

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
FAITH-BASED REDRESS INQUIRY HEARING**

**Under** The Inquiries Act 2013

**In the matter of** The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

**Royal Commission:** Judge Coral Shaw (Chair)  
Dr Andrew Erueti  
Ms Sandra Alofivae  
Ms Julia Steenson

**Counsel:** Mr Simon Mount QC, Ms Hanne Janes, Ms Katherine Anderson, Ms Kerryn Beaton, Mr Winston McCarthy, for the Royal Commission  
Ms Jenny Stevens, Mr Matthew Gale and Ms Jaime Laing for The Salvation Army  
Mrs Fiona Guy Kidd QC, Mr Jeremy Johnson and Ms India Shores for the Anglican Church  
Ms Sally McKechnie and Mr Alex Winsley for the Catholic Church

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

**Date:** 15 March 2021

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**TRANSCRIPT OF PROCEEDINGS**

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

(10.03 am)

**CHAIR:** Tēnā koutou katoa, nau mai hoki mai ki tēnei hui tūmatanui, koutou kua tae mai ā tinana otirā koutou e mātakitaki mai i tā wahi, tēnā koutou katoa. Welcome to everybody at the resumption of this hearing into the faith-based redress held by the Commission into abuse in care. I'd just like to welcome everybody who has come as counsel, as representatives of survivor networks and representatives of the various faith-based institutions, in particular if there are any survivors in the room or watching, welcome, welcome, welcome to this resumption of hearing.

I'd just like to give the opportunity to each of my fellow Commissioners to also say a few words. I have Dr Erueti, I have Ali'imuumua Sandra Alofivae and Julia Steenson. We'll start with Dr Erueti.

**COMMISSIONER ERUETI:** Tēnā koe e te rangatira. Tēnei te mihi nui ki ā koutou katoa. Ko te mihi tuatahi ki te kaikarakia, nānā te mana o te karakia, ki ā koutou e ngā roia, e ngā rangatira, e ngā mōrehu kua tae mai ki te tautoko i tēnei kaupapa, tēnei te mihi nui ki ā koutou katoa. Ko Anaru Erueti tōku ingoa, nō Taranaki. Kā nui te mihi.

**COMMISSIONER ALOFIVAE:** Fa'atalofa atu i le pa'ia ma le mamalu o le aofia ma galuega ese'ese fa'atasi ma pa'ia eseese ekalesia ua mafai ona fa'atasi mai lenei aso. Morning, talofa lava, Sandra Alofivae.

**COMMISSIONER STEENSON:** Tēnā koutou katoa, ko Julia Steenson tōku ingoa, ko Ngāti Whatua rāua ko Waikato ōku iwi. Ngā mihi nui ki ā koutou mō te mahi i tēnei ra.

**CHAIR:** Mr Mount.

**MR MOUNT:** Ata mārīe e te Tiamana, tēnā koutou e ngā Kōmihana, tēnā tātou katoa. I'm here today as counsel assisting. We have a team at the benches with me, Hanne Janes, Katherine Anderson, Winston McCarthy, Tom Powell, Lauren Eastlake and Emma Powell from the in-house solicitors team.

**CHAIR:** Thank you. Other counsel?

**MS STEVENS:** Tēnā koutou katoa, ko Jenny Stevens tēnei. I appear on behalf of the Salvation Army with Mr Gale and Ms Laing.

**CHAIR:** Thank you Ms Stevens.

**MRS GUY KIDD:** Tēnā koutou katoa. Mrs Guy Kidd together with Ms Shores for the Anglican Church, Anglican Care organisations and most Anglican schools. Thank you.

**CHAIR:** Thank you Ms Kidd. And Ms McKechnie.

**MS McKECHNIE:** Mōrena rangatira. Counsel's name is Ms McKechnie, I appear with

1 Mr Winsley for the Catholic bishops and congregational leaders.

2 **CHAIR:** I think that is all the counsel we have, are there any other counsel wish to make an  
3 appearance? Then I think we have Survivor Network here.

4 **MR HEASLEY:** Morena Madam Chair, tēnā koutou, tēnā koutou, tēnā koutou katoa. We are  
5 the spokespeople for the Network of Survivors of abuse in faith-based institutions and their  
6 supporters.

7 **CHAIR:** Those are all the appearances, thank you very much. Then Mr Mount. I invite you to  
8 make your opening statement.

9 **OPENING STATEMENT BY MR MOUNT**

10 **MR MOUNT:** Thank you. Tēnā koutou katoa. Madam Chair, the topic of redress has been a  
11 priority for this Inquiry almost since we started and there are a number of reasons for that.  
12 Firstly, because survivors told us that it is a priority for them. It is also an area with great  
13 potential for practical meaningful recommendations that this Inquiry can learn about from  
14 survivors and from institutions and recommend to Government and to institutions.

15 And we as an Inquiry have been very clear that we do not want survivors, or the  
16 Government, or the faith-based institutions to wait a day longer than is necessary to hear  
17 those recommendations and to be able to act on them. So it has been a key priority for us  
18 from the start.

19 This will now be, I think, the fifth public hearing in which we have considered the  
20 topic of redress. We heard evidence on it at our contextual hearing in 2019, we've had now  
21 two hearings focusing on the survivor experience of redress, first State-based survivors then  
22 faith-based survivors last year. We heard, of course, from institutional witnesses from the  
23 State last year and now it is the turn of institutional witnesses of the faith-based side.

24 When I talk in these terms about State and faith-based, it is not to overlook the  
25 fundamental connections that exist between those two groups. Of necessity, we have had  
26 State-focused hearings and faith-based hearings, but we of course recognise that from the  
27 survivor perspective, many people experience aspects of both State care and faith-based  
28 care.

29 I mention the public hearings not to overlook the other important modes of  
30 engagement this Inquiry has on the topic of redress and we have already received public  
31 submissions in response to a call for submissions last year. But in coming months, we will  
32 see a number of public engagements on the topic of redress, which will move the Inquiry  
33 into that other very important mode that we have, which is the informal public mode, quite  
34 different to this formal public mode that we're in at the moment.

1           And in that mode, we expect to hear from and to listen to survivors once again as  
2 they tell us about what it is that they want to see in relation to redress, as well as academics,  
3 researchers, and those from institutions, but very critically, there will be engagement with  
4 our Māori communities with those from the Pacific community and from those with a  
5 disability perspective on the topic.

6           Many will have seen in Tāwharautia: Pūrongo o te Wā, our interim report, that the  
7 Inquiry has already signalled a number of principles that we see underlying effective  
8 redress from a State lens and in that interim report we summarised, in a preliminary way,  
9 much of what we have heard on the topic of redress, particularly from the State-based  
10 evidence, and many of those themes which I won't repeat in this very short opening, but  
11 many of those themes will resonate in the evidence that we hear in the faith-based context  
12 as well, again emphasising how connected those topics are.

13           We have a little over two weeks now set aside now to hear from, I think, 11 or 12  
14 witnesses in this phase of the hearing. There is a focus on three faiths, on The Salvation  
15 Army, on the Anglican Church and on the Catholic Church. I want to acknowledge the  
16 work of the team within the Royal Commission that has worked so hard to prepare this  
17 phase of hearings. In particular Katherine Anderson leading our Catholic and Anglican  
18 teams, Hanne Janes, doing the same work, both in terms of our redress team, but in this  
19 phase preparing The Salvation Army evidence; very ably supported by a group including  
20 Jane Glover, Kirsten Hagan, Lucy Wesley-Smith, Rebecca Harvey-Lane and many others  
21 whose names I won't mention but they know who they are.

22           The evidence itself will be heard in three blocks, we start today and tomorrow with  
23 The Salvation Army, then we hear from the Anglican Church from Wednesday through to  
24 perhaps a little bit of Monday and then after that the Catholic Church.

25           There will be substantive opening addresses at the beginning of each block. So  
26 shortly Ms Janes will give an opening on the Inquiry's behalf in relation to The Salvation  
27 Army and then on Wednesday Ms Anderson will open in relation to the Anglican Church  
28 and again next week in relation to the Catholic Church.

