saying to me, "What are you going to do to me?"

16 **Q.** He's telling you what he's going to do?

17 **A.** He's telling me what he's going to do to me.

18 **Q.** Of a sexual nature or of a violent nature?

19 **A.** In a sexual nature. It's the F word and, "I'm going to get you on your knees and you're
20 going to do this and I'm going to do this", and so on and so on, and every word was bad
21 language, F this and bloody that. I was so afraid I'm kneeling down there, I'm there. I can't
22 fight back; I can't – I don't know what to do. He's supposed to be looking after me.

23 **Q.** Yeah, I'm sorry to have got there, but I think it's important that we hear that evidence, so
24 thank you for that. Sorry Ms. Cooper, carry on.

25 **QUESTIONING BY MS COOPER CONTINUED:** Another Brother you talk about is Brother
26 Damien and you say that the boys called him the right hand of the devil. Why did you call
27 him that?

28 **A.** Because that's what he is, he's a bad man, a very bad man. Doesn't matter whether it's
29 physical, sexual, mental, he'll break you down to that point. He's a bad man.

30 **Q.** You talk about him having a cane which you all called the slasher?

31 **A.** Yeah. You could go to the showers, come back from anywhere, he's walking up and down
32 the dorm, it doesn't matter who you are, if he sees you, whack, right on the bum. Too right,
33 right on the shoulder, right on the leg, on the calf. It doesn't matter, as long as he gets you.

34 **Q.** And the last one you talk about is Brother Killian, what do you want to say about Brother

1 Killian?

2 A. The thing about Brother Killian is that there's only one thing going through his mind, what
3 he's going to do to you. It doesn't matter what you say, it's like one ear and out the other.
4 He's got the right name, I'm sure a lot of the other kids will say the same thing. But he's not
5 a man to turn your back on.

6 Q. You talk about other memories at Marylands. One of the things that you say is that it was
7 at Marylands that you became a bully?

8 A. Mmm . Yeah. The reason behind that is because the past will dictate the future and all that
9 abuse all along the way I've had to defend myself one way or another, so every time I get to
10 a new place, I have to defend myself. So, I grew up defending myself, not just against the
11 nurses or the doctors, but the patients and the prisoners. So, no matter which way you look
12 at it, I was defending my life through every one of those institutions, and I'm lucky to be
13 alive today.

14 Q. Yeah. But then you also say that because you were a lot bigger than some of the boys, you
15 also offered comfort to some of the smaller boys?

16 A. Correct. I used to be a bully, or I was a bully, and when I was growing up, I felt what other
17 kids – it's not just what was happening to me, but it was what was happening to every other
18 kid. So, they came to me when I fought back – and they sort of came to me. So, I became
19 a bigger bully, yeah.

20 Q. And as a young child there, you talk about twice trying to kill yourself at Marylands.

21 A. [Nods].

22 Q. There is one thing you talk about positively, I suppose, and that's the sports that you were
23 involved with, the swimming. Do you want to comment on that? Was that something that
24 was an outlet?

25 A. I was good at swimming; I was picked to win. I never showed up because I was too busy
26 wandering around the grounds. I don't know what I was looking for, but I just felt that I
27 don't want to do it. Got me in a shitload of trouble, but ...

28 Q. Was that when you were in the nunnery?

29 A. Yeah.

30 Q. Yeah, over there for swimming?

31 A. Yeah. I was picked to win and to beat another convent or to beat another school, you got
32 privileges; so, I got no privileges.

33 Q. And you then end up being discharged, but before we talk about your discharge, just in
34 terms of your overwhelming memory of Marylands, how would you sum that up, like what

1 did you come out of Marylands with?

2 A. Nothing. It wasn't until the years went by that I realised that I could see myself, they gave
3 me my suitcase and I couldn't connect with the things around me, I didn't know how to talk
4 to other children, I couldn't talk to other people, I didn't know how to communicate or
5 circulate or – without the violence. It was just so hard to connect. I can remember when
6 I went to my mother's in Strathmore Park and my half-brother was there and he was with
7 his girlfriend and two other girls, and we went for a walk up the park and GRO-B
8 . And I walked up to him, and GRO-B, and I got into a lot of
9 trouble for it. He never forgave me for it, and he never understood why I did it. He only
10 saw me as that bad guy from the hospital. But – something snapped in me, I don't know
11 what, and GRO-B.