29           And there will also be openings on behalf of those institutions at the appropriate  
30 time. Having said that, there will be openings in relation to each faith. The one exception  
31 to that is the Network of Survivors of Abuse in Faith-Based Institutions and their supporters  
32 and, as you've seen, we are joined by Dr Murray Heasley and Liz Tonks and I believe the  
33 next step in the process will be for them to give an opening address from their perspective.

34           I'm happy to deal with any questions you might have at this stage. Other than that

1 I'll hand it back to you.

2 **CHAIR:** Thank you, Mr Mount. Are there any issues anybody wishes to raise? No? Thank you.

3 **MR MOUNT:** Thank you.

4 **CHAIR:** Dr Heasley, Ms Tonks, have you divided the labours between yourselves?

5 **MR HEASLEY:** We have.

6 **CHAIR:** We haven't welcomed you in particular, Ms Tonks, but thank you for coming and we  
7 look forward to hearing your opening statement.

8 **OPENING STATEMENT BY NETWORK OF SURVIVORS**

9 **MS TONKS:** Madam Chair, Commissioners, thank you for this opportunity to come here and  
10 speak on behalf of survivors of faith-based abuse in our network. The network is inclusive  
11 of victims and survivors and secondary victims of abuse as children and vulnerable adults,  
12 their families, whanau and supporters. It also includes advocates, researchers and expert  
13 advisors, local and global.

14 This hearing they see as the ultimate test of whether the churches will put survivors  
15 ahead of perpetrators. Survivors see it as a bookend hearing, a moment of historical  
16 significance when they will find out whether the churches will do what is right. How they  
17 respond to the evidence of survivors of abuse in their institution who reported to this  
18 Inquiry, and to the churches themselves, will determine if their response is life-affirming or  
19 life-destroying.

20 Anyone who has listened will have heard what survivors have repeatedly said. No  
21 survivor should ever experience the re-trauma they have of being required to report their  
22 abuse, have it investigated and negotiate redress with the institution that failed to keep them  
23 safe. The reporting, investigation and redress negotiation processes the churches have put  
24 them through are further trauma-inducing and remain unfit for purpose. Survivors have not  
25 received appropriate or adequate redress that reflects the seriousness of the abuse and the  
26 harm suffered.

27 The impacts of survivors, their trauma and their need for redress is not historical, it  
28 is current. Abuse in institutions is not historical, it is still happening today and  
29 safeguarding protocols are still not adequate.

30 We heard the same messages from survivors of abuse in State care when they gave  
31 witness to their experience. They spoke of the terrible harm they suffered that has affected  
32 them for the rest of their lives, the many hurdles they had to overcome and further trauma  
33 they suffered when they lodged their complaints.

34 They confirmed that the State and those responsible for our State institutions,

1 knowing the harm these survivors experienced, still made their path to redress tortuous and  
2 traumatic. Their experiences were acknowledged and validated by the supporting evidence  
3 to the public hearings from Cooper Legal and others and in the interim report released by  
4 this Commission.

5 Those who have listened to survivors of abuse in faith-based care will have noted  
6 the same pattern of institutional barriers running through their claim experiences and how  
7 they too face the might of well-resourced institutions whose priority is protection of  
8 reputation and financial resource.

9 Survivors in our network face the same systemic hurdles as their fellow survivors in  
10 State care. They all encounter the road blocks presented by systemic issues not addressed  
11 in the justice system, ACC, mental health and addiction services, legal services, with the  
12 statute of limitations, financial support services and obstruction by ministries and church  
13 institutions.

14 They face the same barriers created by policies, protocols and procedures not being  
15 fit for purpose, or the lack of them, or the misuse or lack of adherence to them by the  
16 leaders, authorities and in the institutions they are forced to report to. This has already been  
17 evidenced to this Inquiry.

18 Survivors abused in State and faith-based care have made it clear; apologies from  
19 institutions who were responsible for their care are hollow. They have asked for real  
20 action. This action must include information the institutions have denied them so they can  
21 make sense of how their abuse could happen. It allows the institution to be held  
22 accountable for not protecting them and for how they responded.

23 Survivors are asking for financial acknowledgement they're entitled to and need to  
24 lift them out of the vulnerable position they find themselves in. They need to know what  
25 action has to be taken to prevent future abuse. They share the view that this must be  
26 included in their redress.

27 While the circumstances of abuse may vary, it is universally accepted that survivors  
28 suffer from many of the same lifelong impacts, regardless of the institution responsible for  
29 their care at the time the abuse happened. Like survivors abused in the care of the State,  
30 many of our survivors belong to those vulnerable groups that this country has judged, or  
31 learned to ignore, or considers to be in the too hard basket; the vulnerable that perpetrators  
32 target.

33 Survivors ask that this hearing end this Commission separating State from  
34 faith-based abuse and recommend the Government do the same. The result if not will be

1 the status quo, whether churches continue their hollow rhetoric and wait for this Royal  
2 Commission to pass before returning to their usual modes of practice of which survivors are  
3 casualties.

4 **CHAIR:** Thank you Ms Tonks.

5 **MR HEASLEY:** While Pākehā make up the larger number, Māori and Pasifika are  
6 disproportionately represented in the numbers of those abused in both State and faith-based  
7 institutions. To attempt to impose a State-based/faith-based division in considering abuse  
8 in care inflicted on Māori and Pasifika children is absurd and unsupportable on historical,  
9 legal, cultural and spiritual grounds. It is a mockery of the Treaty of Waitangi.

10 The abuse, wherever it occurred, at its core is a spiritual abuse, an assault on wairua  
11 and mauri, on mana, on whānau. Whatever form the abuse took against Māori and Pasifika  
12 tamariki, it was abuse against Māori and Pasifika children. All of it is a State  
13 responsibility.

14 This is also true for Pasifika communities who have the highest rates of professed  
15 Christians in New Zealand at 67% in the 2008 census. Roughly half the numbers of tangata  
16 whenua, Pasifika make up a disproportionate number of vulnerable and victimised children  
17 and are the very least likely to complain when abused for deep and complex cultural  
18 reasons. Frances Tagaloa gave powerful testimony about this in the redress hearing, and  
19 may I acknowledge her presence here today with her beloved I believe.

20 **CHAIR:** As do we.

21 **MR HEASLEY:** Whether a Māori child was abused in a State care facility like Kohitere, Feilding  
22 or the faith-based facility of Hato Petera, a Māori child or Pasifika child was abused and his  
23 or her life sabotaged and upended in an appalling and horrendous manner by institutions  
24 which should have protected them.

25 Refusal to accept responsibility for this abuse and to artificially compartmentalise  
26 this abuse violates our obligations under the UN Convention Against Torture ratified in  
27 1989 and the UN Convention on the Rights of the Child ratified in 1993.

28 The Treaty of Waitangi assigned power as State power, kawanatanga, and  
29 indigenous chiefly power, tino rangatiratanga. What is less obvious is the equally  
30 devastating and pernicious effects of the usurpation of religious power allowed by the State  
31 in all its iterations from national to local government level, from 1840 to the present. This  
32 appropriation by foreign invaders, like the Anglican and Catholic missionaries, afforded  
33 control by Pākehā society over Māori spiritual life, over wairua specifically and mauri, or  
34 the life force in general.



1           This expropriation is no trivial matter and there were noticeable acts of resistance  
2 against this by such movements as Te Ua's Pai Mārire 1863, Te Kooti's Ringatū movement  
3 1868 and the Rātana movement in 1918.

4           This evisceration of Māori spiritual life was remorseless and State-approved. The  
5 most powerful expression of this took the form of French Marists from 1838 onwards who  
6 targeted Māori as both Society of Mary priests and later FMS Marist teaching brothers,  
7 putatively celibate men guided by yet another female exemplar, Mary, mother of Christ.

8           The church's colonisation of Māori did not operate in a vacuum. It was and is an  
9 integral and indivisible component of New Zealand society. Indeed, in 1975 church  
10 schools began integration into the State system and had their operational costs borne by the  
11 State. Without this intervention, these schools would have gone belly up.

12           Thus, the role of State and faith-based institutions were inextricably intertwined like  
13 two eggs whisked in an omelette. The churches gained acceptance to operate differently  
14 within the wider community to the point where they had more consideration than even the  
15 communities of indigenous people.

16           The separation of State and faith that has enabled historically will continue if this  
17 Commission allows the State to abdicate its responsibility for all children and vulnerable  
18 adults whatever the offending institution.