12 Q. So, we'll just look at some documents now talking about how you come to be discharged
13 from Marylands after you've been there for about eight years, I think. So, we'll just call out
14 WITN0745005 page 1. This is a Child Welfare letter that we can see dated 2 May 1966, if
15 we can just call out that highlighted paragraph 3 thank you.

16 There it just talks about the Brothers of St John of God having some financial
17 difficulty then and were forced to look fairly closely at their financial arrangements. And
18 then the next paragraph 4 was saying that unless your mother made some effort to pay or at
19 least to provide holidays and write to you, Marylands may find it necessary to discharge
20 you. And they're noting there that unless some satisfactory arrangements are made, it could
21 well be necessary for us – meaning Child Welfare – to – take complaint action.

22 Then we'll just bring up the second page which is just later on, so that's July 1966,
23 again it's another Child Welfare memorandum, paragraph 1. So that notes there that "the
24 Reverend Brother Prior of Marylands has informed me that he returned Danny to his
25 mother on 1 July 1966." And then again, paragraph 3, just noted there – this is Brother
26 Killian who you've talked about. He regrets the necessity to discharge the boy but feels it is
27 the only way to make your mother face her responsibilities. And says he would not be
28 prepared to have Danny return. Were you aware of any of this going on?

29 A. No.

30 Q. So, you've talked about going home to mum, you didn't know how to function, and she sent
31 you to a school that was too far for you to walk to?

32 A. Yeah, I tried to go to school – she never gave me any money for lunch or anything like that.
33 So, she would give me the bus fare to get there, and that was that. So, I'd walk there, use

1 the bus fare to buy some lunch, and then walk home. But it all took too long. So, I decided
2 I needed a bike, so I stole a bike. In fact – I stole several bikes and, anyway, one thing led
3 to another and...

4 **Q.** So, we'll talk about where you go from there. So one of the things that happens is that
5 there's a suggestion Child Welfare is going to ask Marylands to see whether they would
6 have you back, but in August 1966 we have another report about you which says that your
7 intellectual ability was average but your verbal development was grossly retarded, and the
8 psychologist says this was due to a lack of adequate environmental stimulation and you
9 were said to be shy and timid, but you also had aggressive and rebellious feelings and
10 attitudes. And it also again describes you as a seriously disturbed boy with a diminished
11 sense of personal worth and you lacked a sense of belonging. So, this is after all those
12 years in Marylands, isn't it?

13 **A.** This is what all those years of abuse and everything else has created. I had no say on it, I
14 had no control whatsoever, and these people write this stuff about me? If anybody's the bad
15 guy here, it's them.

16 **Q.** So, the report also doubts whether placing you somewhere like Campbell Park or
17 Marylands is appropriate for you and is another report which recommends you being placed
18 in a warm, supportive foster home. So, this is the second time we have an expert
19 recommendation you be placed in a foster home. Instead, Child Welfare is asking
20 Marylands to have you back, and so we're going to call out WITN0745007. So, this is,
21 again, correspondence between Child Welfare in August 1966. So, this is paragraph 1, if
22 we can call out that please:

23 "I have discussed the matter of Danny's return to Marylands with Reverend Brother
24 Killian and he tells me that under no circumstances would he have Danny back."

25 I just want to highlight then the last paragraph, again this is Brother Killian:

26 "He would definitely recommend against further institutional care as he feels this is
27 the last thing that would be suitable for this boy."

28 What happens is a few days after that your mother shows up at Child Welfare with
29 you and your baggage saying she's no longer prepared to care for you. You're made a state
30 ward, you go back to Berhampore Children's Home and then you get sent down to the
31 South Island to Stanmore Road Boys' Home, which is a Child Welfare placement?

32 **A.** I just want to say that those last two statements that you read out of Brother Killian and him
33 stating definitely do not want this person. Now that – I mean come on, these are priests,
34 these are people who – are supposed to be helping people, helping kids and they've done

1 this abuse all the way along the line. And then when somebody asks them for help again,
2 there's no way they want this kid there because of what we've done to him. And this is the
3 abuse that I've got to face up to and suffer all these years because he wouldn't take me in
4 and try to correct the matter, no, he just kept abusing me, and that is another reason why he
5 wouldn't have had me back.

6 **Q.** So, we're not going to talk too much about Child Welfare care, because you and I have
7 talked a lot about that, and we've recorded that for the Commissioners. But this is another
8 place where you have an awful time, you're locked in secure, you're beaten by staff
9 members, particularly by the head man, it's run like an Army camp, you're in lots of fights
10 all the time with other boys, and even though by then you can fight back, you're still beaten
11 up regularly?

12 **A.** I'm the one – I'm to blame. Every time I defend myself, every time I go to every one of
13 these places I'm confronted by violence and then when I confront the violence I'm to
14 blame? They lock me up – They should know who that person is and so on. But they
15 don't, they just see me as that, because of the reports that they've got along the line, and I'm
16 the one that suffers because of what they – the way they treated me, the way they made me.

17 **Q.** And in fact, the records from Stanmore Road –

18 **CHAIR:** Do you still want this document up?

19 **MS COOPER:** No thank you, that can come down.

20 **QUESTIONING BY MS COOPER CONTINUED:** The records from Stanmore Road describe
21 you as a thorough nuisance at the bottom of the pecking order, nasty, trouble making,
22 unpopular.

23 **A.** I wonder why. Eh? They say all that about me and when I say something about them, they
24 called me a liar. And they say I'm not responsible, they say I should be responsible for my
25 actions in court. Well, what about the people that started all this, where are they, why aren't
26 they in court? I'm the one that's suffering, not them.

27 **Q.** One of the things that we talked about, Danny, was the fact that this starts the reports of you
28 being involved in sexual misconduct. And again, nobody's thinking about why that may be,
29 is it, are they?

30 **A.** That's right, ever since Marylands right through Porirua, right through all the way I've had
31 from that point on, like the report said earlier on, that I'm looking for the comfort, the stuff
32 like that. And because of my abuse and because of the way I've been treated to me when
33 I used to do that sort of stuff it was the norm, because I've had it drummed into me. And
34 because of that other people that I hung around with, they did the same thing. So, to me it

1 was the norm, because those people that I hang around with have all been physically,
2 mentally and sexually abused all the way along the line. So, to us that's the norm; so yeah.

3 I never had the mother figure or the father figure and come to explain to me "Hey
4 this is how it works", or come to me and say, "Don't do that, this is the reason why, don't do
5 this, this is the reason why." I never had anybody come to me and say, "How do you feel?"
6 Or "I'm sorry about that", or whatever the case may be. It's just get the whip out and start
7 again. It just continues, and I get to a stage where I'm old enough and strong enough to
8 fight back, but I'm fighting in the wrong direction, and I don't know how to correct that.
9 So, along the way I did a lot of wrong things, not for the right reasons, but because I was
10 trained that way. The Insurance jobs, the violence on other people.

11 **Q.** And we can talk about that more because we'll just get through your --

12 **A.** Right.

13 **Q.** The -- story first. So, at page 14 you go from Stanmore Road to Kohitere, that's pretty
14 much the same, you're beaten by other boys, in fact in the first couple of hours of arriving
15 you're assaulted by other boys and end up with a bootlace around your neck. This is--
16 another place staff are aware that you're being bullied and beaten?

17 **A.** I had three of them on me, the other one had the bootlace around my neck holding me down
18 while the other two were holding me and punching me. I had to get up and beat them up.
19 I beat them up and I ended up in the slot and they know who they are and yet I'm fighting
20 my way out of this and he's walking down the corridor, he looks in and he goes, and carries
21 on walking.

22 **Q.** You're talking about a staff member?

23 **A.** I'm talking about a staff member, yeah, they just see it and it's just another fight with the
24 boys.

25 **Q.** Although staff were aware that you were being bullied and beaten because the-then
26 principal called you the natural whipping boy and described you living in fear because of
27 the number of elbows and knees that seemed to come into contact with tender parts of your
28 body. So they knew that. And they put you in the secure block, didn't they?

29 **A.** Yeah.

30 **Q.** And you've said that that was really your first taste of solitary confinement in a prison?

31 **A.** Mmm-hmm.