19 **MS TONKS:** Before this hearing we put a proposal from our survivors to the authorities of the  
20 churches giving witness in this hearing. We ask them to act now, to use this hearing to  
21 make our survivors needs their priority, to endorse the call from survivors abused in both  
22 State and church institutions to urgently set up a body, Commission or similar entity with  
23 statutory authority to receive complaints, require investigation, refer for prosecution where  
24 appropriate, access records and determine appropriate redress that is consistent and reflects  
25 the seriousness of the abuse that happened and the harm it caused, regardless of the  
26 institution responsible for their care and require it be provided.

27           This body would also be responsible for audit and oversight of institutions who care  
28 for children to have policies and procedures in place required by statute to protect children  
29 from harm, investigate and hold institutions accountable where they fail and provide a  
30 public audit report to Government. This body would be based on the principle of inclusion,  
31 the Treaty of Waitangi, accessible, impartiality, transparency, consistency, timely access to  
32 redress, human rights and natural justice. Survivor experience evidenced already to this  
33 Inquiry that the current systems are none of the above.

34           This Commission, the State and the churches have been given a clear message by

1 survivors abused in both State and faith-based institution; the establishment of an  
2 independent body is needed now and cannot wait.

3 The usual response from the churches was reflected in the reply of our request by  
4 The Salvation Army and I quote. "We appreciate that delay is costly for survivors and that  
5 a prolonged Royal Commission process risks further traumatising survivors." However,  
6 they go on; "our current view is that the Royal Commission must be given an appropriate  
7 window in which to investigate relevant matters and make formal recommendations on  
8 redress that all parties can then consider."

9 The Salvation Army, you know from the services you run for those suffering  
10 addiction, homelessness, poverty, that victims of abuse are overly represented in the  
11 numbers of those needing your services and they cannot and should not have to wait. To  
12 wait on the Commission to validate the solutions you already know are needed is to kick  
13 the can down the road and risk it getting destroyed before it reaches its destination.

14 This is history repeating itself. The churches took the same or similar positions on  
15 the abuse crisis when we first approached them, and left victims, their advocates and the  
16 media to drag them kicking and screaming into this Inquiry.

17 We have not had the courtesy of a response from the Catholic and Anglican  
18 bishops. Survivors do not trust them not to take a similar stand. They fear the churches are  
19 hoping that this Commission will keep its focus firmly on the State or that the State  
20 initiative to work towards a centralised body announced by Minister Hipkins progresses  
21 without involving them. The result will be victims return to silence and the churches again  
22 carrying on as usual.

23 Accountability and redress for abuse that has occurred and prevention of further  
24 abuse cannot be achieved if there are not limits placed on such a body that restricts which  
25 victims are listened to and excludes any institutions where abuse took place. It would be a  
26 mistake to set up a body that is not culturally inclusive or separate State abuse from that of  
27 other institutions.

28 Separation of State and church is archaic and when it comes to abuse and redress, it  
29 is simply wrong. The church authorities and leaders had the opportunity to join in the call  
30 and advocate for survivors for their inclusion when Minister Hipkins made his  
31 announcement. But as they did when this Royal Commission was first announced and  
32 limited to State care, they remained silent.

33 They are protected by a wider culture of silence and tolerance in New Zealand, the  
34 church laity reflects the culture of a wider society and are still ignorant or disbelieving of

1 the extent of the problem. Until now and this Commission, the churches in New Zealand  
2 have received little or no pressure to address the abuse that happens within their  
3 institutions.

4 Professor Carolyn Quadrio, expert in survivor trauma reporting to the Australian  
5 Royal Commission stated the problem. "They are very similar in one country and another  
6 and very similar in one faith group and another. Much as some of the faith groups at the  
7 time said, 'we don't have that problem', all of those faith groups have since had problems  
8 that have been widely reported in the media." She thinks what we learned is -- sorry, "I  
9 think what we learned -- she says -- is what is well-known, that it's a global problem and it  
10 occurs in every faith group in every country."

11 The grooming that takes place in church institutions is not just of a child or a  
12 vulnerable adult, it involves grooming of the family and the community where the cleric or  
13 religious establish themselves as respected and trusted members of those communities,  
14 schools or organisations.

15 The churches like the State will argue abuse is historic and children's homes such as  
16 St Joseph's orphanage in Dunedin, or institutions such as Bramwell where abuse occurred,  
17 no longer exist. Children abused in church institutions were not all captured in orphanages,  
18 boarding schools, seminaries where the perpetrators have authority. Children were abused  
19 in the communities where they lived, on the marae, in their homes, in their local churches  
20 where they were altar boys or belonged to church choirs, or were abused at the day school  
21 or the sports meetings they attended.

22 The usual pattern of perpetrators and the institutions that harbour them is to target  
23 these vulnerable and needy. The current example, Dilworth. The support entry is used; the  
24 result, abuse. The consequence; lifelong trauma, the loss of adult potential, loss of ethnicity  
25 and culture and for survivors encultured into the churches, loss of their spiritual and value  
26 framework for living.

27 Steve Goodlass, survivor, talks of this. "I am a victim who lives with the abuse  
28 I suffered in the Catholic school. The supposed rock that my values were based on were  
29 smashed beneath me leaving me wondering where I am, who I am. I feel like I am a  
30 doughnut, I have this big empty hole in the middle where once there was a centre, a core of  
31 values and faith. My church has left me to fill that hole by myself, an outcast, a person they  
32 simply want to forget."

33 There will never be redress for victim survivors while the churches are not required  
34 to acknowledge and dismantle the systems that enable abuse and create barriers for

1 survivors seeking redress. Jacinda Thompson, who you heard in phase 1 of this Inquiry,  
2 abused in the care of the Anglican Church, observes:

3 "Many survivors will struggle to trust the church to care for them and to make fair,  
4 unbiased decisions. The church has an appalling track record in this area and there is little  
5 consequence to when they fail to follow their own policies. At the end of the day, their  
6 redress for survivors shouldn't depend on which institution harmed you", she says.

7 She continues; "No-one would say it was acceptable for the Survivors Network to  
8 investigate abuse claims and determine redress. There would be cries of bias and yet we  
9 seem to be contemplating leaving the churches to continue in this role." She makes a point.

10 The response of the Ministry officials under cross-examination in phase 2 of the  
11 State redress hearing confirms they had not listened to survivors of State abuse. The  
12 excuses, rationales and offensive rhetoric for unforgivable past actions put forward by  
13 officials and authorities in the Ministry and their representatives were debunked by this  
14 Commission during cross-examination, but not before they caused further re-traumatisation  
15 to their survivors.

16 Will the position taken by the witnesses for the churches represented in this hearing  
17 be different? On behalf of our survivors we ask them. Please do not put survivors abused  
18 in faith-based institutions through the same re-trauma. They have been through enough.

19 **MR HEASLEY:** Commissioners, the world is watching this Royal Commission here in  
20 New Zealand. Our network is part of a wider global network and the organisation Ending  
21 Clergy Abuse Global, made up of over 17 nations and five continents; we are on its  
22 assembly. ECA Global will soon have NGO status in the UN recognised under the  
23 Economic and Social Commission.

24 The thought that faith-based abused children would be excluded from any  
25 independent authority is unthinkable and would have disastrous international repercussions  
26 for New Zealand's reputation abroad.

27 There is an assumption we as a nation will do the right thing, given our current  
28 status as a world leader in fighting Covid. Let us know this expectation is fulfilled and we  
29 can prove to be just as effective in dealing with the sexual abuse of children, State or faith,  
30 the world expects nothing less.

31 Our network is focused on what would appear to be something very basic to a  
32 healthy, self-aware society; a search for truth and justice. Kia meatia te haepapa ahakoa te  
33 hinga i te rangi. Let justice be done, though the heavens fall. This truth may be painful, it  
34 may be deeply troubling, but this is what this Royal Commission is pledged to reveal

1 without fear and without favour.

2 The churches, like the State ministries, have left survivors unacknowledged and  
3 struggling and silenced. The abuse they have suffered has been known about for decades,  
4 for two millennia by the churches and have been covered up or left to the State to provide  
5 the redress required.