32 **Q.** Then you go to Hokio and --

33 **A.** How old was I then?

34 **Q.** I think you're still 14 at Hokio.

- 1 A. 14, 14. So far, I've been beaten, kicked, nearly killed, nearly murdered, I fought my way all
2 the way up, at what age?
- 3 Q. 14.
- 4 A. 14. It's just been violence. The people responsible aren't the people that are hitting me, it's
5 the people that are in charge of me.
- 6 Q. And again, you're described as being at the bottom of the pecking order, it's another place
7 where you're assaulted by the boys and by the staff. One of the things that you say in your
8 witness statement is that when you look back the people who were supposed to look after
9 you modelled violence and you learned how to be violent like them?
- 10 A. Correct. We would have fight nights.
- 11 Q. You'd have fight nights?
- 12 A. We'd have fight nights. You put your name on the board if you've got a grudge against
13 somebody. It's not just a fist fight, if you're down, he's on top of you, he's got your head,
14 he's banging on the wall, on the floor. He's grinding you in your throat, in your ear, any
15 way to just keep you down and keep punching –
- 16 Q. Who was watching these fights?
- 17 A. One or two of the – whoever was in charge. Occasionally they would ring the bell if they
18 thought I was winning, so that would give him a chance to get back on top of me again.
19 I always had a couple of guys pull me off if I was pounding him. And they would throw
20 me back on to the floor and he would get up and someone would put their foot on my wrist
21 so I couldn't move. So, I learned some pretty dirty tricks – myself and a lot of people got
22 hurt. But that's only because of the way they trained me.
- 23 Q. And this is another place where your sexualised behaviour is being noticed, so there's
24 discussions about masturbation and so then in March 1968, staff at Hokio apply to have you
25 admitted to Porirua Psychiatric Hospital as a minor patient. So, you're now aged 15 and on
26 11 March 1968 you go to Porirua Hospital where you don't finally get released until 1976
27 as a 23-year-old. So, this is another place that you have horrendous experiences, isn't it?
- 28 A. Yeah. You would think once would be enough.
- 29 Q. But I just wanted to talk about the diagnosis of you when you go to Porirua Hospital,
30 because we've had previous reports saying that you're normal IQ, never any discussion of
31 any medical conditions, and suddenly you get to Porirua, and you have the diagnosis of
32 epilepsy, subnormal intelligence and behavioural problems. Do you want to comment?
- 33 A. I wonder why. I wonder why.
- 34 Q. Do you want to comment, did you ever have any seizures?

1 A. Have any?

2 Q. Seizures, did you have any?

3 A. No, I never had fits. There were quite a few patients that had fits. A good percentage of
4 them would have fits continuously after ECT, yeah, not good, not good at all. My job was,
5 when I got to M10, my job was to take care of the beds, change the sheets, change the
6 rubbers – sterilise the rubbers and stuff.

7 Q. This is in the ECT room?

8 A. This is in the ECT room, I would be in the next room when they give that 12-year-old girl
9 shock treatment.

10 Q. And the reason you're upset about that is because you heard she died, didn't you?

11 A. She died. But she wasn't the only one. There were others before me. And when I see that,
12 and I think, you know, these people, it was a hospital, they're supposed to look after us,
13 everything. When I went there for, what was it? Indecent --

14 Q. Yeah, for indecent, I suppose masturbation in public?

15 A. I never got one doctor to come to me and examine me. I never had a nurse come to me and
16 examine me. I was very lucky I never got ECT, but...

17 Q. So, this is --

18 A. I held the hands of – very few people who got ECT for nothing.

19 **CHAIR:** You looked after them did you?

20 A. I did, it was my job to make sure that they didn't vomit up after. So, they were strapped
21 down and if they vomited up, I was there to clean it up off them and so on.

22 Q. Were there not nurses there for that job?

23 A. Pardon?

24 Q. Were there not nurses there to do that job?

25 A. No, once you're tied down, that's it, they come and get you later on and they take you back
26 to your ward, that's it, yeah. So, Dr GRO-B, sorry – there was a doctor there, shall I – tell
27 that story?

28 **QUESTIONING BY MS COOPER CONTINUED:** Yeah. Quickly, though, because we've got
29 a short time.

30 A. There is a doctor there had a son. He and I used to play in the bushes and muck around
31 and throw mud pies at each other. He was a doctor's son; I was a patient. I took him to the
32 shed and gave him gunpowder in a tin and he left it in the garage and forgot about it, and
33 then a couple of days later I got blown up by eight pounds of gunpowder. It put me in

1 hospital for six months and in that period of time I was healing to a point where – just try to
2 imagine a rack of spare ribs, that was the amount of skin coming off my inner thighs. And
3 I lost all my hair, I had surgery under here, my hands and everywhere was burnt. All I was
4 left with was a pair of boots on, I had two pairs of socks, two pairs of pants, two jumpers
5 and a jacket, and two pairs of gloves. I was as black as this piece here.

6 I couldn't move, couldn't see, couldn't smell, couldn't touch, couldn't do nothing.
7 About 30 feet, it blew me right through the roof, I burned all the clothes on the clothesline.
8 Next thing I know I'm in hospital. When I got out of hospital, they took me back to Porirua
9 and they put me in a bed opposite the office in a little cell. They had Calamine lotions three
10 or four times a week bath. They kept taking skin off me all over – my hands, my face.

11 **Q.** Are you all right?

12 **A.** And then a couple of days later they put me in the main dorm with 50 other people, 50 beds
13 all in bandages, nobody wanted to touch me. I was fed Largactil. I was lucky to survive
14 that. Eight pounds of gunpowder blew me up, blew the shit out of me, I nearly died -- in
15 the hospital, my mother came because she thought I was dying. She asked the doctor, "Is
16 he okay?" The doctor says, "He's okay, he'll live, he just needs time to recover." She says,
17 "Thanks Doc", and turned around and walked out. She was only there 10 minutes before
18 I woke up. I don't know why she bothered.

19 **Q.** So, we're just going to move on. Are you all right? Are you happy to keep going?

20 **CHAIR:** I wouldn't say happy. Can I just say that we have got your full statement and we've read
21 it, and so the fact that you're not saying every word that's in here doesn't mean to say that
22 we don't know about it, okay, we do know about it and we are very aware of all the things
23 that have happened to you through these years, so --

24 **A.** I'm here to show my pain.

25 **Q.** Yeah. We respect that.

26 **QUESTIONING BY MS COOPER CONTINUED:** So, Danny, we'll just summarise those long
27 years in Porirua Hospital as being another place you had sexual abuse by nursing staff, lots
28 of physical abuse by nursing staff.

29 **A.** I was there three days and I got sexually abused. I was fed Largactil, I couldn't move.

30 **Q.** And then you, – the big thing you say is that at no stage – do you really get any treatment?

31 **A.** Say what?

32 **Q.** You got no treatment?

33 **A.** No, I got no treatment. I was just a patient there, that's all.

34 **Q.** So, then you get a short time out in 1972, you do a whole lot of criminal activity, and you

1 end up in Borstal and it's at that time as a 19-year-old on 31 August 1972 you're discharged
2 as a state ward, then you get into more trouble because of obscene exposure at that stage
3 and then you have another few years in Porirua Hospital. And then you get discharged at
4 the age of 23. So, you --

5 A. What was I in there for?

6 Q. Yeah, what were you in there for?

7 A. All that has built up for whatever reason that I ended up in Porirua for. I mean it wasn't
8 necessary. It shouldn't have happened, but it happened to me, and it happened to other kids
9 as well.

10 Q. So just one of the things we were talking about before, you had 19 years really in
11 institutional care?

12 A. [Nods].

13 Q. Do you want to talk about the impact of that? And we haven't got long, so if you can
14 summarise that, the key points for you. What do you think are the key impacts for you of
15 these 19 years of being institutionalised and abused?

16 A. For one thing it's not my fault, and the second thing is that these people should be made
17 accountable for their actions. When I go to court the judge says to me own it, blah blah
18 blah. It just doesn't work, you know, I mean they should be up here too. But I spent all
19 those years trying to survive and this is who I am today. I've got nothing to show for it, just
20 my record. I'm not a violent person, I'm just angry at myself and a couple of other people,
21 but I'm not a violent person. My sexual offences have just been exposure.