6 Survivors cannot wait. There is sufficient evidence now which shows the  
7 Government leading institutions to deal with the abuse of children in their care has failed.  
8 Current systems that exist are failing to provide redress. The current processes for  
9 complaints and seeking redress are traumatic and not survivor-informed. Survivor evidence  
10 to date and that gathered from institution records where they exist has confirmed the  
11 common impacts that have not been addressed.

12 The Commission has already noted the massive human and financial cost to  
13 survivors in this nation. Survivors need the complete package of redress and they need it  
14 now.

15 The Salvation Army will be the first to have this opportunity. Jan Lowe, who you  
16 will remember gave stunning evidence in the redress hearing, Salvation Army survivor,  
17 abused in their care reminds you, and I quote:

18 "They didn't investigate themselves when complaints were made about sexual  
19 abuse. They chose to cover it up and I don't hear anything from them that they won't do the  
20 same again. The lying is the part that really annoys me. They lied about the assailants  
21 claiming they were dead and they weren't, and gave one of these assailants a funeral with  
22 full Salvation Army honours. They haven't earned any respect or any trust. We don't want  
23 them investigating themselves because they covered up. There has been no intent on their  
24 part to have it out in the open."

25 Murray Houston deals with all complaints and redress. He is not a member of the  
26 church but employed by them to do this work. Jan and the other survivors abused in  
27 Salvation Army care are waiting to hear his response to their testimony and whether  
28 Colonel Gerry Walker, when he appears, will endorse the call for an independent body.

29 The Anglican Church witnesses will follow. A church that had no centralised  
30 process for complaints and redress, forcing survivors to report to the vicar of their local  
31 church and have the local bishop decide whether it would be investigated.

32 Until January of this year when they introduced a protocol that has remarkable  
33 similarities to the Catholic Church "A Path to Healing", including all its current flaws and  
34 limitations, a process that has been exposed by the Catholic survivor witnessed in the last

1 hearing as traumatising, insufficient and mirroring the flaws in the State redress process.

2 You will then hear from Catholic Church witnesses, one bishop and representatives  
3 of the congregations and orders and administrators of their complaints processes. The  
4 bishops and their legal counsel will continue to obscure who was truly responsible by  
5 jointly representing the bishops and the congregations as if they all have authority.

6 While it may suit the bishops to delegate responsibility and have the benefit of  
7 congregations and orders sharing their significant legal costs, or ultimately the cost of  
8 financial redress, there can be no doubt about who is in charge. It's on the bishops, period.  
9 No ifs, buts or maybes. Will the five bishops -- it was six now five -- be standing here next  
10 week to witness proceedings and accept their accountability to our survivors, and if not  
11 why not?

12 We trust that you will hold these church institutions accountable. We ask that you  
13 not be tempted to engage with them in debate of their rationalisations about their "historic"  
14 response or accept their proposals for tinkering with their systems like deck chairs on the  
15 Titanic; shifting. While this public hearing focuses on The Salvation Army, Catholic and  
16 Anglican Churches, you will know of evidence of the same devastating harm and  
17 similarities of systemic issues preventing redress for survivors of abuse in other faith-based  
18 institutions; Gloriavale, the Jehovah Witnesses, Presbyterian, Hindu, Islam, Latter Day  
19 Saints, Methodist, Sikh, Baptist, Pentecostal, Jewish abuse survivors to name just 12  
20 churches or institutions.

21 Commissioners, Government, and the public of New Zealand; survivors have  
22 spoken. We have heard their testimony, they have provided you evidence of what is  
23 urgently needed. There is no going back. As aptly stated by the Chair of the Australian  
24 Royal Commission, and I quote:

25 "Although the primary responsibility for the sexual abuse of an individual lies with  
26 the abuser and the institution they were part of, we cannot avoid the conclusion that the  
27 problems faced by many people who have been abused are the responsibility of our entire  
28 society."

29 Fa'afetai lava; Malo 'aupito e tokotaha kotoa pe; vinaka vakalevu kemuni na turanga  
30 kei na marama; maraming salamat sa inyo lahat; ka nui te mihi ki a koutou. Thank you.

31 **CHAIR:** Tēnā kōrua.

32 **COMMISSIONER ERUETI:** Tēnā kōrua and thank you for your powerful words and so apt at  
33 framing our hearings over the coming weeks and bringing to the forefront all these  
34 important kaupapa, in particular the survivors and their experience.

1 I just feel compelled to make one brief observation. Mr Heasley, I think you talked  
2 about the idea of Māori being disproportionately impacted or a large minority, if you like. I  
3 think you'd agree it's an oversimplification to say that that is the impact on Māori when we  
4 know from the data we have to date that in certain institutions, particularly out of home  
5 care, which is the kaupapa we are discussing over coming days, starting with The Salvation  
6 Army and the residences, that Māori were the majority in particular institutions and the  
7 majority over particular periods of time.

8 So I just wanted to make that clarification before we go on, because it's very  
9 important for us. And we're still gathering data. But I just want to mihi you both, ngā mihi  
10 nui ki a kōrua for your strong and clarion call for immediate action. Acknowledged,  
11 message received, tēnā kōrua.

12 **CHAIR:** I now call -- sorry Ms Janes, I'm sorry, I forgot you, I beg your pardon.

13 **OPENING STATEMENT BY MS JANES**

14 **MS JANES:** Tēnā koutou ngā rangatira o te pae, o te tēpu tēnā koutou katoa ā, huri noa ki te  
15 haukāinga, e ngā mōrehu tēnei te mihi ki a koutou. E nga kaitautoko i tēnei kaupapa  
16 whakahirahira, tēnā koutou, tēnā koutou, tēnā tātou katoa.

17 **CHAIR:** Kia ora.

18 **MS JANES:** Greetings to the Commissioners and to those at the table, to the mana whenua and to  
19 the survivors, greetings to you and to the supporters of this very important issue, greetings  
20 to us all.

21 We have heard the powerful resonance of the survivor voice which is at the heart of  
22 the work, so acknowledge the opening statement of the network for survivors. It has  
23 framed what we are here for and what we will be looking at over the coming days and  
24 weeks.

25 Counsel for The Salvation Army will give the opening statement shortly, so I will  
26 be very brief. I acknowledge all of the survivors but especially those who gave evidence on  
27 behalf of the Salvation Army. We had Mr A, Janet Lowe, Darren Timpson, Gloria White,  
28 Roy Takiaho and Ms B and we also acknowledge those who provided written statement  
29 who have not been heard and all of the other survivors who have given private session  
30 evidence to the Commissioners.

31 In this particular phase of the hearing we will hear from two witnesses for The  
32 Salvation Army, Colonel Gerald Walker, who is an Officer of the Salvation Army, holding  
33 the position of Chief Secretary for New Zealand, which is second in command to the  
34 Territorial Commander who has responsibility for The Salvation Army in New Zealand,

1 Fiji, Tonga and Samoa.

2 Once Colonel Walker has completed his evidence it will be placed on the website  
3 and helpfully he has provided, at Appendix 1, a very useful summary of the operation and  
4 particularly the governance structure which I know the Commissioners have read but that  
5 will also be available to the public. So I will only give a very brief context rather than  
6 going through that in detail.

7 Murray Houston, who is the Commercial Manager for The Salvation Army and also  
8 manager for the Royal Commission response, will then give evidence. He is a lay or  
9 civilian employee rather than a congregational member of the Salvation Army. He has had  
10 primary responsibility for the claims process, particularly relating to the children's homes,  
11 and Colonel Walker will give a bit of evidence about redress processes for the  
12 non-children's homes.

13 By way of very brief context, you will hear The Salvation Army is a religious and  
14 charitable organisation. Its beginnings date back to 1865 in East London where it was  
15 originally named The Christian Mission. It was renamed The Salvation Army in 1878 and  
16 commenced work in New Zealand in April 1883.

17 London remains The Salvation Army's International Headquarters. It pursues its  
18 work in New Zealand under two broad categories, general work and social work. General  
19 work is directed to the religious aims of The Salvation Army, while social work is directed  
20 to its charitable, social and community objectives. So you will hear primarily it falling into  
21 that category.

22 The Salvation Army has a quasi-military command structure with a General  
23 comprising the most senior Salvation Army internationally who has responsibility for  
24 directing Salvation Army's work over 131 countries.