22 My other offences have been burglary and I stole the mayor of Invercargill's car,
23 that's what got me Borstal. But that was an experience on its own as well. That was run by
24 top security. My best fights were in there. I walked through, as soon as I got into the grill,
25 Māori boy pokes his arm out, grabs me, I smack him right in the nose. Straight away I'm in
26 the digger, the pound. My fault because I was defending myself. But they all saw him try
27 to grab me, but nobody did anything.

28 So, I'm brought up by special rules, certain rules that only apply to people like me.
29 Which isn't right. But my whole life has been violence in all institutions. I'm this way
30 because you put me this way. I used to think I'm not responsible for my actions, I believed
31 that, because of what the Church did, they took away my Christianity, they took away my
32 faith, my hope, they took away everything that I believed in Christianity. And anything
33 anybody says about it today is bull crap.

34 That's how I feel about it. But I will not stand around today and see that happen to

1 other children. If I can do something about it, I will. But I've got to have something to
2 show for it. I've got to have something in my life to say this is who I am. I'm not that
3 person, this is who I am. You don't know me; you don't know what I'm capable of. I get on
4 the wrong side of people; they have no idea what they're up against. I tell you I'll burn your
5 house down, I'll blow your car up, I'll do whatever I can to get back at you. I've got a book
6 at home that thick called "the revenge".

7 **CHAIR:** Yes, well just hold on to those thoughts at the moment, because what we're interested in
8 is what was done to you to make you feel like this, okay?

9 A. Well, I was physically, mentally and sexually abused all the way along the line.

10 **Q.** Yes.

11 A. Nobody did anything about it. Not was I just sexually physically and mentally abused, it
12 was 100 times over, all the way along the line for the last 20 years. I'm real mad about it,
13 I'm real mad about it, because I can't do anything about it, couldn't do anything about it.
14 This is who I am.

15 **QUESTIONING BY MS COOPER CONTINUED:** So, you say that, you know, you've talked
16 about the fact that you've offended against people, you've been locked up, you've spent
17 many years in prison, you've had very little work experience, although you actually have
18 had some pretty good jobs. And you said that it was about six years ago a woman judge
19 actually recognised that you needed some help.

20 A. Yeah, yeah, yeah. She was really – I don't know her name, but she saw the person, she
21 saw the child, she kind of understood the history, and she looked at it and she says yeah,
22 this is the right move for this person, and she made the right move, she got me the
23 treatment, she got everything I needed. Whereas all the other judges, they made a
24 judgment, they had no idea what this person was all about, how he got here, why he got
25 here. But she saw that, and I – appreciated it.

26 I don't really like cops and judges and so on, but she was – she saw it and I'm
27 pleased about that because she opened the door for me to get right. I've been clean now for
28 five years, I've had treatment in between that time, I've got – I'm not a rich man, I'm not a
29 poor man, but I'm happy, I'm not out there violently corrupting other people and so on.
30 And before that I got into trouble, I went into jail for 12 months or something, but before
31 that I was in another five-year relationship, and it just goes to show that with the right care
32 and the right nurturing, you know, we can all be better people. Especially me because
33 I want to be able to have a life, I want to be able to say hey I got something out of this,
34 I want to live.

1 **CHAIR:** I really have heard what you've said about that. With the right conditions, with the right
2 care, with right understanding --

3 A. That's right.

4 **Q.** -- you can make it.

5 A. That's right.

6 **Q.** You can have a life.

7 A. That's right. I wanted that all the way through my life. Only over the last 10 years I've
8 received a little bit of it. But my anger, my thoughts, my emotions are all tied to the
9 Church, to the sexual abuse, to the violence of it.

10 **Q.** Yes.

11 A. It's just, you know, it's not me, it's all those other kids, it's me and everybody. And we all
12 suffered the same thing. And it's nightmare stuff. You can't make this up.

13 **Q.** We know that. We know that.

14 **CHAIR:** Where are you going to go now, Ms. Cooper?

15 **MS COOPER:** Well, yeah. I think if I can just go very quickly through the Marylands redress
16 process.

17 **CHAIR:** Yes.

18 **MS COOPER:** And then just ask for some concluding comments.

19 **CHAIR:** It's all here and I think it needs a segment on the Marylands redress would be good.