25 In keeping with the Military structure, clergy in The Salvation Army are known as  
26 officers and hold various ranks. Ordinary members are known as soldiers, both officers and  
27 soldiers wear The Salvation Army uniform.

28 The Salvation Army of New Zealand falls within the South Pacific and East Asia  
29 zone and has its Territorial authority in Wellington. The focus of this hearing is on  
30 Salvation Army's redress processes in respect of claims relating to care within the period  
31 1950 to the late 1990s, but the Commission has discretion to look at periods before 1950  
32 and after the 2000s.

33 You'll primarily hear about claims in children and young persons' care where they  
34 were placed either by the State or voluntarily by the parents or guardians as this is the



1 setting most claims have arisen. You will also hear most of those homes were closed by the  
2 end of 1999.

3 There are other claims outside of those children settings which come within the  
4 terms of reference, such as The Salvation Army's Bridge Programme which provides drug  
5 and alcohol rehabilitation services to vulnerable persons as well as within corps which is  
6 their congregational settings.

7 The Commissioners will also recall that you heard evidence from Ann-Marie  
8 Shelley during the Catholic Church phase of the survivor evidence. She gave evidence  
9 about abuse that occurred in a Bethany home for unmarried mothers in Wellington.

10 The Commissioners will recall that, in addition to the evidence you will hear, The  
11 Salvation Army also provided a public submission in the call for those in late November  
12 2019. So that is also evidence available to the Commission as you consider its approach to  
13 redress.

14 The evidence is scheduled to run today through to about midday on Wednesday.  
15 Just in terms of housekeeping, we will follow the same hours, subject to the Chair and  
16 Commissioners' directions. We will now have the opening from Salvation Army.

17 But just for those listening on the live stream, I do want to again emphasise the  
18 message that Mr Mount QC gave, that there will be lots of questions that survivors and  
19 victims and other stakeholders may have that cannot be covered in this particular hearing.  
20 We want them to be assured that work goes on outside of these public hearings and so  
21 anything that they have concerns about if they do not hear it over the next two and a half  
22 days, it does not mean it's not being addressed and considered vital to the work of the  
23 Commission.

24 I now invite Ms Jenny Stevens to open on behalf of the Salvation Army.

25 **CHAIR:** Just before you do, just two points. I think that last point is well made and the  
26 Commission is always open to hearing from survivors, and even if we've heard from you in  
27 a private session or by way of a witness statement or by way of public hearing, if you feel  
28 there is a gap that has not been covered, the door is not closed, please feel free to get in  
29 touch through our contact centre and we'll be very happy to hear that.

30 The second point, Ms Janes said that the witnesses who have given statements other  
31 than those who are being heard today or heard earlier have not been heard, of course I want  
32 to reassure those people that indeed they have been heard, that all their statements are  
33 carefully read and accumulated with all the other evidence. So even though you're not  
34 being here publicly you are heard and I want to make that point very strongly.

1 Thank you very much Ms Janes. Ms Stevens.

2 **OPENING STATEMENT BY MS STEVENS**

3 **MS STEVENS:** Mōrena and greetings to Commissioners and to everyone who's here today,  
4 including those watching on the live stream. On behalf of the Salvation Army, we want to  
5 expressly acknowledge survivors and also to thank the Survivors Network for the opening  
6 that they have just given. That has been very much heard by us. Thank you,  
7 Commissioners, for the opportunity to make this opening statement.

8 As you've heard over the next two days, maybe two and a half, you'll hear evidence  
9 from two Salvation Army witnesses. Their evidence focuses on explaining the redress  
10 process that The Salvation Army has been engaged in over the last nearly 20 years. And as  
11 noted by Ms Janes, that's largely in the context of receiving and responding to claims of  
12 abuse in children's homes that were historically operated by The Army.

13 As was acknowledged when I addressed you very briefly in phase 1 of this hearing,  
14 The Army knows and acknowledges that abuse occurred in its children's homes. It is to  
15 The Army's profound regret and shame that children were abused whilst in its care and  
16 Colonel Walker, on behalf of the Salvation Army, will say more about that very shortly.

17 The modern day Army has been addressing the fact that historical abuse occurred  
18 through a redress process since the early 2000s. In December you heard from Ms Janet  
19 Lowe about her experience of abuse whilst in an Army-run children's home and her  
20 experience then of seeking redress from The Army in relation to that abuse. She was one of  
21 the first formal claims of this nature received by The Army.

22 At the time that her claim was received, there was shock within The Army and there  
23 was admittedly disbelief about what she was saying had occurred. Because of the threat of  
24 legal action, civil legal action, insurers were called, lawyers were instructed, harsh legalistic  
25 and uncaring letters were sent.

26 Ms Lowe was quite rightly not happy with The Army's response to her claim and  
27 she began to see if there were others in a similar position to her. While The Army was still  
28 engaging with Ms Lowe in 2003, another significant event happened for The Army in  
29 relation to redress. A TV show aired in New Zealand about abuse that had occurred in The  
30 Salvation Army homes run in Australia. This again highlighted the scale of the issue in  
31 New Zealand as many people came forward telling of their experiences in New Zealand run  
32 Salvation Army children's homes.

33 This became a very important time for The Army. Towards late 2003 leadership at  
34 The Army fronted to a rightly concerned, deeply concerned public, and to individual

1 survivors. A phrase was coined in quite an early media interview by the then Territorial  
2 Commander of the Army that the Army would not duck or weave on this issue. They  
3 wanted it all brought out and put on the table. They said that they would take whatever  
4 responsibility they could for The Salvation Army of yesterday.

5 So it became that a redress programme was established. That redress process was  
6 not a fully formed or perfect process from day one and there have been missteps along the  
7 way. But some principles did emerge for The Army at a very early time. That included the  
8 importance of personally fronting up about empathetic listening, about the importance of  
9 apologising for what had happened and about being ready to engage with survivors about  
10 what The Army could do to assist them, including discussing financial compensation with  
11 survivors who sought it.

12 These principles have endured within The Army. Fronting up and meeting with  
13 survivors to hear first-hand of their experience has been a cornerstone of the Army's  
14 process from that early time.

15 Another principle that endured and was established in the early days is that The  
16 Army does not require confidentiality about the allegations made or the terms of any  
17 redress made. For its part, of course, The Army respects the confidentiality of all survivors,  
18 but it has not been a term of The Army's engagement with survivors.

19 In time, at this early time The Army began to recognise that a legalistic approach to  
20 claims couldn't sit alongside that empathetic and healing process that it wished to engage  
21 in.

22 For many years now The Army has engaged with survivors by largely putting to one  
23 side legal matters such as the civil legal standard required to prove claims, or the impact of  
24 limitation periods or the ACC scheme on a survivor's ability to seek redress. In short, The  
25 Army has recognised that it has a moral responsibility to provide redress for survivors in its  
26 care and it has endeavoured to resolve all claims directly with survivors and to avoid any  
27 need for survivors to seek redress through the courts.

28 While the redress programme has evolved over the last 20 years, as I say, its core  
29 elements have remained relatively consistent, as have the oversight and involvement of an  
30 employee of The Army, Mr Murray Houston. And you'll hear from Mr Houston as a  
31 witness tomorrow. You've already heard his name mentioned a number of times by  
32 survivors. He has provided two written statements that, as Ms Janes has indicated, will be  
33 made available, I understand, on the website in due course.

34 He has been noted is an employee of the Army not an officer, and for some

1 survivors that has been an important distinction. For The Army itself, it has brought a  
2 degree of separation and objectivity to its process. Mr Houston's evidence will focus on  
3 how The Army has dealt with and responded to claims, including how the current redress  
4 process operates and the evolution of that.

5 Prior to hearing from Mr Houston, you will hear from Colonel Gerry Walker who,  
6 as Ms Janes has just said, is the current Chief Secretary of the Army. He has also provided  
7 two written statements. He has been involved in responding to claims of abuse in several  
8 different contexts, given his various roles within The Army which he will shortly explain to  
9 you. And he will provide evidence from a leadership perspective of how the redress  
10 process operates.

11 He'll also explain The Army's policies and procedures relevant to redress and  
12 relevant to the management of alleged perpetrators of abuse.