20 **MS COOPER:** Yes, and then I think we'll finish it up.

21 **CHAIR:** And we'll wrap up, okay.

22 **QUESTIONING BY MS COOPER CONTINUED:** So, we'll just talk about that. You don't
23 have any clear memory now how you came to be involved in that, but you think it's through
24 your psychologist who you've had an ongoing and very good relationship with, haven't
25 you?

26 A. Yeah, yeah.

27 **Q.** You think she helped you put something together?

28 A. Well, I was able to talk to her where I wasn't able to talk to anybody.

29 **Q.** Yeah.

30 A. And it took a while for me to break those barriers, so I could show her, tell her who I am.
31 So, you know.

32 **Q.** And then she arranged for you to meet with Brother Peter and Michelle Mulvihill in
33 October 2002 and there's a discussion you recall about what happened to you and what you
34 wanted, so then he writes to you to say he'd been very distressed to hear your story and

1 offered you a sincere apology. He also gave you a letter authorising counselling, so that
2 meant that you had your counselling paid for and that went on for quite some time, didn't
3 it?

4 A. By the Brothers?

5 Q. Yes.

6 A. No.

7 Q. Did it not?

8 A. No.

9 Q. Did they not pay for long?

10 A. No, they didn't, no. What happened was I got into trouble and that fell through and then
11 I went to jail and so on. So, it kind of broke down a bit and they never got back to me and
12 so on, so ...

13 Q. So, then he writes to you – Brother Peter writes to you again in November 2002. At that
14 stage you're offered a cheque in the sum of \$1,500 and told that a retired High Court Judge
15 was going to be reviewing everything?

16 A. This is for six years abuse, eh.

17 Q. And then you get a newsletter saying that Brother Peter would be writing within the next
18 few weeks with an offer. So, you then get an offer.

19 A. I argued the point, they didn't like that and clammed up and sort of laid down the law and
20 says this is the way it is. And I thought --

21 Q. So, you asked for another meeting?

22 A. Yeah.

23 Q. And I just think it's important to put this on to the record, that you remembered explaining
24 at that stage that you were looking at 1.2 to \$1.5 million. Can you just explain how you had
25 worked that out?

26 A. Well, it all started at the age of four.

27 Q. But let's just concentrate on the Marylands part, why did you think it was worth 1 point --

28 A. Well, because one thing, they – they're real sneaky about the way they went about it, they
29 sexually abused me, they physically abused me, they mentally abused me, and I don't know
30 how much abuse you can get out of it, you know, I mean like you say, I'm the whipping
31 boy and once they got into me, that was it. Because I had three or four other Brothers all
32 wanting the same thing, all wanting to do the same thing, take away my life, take away my
33 religion, take away the way I feel, think, everything. They took away the whole lot. My
34 faith in Christianity is burned to the ground. If I could burn it to the ground I would,

1 because it's just infecting more kids, more people and it's not fair.

2 **Q.** So, one thing that you talked about with me is that you talked, when you had thought about
3 that, is you were thinking about how much does it cost to destroy your life and that's --

4 **A.** A child's life, yeah, yeah.

5 **Q.** Yeah.

6 **A.** I was four years old, I wanted -- I probably wanted to be something, I wanted to do
7 something in my life, be somebody, be something. But they took all that away. I had no
8 choices -- after that, I had no expressions, no ideas, no comprehension, no nothing, they just
9 took it.

10 **CHAIR:** Just --

11 **A.** Sorry.

12 **Q.** It's really tough, it's getting to the end of the day and all these women have been working
13 very hard all day --

14 **A.** Sorry.

15 **Q.** -- so -- but can I just say that we do get that message very clearly.

16 **A.** I'm sorry, but that's just how I feel.

17 **Q.** I know that's how you feel, and I want you to know that we --

18 **A.** I'm so angry.

19 **Q.** -- understand that completely, okay? We really do understand it, so please don't feel that
20 we're trying to close you down or anything.

21 **A.** No, I understand you've got time --

22 **Q.** Well, no, but it's just that we do know, we do understand, and we have got it here in
23 writing. So, did the redress process end in something happening?

24 **QUESTIONING BY MS COOPER CONTINUED:** It did. So, you ended up with \$90,000,
25 which is what you talked about at the meeting, and you've said to me that with that you paid
26 off a lot of bills, you paid your rent for three months, you had your car fixed, and that was
27 basically it all gone.

28 **A.** Yeah, at that period of time I was in a different state of mind, I had other things going on,
29 and then I had the pressure of all this, and I had no understanding of most of it, so -- and
30 then you came along --and yeah --

31 **Q.** And we've talked a lot about the State redress process, which was another torturous process
32 which you and I have talked about separately in a very long drawn-out one. So just the last
33 thing I just want you to talk about was what was your thinking in agreeing to come forward
34 and put yourself publicly as a witness, because I know that's been a really big thing for you

1 to do. So just what was important to you about coming here today and telling your story?

2 A. My psychologist, after all that chat, chitchat, she explained to me how it will benefit me.

3 And my worst worry is my own embarrassment. Usually if I go to court that's it, you know,

4 but here is a different story, everybody knows me, everybody sees me. But before all that

5 I thought about all those movie stars on TV that got recognised for their bravery, they stood

6 up and they told what was happening to them.

7 **CHAIR:** Yes.

8 A. There was a lot of embarrassment there, but they did it. And I thought to myself well, if

9 they can do it, they're famous people, and other people are going to know what's happened

10 to them, so I'm going to burn this house down. I'm going to come up, I'm going to do this,

11 I'm going to tell my story, and I'm going to burn their house down, speaking, you know.

12 **Q.** Speaking metaphorically.

13 A. Yeah, so, yeah.

14 **QUESTIONING BY MS COOPER CONTINUED:** And I think what you said too, you hoped

15 that by telling your story you'd lose your own fear about people knowing what's happened

16 to you.

17 A. Yeah, it's – I guess you can understand that I feel embarrassed about it, but this is my time,

18 they had their time, and I'm going to go away from here later and probably cry and yell and

19 scream and kick the car or whatever, but I'm going to know that I burnt their house down.

20 So yeah, it's a powerful response. I feel really weird, so, you know, people – seeing me.

21 So, I'm sure everybody understands what I'm talking about, so...

22 **CHAIR:** Shall we leave it at that?

23 **MS COOPER:** Yes, I'm not sure you have any questions?

24 **CHAIR:** No, I think we've agreed...

25 **COMMISSIONER ALOFIVAE:** Danny, I just wanted to express just my sincere gratitude at

26 you actually making the trip to be able to share with us in person. We see your pain; we

27 hear the intensity in your voice. You're so articulate, the clarity is there, it's so

28 comprehensive, thank you for placing your evidence on the record.

29 A. Thank you.

30 **CHAIR:** Yes, I want to echo that. What you just said then about the need for this to be spoken,

31 the need for people to hear and your willingness to put aside your own personal feelings of

32 perhaps shame and embarrassment, really means a great deal to us, it really does. Hard to

33 imagine myself in your position doing what you've done without feeling very strange. And

34 so, I do recognise that.

1 I just want to say that the powerful impact of the reports that Ms Cooper has
2 referred to and which I've read, other ones which weren't actually referred to out here, and
3 all the experts said of you that what you needed was a loving home.

4 A. That's all.

5 Q. That's all, well, all you needed.

6 A. This would never have happened if I had it.

7 Q. Exactly, so the shame of this is that the people who were supposed to be responsible for
8 you were told that and knew that and they never gave it to you. And no wonder you're
9 angry and upset.

10 A. I still crave for it today.

11 Q. I'm sure you do. It's a basic human need which you were deprived of. And so, as painful as
12 it is, you've done us and the nation a great service of putting that into words, and that means
13 that we can put it into our report, we can make recommendations for the future, hopefully
14 to mean that other children don't get put in that terrible position too.

15 A. Yeah.

16 Q. So, know that you have done well, and the last thing I want to say is, kick your car if you
17 need, but please be looked after, there will be people surrounding you now who will want
18 to care for you and give you support that you need, please take advantage of that, because
19 this has been a hard thing and we know that.

20 A. Yes.

21 Q. And we want you to look after yourself, okay?

22 A. Thank you very much.

23 Q. Thank you so much for coming and sharing with us today, it's been a great experience for
24 us and very important one.

25 A. Okay, thank you.

26