13 Before we call those two witnesses, we just wanted to again acknowledge the  
14 courage of the survivors who have come forward and given evidence. The Army has heard  
15 their testimony and is committed to doing better in the future. It has already begun to  
16 consider how its redress process can improve in light of the evidence and both Mr Houston  
17 and Colonel Walker will provide some reflections on that when they give their evidence.

18 The Army recognises that one size does not fit all and that there is more thinking to  
19 be done and work to be done on how to ensure its redress process adapts to meet the needs  
20 of individual survivors.

21 Some survivors have also raised wider and more fundamental concerns, including  
22 about the tone and nature of some of the correspondence they've received and the Army  
23 acknowledges that its process has not been perfect in the past and it hopes that it has  
24 already learned from some of those earlier missteps and the evidence and questioning at  
25 this Royal Commission has been instructive in this regard already.

26 The Army finally wishes to reiterate its commitment to working with supporting  
27 and learning from this Royal Commission's recommendations.

28 I did want to acknowledge Ms Tonks' reference to the exchange of correspondence  
29 in relation to the call for an independent body. It's certainly something the Army is not  
30 ruling out, but has indicated it wishes to hear or give this Commission opportunity to hear  
31 from all interested parties and to learn from those recommendations.

32 I did want to note that the Army assured the Survivors' Network in that letter that in  
33 the meantime it is not standing still, it is seeking to address the concerns raised and adapt its  
34 own processes and to control what it can in the meantime.



- 1 received?
- 2 A. I have on a number of occasions, I am a member of the Royal Commission Working Group  
3 that was set up by our leadership in 2018 and that is there to oversight and co-ordinate the  
4 response of the Salvation Army to the Royal Commission, to also provide support to  
5 Murray in the redress process to ensure resources are made available in order to deal with  
6 survivor claims and the redress process.
- 7 Q. Colonel Walker, you've provided two written statements, one dated 18 September 2020 and  
8 one 29 January 2021. As we understand it the Commissioners have read those statements  
9 in full, so we are just going to cover some aspect of your statement over the next hour, hour  
10 and a half.
- 11 Maybe I could just ask, is there anything at the outset that you wanted to say about  
12 the Army's involvement in this Royal Commission?
- 13 A. Firstly, I would like to reiterate on behalf of the whole of the Salvation Army our deep  
14 regret and our shame at the treatment children and vulnerable people received in the care of  
15 the Salvation Army. We unreservedly apologise for that and are committed to working  
16 with individual survivors and survivor groups during this, in order to endeavour as best we  
17 can to address the wrongs that were perpetrated many years ago in some instances, more  
18 recently in others. And so certainly we are committed to engagement and also committed  
19 to taking on board the recommendations of the Royal Commission and acting upon those.
- 20 Q. I know that you had some views about the importance of apologies. Did you want to say  
21 something more about that?
- 22 A. Right from the outset, and as was referenced this morning, back in 2003 the then Territorial  
23 Commander for The Salvation Army stated clearly that we would not duck and weave, that  
24 we would be intentional about engaging with survivors in an appropriate way that was  
25 respectful of them. We have attempted to do that over the last 18 years. I acknowledge  
26 that in cases we had not done as well as we could. We have committed to taking the  
27 learnings of that and applying that along the journey to this present day.
- 28 Q. And Colonel Walker, was there anything you wanted to say to survivors of abuse who have  
29 not yet been involved in this Royal Commission?
- 30 A. We certainly appreciate that it is a very difficult thing for survivors to come forward to talk  
31 to, in many instances, complete strangers and share devastating things that have happened  
32 in their life. But we encourage people to come forward. We would welcome people  
33 coming forward direct to ourselves or via another means. We encourage people to also go  
34 to the Police where they feel that they can do that, but we would welcome any survivor

1 coming forward now and into the future.

2 **Q.** Thank you. We'll just talk about the redress process now in a bit more detail. Maybe you  
3 could start just by explaining what your role has been in that process?

4 **A.** So as I shared, I had been on the working group that has, from a leadership point of view,  
5 coordinated our response to the Royal Commission. Also there to support Murray in his  
6 role dealing with survivors, and ensuring that resource is available to enable Murray to  
7 undertake that. And also I have been involved in the authorisation of redress payments.  
8 Murray will come to me and talk through and I will authorise those payments.

9 I have also, in my previous role as Secretary for Personnel, been involved in some  
10 cases. I've attended with Murray when he has conducted interviews with survivors on a  
11 number of occasions and in my role as Secretary for Personnel have had to deal with  
12 complaints of sexual abuse that have occurred outside of children's homes and so forth, but  
13 more in our corps and I can share cases later on.

14 **Q.** I think we will talk about that as we go through. Perhaps, do you have any comments to  
15 make about the focus of the redress process or the way it works from a leadership  
16 perspective?

17 **A.** Right from the beginning back in 2003 we have been intentional about focusing on the  
18 needs of the survivors and endeavouring to the best of our ability to tailor how we engage  
19 in a way that is respectful of survivors and takes into account the fact that this is a very  
20 traumatic experience for them to be sharing. I acknowledge that at times we have not got  
21 that right and but we have taken the learnings from that and endeavoured to apply that  
22 going forward.

23 I certainly am very conscious that an apology features very highly in terms of what  
24 survivors are looking for and we have attempted to sincerely apologise for the wrongdoing  
25 and the abuse that folks, particularly when they were children, received in our care. And  
26 I acknowledge again that there are instances, as this Commission has heard, where we  
27 didn't get those written apologies right and I apologise for that. And we -- now the  
28 apologies look different and we are open to working with survivors and survivor groups in  
29 order to better improve our redress process.

30 **Q.** Colonel Walker, obviously Mr Houston, Murray, which we can refer to him as that, has an  
31 integral role in the redress process. Did you have any other description you wanted to give  
32 between the difference between Murray's role and leadership's role in the redress process?

33 **A.** So we have been very fortunate to have continuity and consistency through having Murray  
34 involved in the redress process going back close to 20 years. We value Murray immensely.

1 I am conscious, though, that at some point in the future, as well all of us, Murray will move  
2 on from The Salvation Army and we need to be looking at how we put in place -- how we  
3 future-proof that and that's something that I'm considering at the moment.

4 Also conscious that, as I shared, I went along with Murray to a number of  
5 interviews and Murray will take someone else with him when he meets with survivors. I'm  
6 conscious that in terms of supporting survivors from a trauma, counselling perspective it  
7 would be appropriate for us to look at having someone who is trained in that area to be  
8 available, either at the interview or post. So that's one of the learnings that we have picked  
9 up on over the years.

10 **Q.** There is a lot of responsibility placed on Mr Houston in relation to his role. Have you had  
11 any further reflections about that, whether it's appropriate that so much of the process is  
12 administered by him?

13 **A.** As has been shared, Murray is not a member of the Salvation Army and he -- there is an  
14 element of objectivity and I've seen that in Murray's approach firsthand. And also the fact  
15 that he has been involved in the vast majority, if not all, certainly all cases going back to  
16 2002, 2003, he holds a wealth of information that I think does benefit both The Salvation  
17 Army in terms of how we have navigated through this journey of redress, but also for  
18 survivors. As a result of having Murray we have been able to deal with claims in a timely  
19 and nimble fashion, taking into account the specific needs of survivors.

20 And so I think, you know, I am conscious, though, as I share, Murray at some  
21 point will be moving on and we will be looking at what we need to do to future-proof, but  
22 at the same time taking into account recommendations of the Royal Commission and taking  
23 those on board as well.

24 **Q.** You've already mentioned the -- that you've been considering the trauma or trauma-focused  
25 redress process and the importance of apologies, from what you've heard to date, including  
26 from survivors, was there any other parts of the process that the Army runs that you've  
27 reflected on that may need to change?

28 **A.** Certainly I've noticed that from a trauma-enhanced perspective we need to be more  
29 conscious of that. As I shared, I am mindful that there is a heavy reliance on Murray and  
30 his abilities. We are certainly wanting to take on board the learnings from this Royal  
31 Commission and there have been some of those already in terms of the accounts of the  
32 survivors, so that what we do is survivor-focused and centric, and that we can respond in a  
33 way that supports the survivors as best we can. They are at the centre and have been from  
34 day one for this redress journey.



- 1 **Q.** Have you considered how the Army's approach could be more culturally informed?
- 2 **A.** Yes, The Salvation Army is committed to the principles of Te Tiriti o Waitangi. We have,  
3 certainly in the last 10 to 15 years, done extensive investment in building our own internal  
4 capacity supporting those that worship within -- who are Māori who worship within our  
5 congregations, also our staff. Over 50% of people who access The Salvation Army's social  
6 services are Māori and so we are very much wanting to ensure that our services and how  
7 we engage with Māori are culturally appropriate and that is a journey that we are on and  
8 personally is dear to my heart. We have a strategy of which we are halfway through and  
9 we are at the moment preparing a report that will go to our Governance Board to propose  
10 additional resource be applied to enhance that journey.
- 11 **Q.** Perhaps just further reflecting on the current process, what processes are there in place for  
12 dealing with complaints about that process if and when they arise?
- 13 **A.** Currently we do not have a policy or a process to deal with complaints around the redress.  
14 That is something that I've picked up on and something that I'm committed to putting in  
15 place.
- 16 **Q.** Had you had any thoughts about what that may look like?
- 17 **A.** That could look like either we could have someone within the organisation deal with those  
18 complaints, or alternatively step out of the organisation and have someone completely  
19 independent do that, which we do for some of our investigations now, so I'm open to both  
20 those options.
- 21 **Q.** So, so far we've really been focusing on the redress process as it relates to children's homes  
22 and Mr Houston's role. Did you want to comment on any other contexts that you're aware  
23 of in which abuse has been raised?
- 24 **A.** On rare occasions abuse has occurred in our corps, which are our community churches.  
25 Also in our social services, an example in our Bridge Programme which is our addiction  
26 service, alcohol and drug addiction service. And we have specific policies and procedures  
27 that are in place to deal with those complaints. I have been personally involved in some of  
28 those and there is also an interaction with Murray in his role on occasion where we will talk  
29 in respect of some cases and there is sometimes overlap.
- 30 **Q.** And how common are these complaints?
- 31 **A.** They're fairly rare. In my time of four years as the Secretary for Personnel, and in that  
32 position that person is charged with dealing with complaints outside of the redress process,  
33 I would have dealt with four or five in total over that period of time.
- 34 **Q.** And I think you talked about some overlap with Mr Houston's role in dealing with those

1 complaints. Was there anything more you wanted to describe about that?

2 A. What we're conscious of ensuring doesn't happen, there are any gaps and things can fall  
3 between the cracks. Murray holds information, when I was in Personnel we would hold  
4 similar information and we would compare to make sure we've got the complete picture.  
5 And so it's a close working relationship that still exists today.

6 Q. I think in your statement you talk about a particular example that you were involved in. I  
7 think just without going into too many of the details about that particular complaint I just  
8 wondered if you wanted to sort of broadly outline the process that was followed there?

9 A. Sure. So we received a number of complaints involving a soldier in one of our corps,  
10 community churches. We were informed that a number of the complainants were also  
11 going to the Police to lay complaints. We immediately stood the person down while we  
12 conducted an internal investigation which is our normal practice. And that internal  
13 investigation was conducted by an independent person who was a retired senior police  
14 officer that we have used on a number of occasions.

15 In this particular instance, I was also conscious that the Police were involved, so  
16 I contacted the Police and said "Look we are -- we've started our own internal investigation,  
17 we don't want to compromise the Police investigation, how do you want us to approach  
18 that?" And they said "Look, we don't want to alert the perpetrator to the fact that the Police  
19 are involved, so we" -- and they said "Look if -- so don't do anything that would do just  
20 that." So we said "Okay, that's fine."

21 So in effect, we parked our internal investigation pending the Police investigation.  
22 Now we were not able to tell the alleged perpetrator this and he kept asking, but we just  
23 sort of bought time until such a time as the Police laid their charges and we cooperated  
24 fully with the Police. At the end of the trial we then initiated again our own internal  
25 investigation as per our policy and procedure.

26 Q. So perhaps we will talk now a bit more about these policies and procedures. But I think it  
27 might just be helpful, before we do so, if you could just provide, at a very high level, sort of  
28 snapshot of the Army as an organisation. Ms Janes opening may have assisted us with this,  
29 it sounded like a good summary, but if there was anything further you wanted to add?

30 A. So as Ms Janes shared, The Salvation Army is an international church in 131 countries  
31 across the world, our International Headquarters are based in London. The General is the  
32 head of the Salvation Army and The Salvation Army is broken down into five zones and  
33 within that a number of territories, of which New Zealand, Fiji, Tonga and Samoa is one  
34 territory.

1           There are territorial leaders and a Chief Secretary, my position, and so in terms of  
2 the influence of the international Salvation Army, that sets the broad parameters that we  
3 operate in in terms of our doctrinal views. We have Orders and Regulations that come  
4 from International Headquarters in London and we are required to operate within those and  
5 follow those.

6           Having said that, each territory has quite a lot of autonomy in which to operate  
7 within those parameters, also taking into account the legal requirements of specific nations,  
8 and in our territory there are four nations so we have to be cognisant of the legal  
9 requirements of each of those.

10 **Q.** So you talked about you have a degree of autonomy. Are there any limitations on the  
11 policies and procedures you can set? Where's the line?

12 **A.** Certainly -- I can give you a couple of examples. We have the authority, we have  
13 delegation levels. One that is we can purchase properties up to a certain value, after that it  
14 needs to go to London, in respect of appointment of officers to senior roles we can  
15 recommend to London who we would like to see appointed. Those are a couple of  
16 examples. Again, we operate within the framework of our Orders and Regulations that are  
17 set by London and we operate within those parameters, but it still allows us a fairly good  
18 degree of autonomy as a territory.

19 **Q.** So maybe focusing on redress policies, are there any limits relevant to the New Zealand  
20 Salvation Army's redress process?

21 **A.** There are none at all that come from IHQ and the expectation is that -- in our territory that  
22 we would set those and work to those. There are certainly no limitations from International  
23 Headquarters.

24 **Q.** Do you actually have a formal policy on redress?

25 **A.** No, we do not. And that is something that I'm certainly wanting to put in place. It has  
26 evolved over the last 20 years and is built on other policies and procedures, but no, to  
27 answer your question, we do not have a redress policy.

28 **Q.** Maybe focusing on abuse, what policies existed before 2000, say if we start there, before  
29 2000 that focused on abuse and claims of abuse?

30 **A.** There were no policies as such in terms of claims of abuse. The closest to 2000 is in 1999  
31 sexual misconduct policy and procedures manual was developed and post that we have  
32 developed some other policies which I can touch on.

33 **Q.** Maybe we'll talk about those specific ones from 2000 in a moment, but prior to 2000, how  
34 would a complaint, I guess of any description, then about a Salvation Army officer or

1 soldier be dealt with?

2 A. So the normal course of events is that a complaint would likely go to either the local corps,  
3 church, or maybe to their divisional headquarters, which is kind of the area headquarters.

4 And we operated very much the sort of one-up approach of their line manager  
5 would investigate allegations and look into those. If it involved an officer, I would have an  
6 expectation that that would be referred through to the Secretary For Personnel at Territorial  
7 Headquarters. We've had an Officer Review Board which is charged with both the care and  
8 the discipline of officers and that has been in place since 1989. So we would expect that  
9 they would be dealt with in those ways historically, prior to 2000.

10 Q. So maybe why don't we talk now, I think you just mentioned one of the key policies, the  
11 sexual misconduct policies and complaints procedures manual. Would you like to describe  
12 that?

13 A. That was set in place to make it very clear what our expectation is around dealing with  
14 complaints that come in of a sexual nature, could be sexual abuse, it could be harassment  
15 and it applies to our officers, to our employees, to our soldiers and through to including our  
16 volunteers, anyone who is involved in The Salvation Army, and it sets out very clearly the  
17 process that needs to be followed when a complaint is received and how it is dealt with. So  
18 it is dealt with in a consistent manner and that the appropriate people within the  
19 organisation are aware of and are involved in dealing with these complaints.

20 Q. And, sorry, you may have said, about when did that come in?

21 A. It was 1999.

22 Q. You've also, I think, spoken in your witness statement about the Keeping Children Safe  
23 policy. Can you describe that?

24 A. The Keeping Children Safe policy was initiated as a result of the 2014 Vulnerable  
25 Children's Act. Prior to that we had a process called Save to Serve, but I will focus on  
26 Keeping Children Safe because that's the relevant one now. That sets out very clearly our  
27 expectations as an organisation of the importance of keeping our children and vulnerable  
28 people safe, that they are at the centre of all we do, and that anyone involved in any activity  
29 within The Salvation Army, wherever that may be, can feel that they are in a safe and  
30 secure environment.

31 It clearly stipulates the training and development that our people need to go  
32 through, particularly those who are involved in working with or journeying with children  
33 and young people and vulnerable people, and we have worked with external organisations  
34 as well as developed our own internal training programme that we monitor very closely.

1 For instance, all Salvation Army officers, whether they are involved in working with  
2 children directly, so myself included, must attend a one-day training on keeping children  
3 safe and have a refresher course every three years. Also have a full Police check. We have  
4 key workers, they are our staff who work closely with children, say in youth groups or  
5 children's programmes, and they have stringent training as well.

6 And we do engage periodically outside of the Army to just check with  
7 professionals that what we're doing is state-of-the-art, up to the industry standard, that we're  
8 not missing anything. And so we've had some enhancements of that training already, even  
9 though the latest came in in 2014 in response to the Act.

10 **Q.** I think in your statement you talk about the key principles of that. Are you able to just  
11 explain those?

12 **A.** The key principles are that children are completely safe in our environment, that we have  
13 mechanisms in place to protect them. They are at the heart of everything we do and who  
14 we are, and rightly so. And that we have the training in place to ensure that all of our  
15 people who are engaged with children and vulnerable people are aware of what to look for  
16 in terms of, say, behaviours as well as the physical things that you can notice that might  
17 indicate some form of abuse, so that there's a heightened awareness amongst our teams to  
18 be vigilant and ever on the look-out.

19 It also stipulates that, you know, don't be in a room with children on your own,  
20 don't take children in a vehicle on your own, some of those types of processes are in there  
21 as well.

22 **Q.** One of the policies that you talk about in your statement which just might require a little bit  
23 of explanation is the official minute regarding the management of sex offenders. Are you  
24 able to explain that to the Commissioners?

25 **A.** That minute came in around 2007 and it applies to people who wish to attend The Salvation  
26 Army gatherings who have either been cautioned or convicted of a sexual criminal offence  
27 and stipulates very clearly the process that must be followed in every instance, including a  
28 signed agreement by the person that they will abide by very, very stringent criteria that are  
29 set in place that must be adhered to before they can be allowed to attend any Salvation  
30 Army, whether it's, say, a meeting or a recovery church, and we do follow that very  
31 stringently. That then allows the person to exercise their faith, but doing so it occurs in an  
32 environment that is very secure, particularly for children and vulnerable people that might  
33 be in that congregation.

34 Four members of the church leadership would be aware of this agreement and

1 they're charged with monitoring the person whenever they are present and it stipulates  
2 clearly where they can and cannot go, what they can and cannot do, who they can and  
3 cannot engage with when they're in a Salvation Army facility.

4 **Q.** You may have answered this when you talked about a person being able to exercise their  
5 faith, but why is the Army open to the possibility of alleged or known offenders attending  
6 its corps or centres?

7 **A.** We are conscious that people have a right to explore and engage in spiritual matters.  
8 Conversely, we also know that we have to ensure that if someone who has a sexual offence,  
9 has committed a sexual offence, that those around them are protected. And so it's a  
10 conversation that we've talked about over the years, but we feel that by virtue of who we  
11 are as a Christian church, and this may help the perpetrator in terms of engaging, but it does  
12 so in an environment that is protective of children and vulnerable people and also  
13 conversely puts protections around the perpetrator as well.

14 **Q.** I think one other policy that you talked about in your second statement is the  
15 whistleblowing policy. Are you able to describe that?

16 **A.** The whistleblowing policy was brought in in August of 2016 within our territory and it  
17 enables anyone without any impunity to make a complaint, including that of a sexual  
18 nature, and that could be anybody associated with The Salvation Army, a client, right  
19 through to including staff and officers, and so that policy was enacted in 2016 for that  
20 purpose. Some of the complaints that had been received have been of a sexual nature, but it  
21 is broader than that.

22 **Q.** So it would include allegations of abuse?

23 **A.** It could do, yes, yes.

24 **Q.** Colonel Walker, one of the, I think you might call it a curiosity of the Salvation Army, or  
25 something that's a bit unique is this idea of General Change. And I think it might be  
26 helpful, I know you describe it in your brief, but to explain to Commissioners what General  
27 Change is and why you have it?

28 **A.** The Salvation Army officers in a territory can be appointed anywhere within that territory.  
29 Unlike some other denominations who might have a diocese, we operate on the basis that  
30 when you're commissioned as a Salvation Army officer you can be appointed anywhere  
31 within New Zealand. Conversely you could also be in some positions appointed anywhere  
32 in the world, and I, by virtue of my current role, fit into that, I can find myself going  
33 anywhere.

34 And so we have a process that is an annual process where we, for a whole range of

1 reasons, operational requirements, training and developments, succession planning needs,  
2 that we will periodically appoint our officers to other appointments. And so the General  
3 Change is that mechanism. I can go through in more detail the process if you'd like.

4 **Q.** Maybe it's more explaining why, if there's anything more you wanted to say about why it's  
5 such a part of the Army's process?

6 **A.** Primarily to develop our officers. I can give you an example. In a first, even a second  
7 appointment, officers may be appointed to a small church, a small operation. We then want  
8 to broaden their experience, expose them to other opportunities and the General Change  
9 process enables us to do that in a way that is consultative and also weighs up the needs of  
10 The Salvation Army from an operational point of view, but also is committed to the  
11 learning and development and succession planning around our officer force.

12 **Q.** So how many times may an officer be moved through General Change in an average  
13 lifetime of an officer?

14 **A.** In a lifetime? We have an aspirational goal and have done so for the last five or six years  
15 of endeavouring to keep our officers in an appointment for a minimum of five years,  
16 particularly when they're starting out, it allows them to develop that foundation. However,  
17 going back through our history, as is reflective of some of the evidence that has been  
18 presented to the Royal Commission, officers were moved around with much more  
19 regularity. And to this day we don't always, are not always able to achieve that five-year  
20 plus goal and there are a whole range of reasons for that, someone retires and we need to  
21 move officers around to replace them. But our aspirational goal nowadays is to keep  
22 people in appointments as long as we possibly can. A minimum of five years is our goal.

23 **Q.** So in the past you might see more regular movement, so someone could have 10, 15  
24 different placements?

25 **A.** Most definitely they could and even more on occasion. I was at a funeral last week for a  
26 retired officer who was, you know, who had had something like 25 different appointments  
27 in their 38 years, and that was in the sort of 40s, 50s, 60s, 70s period. That is not  
28 commonplace now, but historically it was.

29 **Q.** And is there any connection between General Change and the process for dealing with  
30 complaints of abuse?

31 **A.** There should never have been any correlation between using the General Change process to  
32 -- and dealing with allegations of abuse. Certainly today if an allegation is made, we have a  
33 very clearly defined process to deal with those, investigate fully those, and that would go  
34 through to the Officer Review Board. It would not reach the appointments consultation

1 process, that I can outline in more detail. So there should not be a correlation between the  
2 two, either historically and certainly there isn't now.

3 **Q.** Do you think that there's any risk that it has been used in that way?

4 **A.** I'm conscious that historically that -- depends on if an allegation was made, who it was  
5 made to, how it was dealt with. I acknowledge that there were no policies and procedures  
6 specifically around dealing with allegations of that nature prior to the 2000s, but since then  
7 we definitely have mechanisms in place. And I can say categorically that in a General  
8 Change conversation, if there were any allegations, or there was anything of that nature,  
9 that it would be brought to the attention and we would not be using the General Change  
10 process to move people on to another appointment.

11 We have mechanisms in place to deal with performance issues, and we do not  
12 move officers who are not performing, we leave them where they are and we put in place  
13 either training development or a performance plan to deal with the situation in their current  
14 appointment. We do not move people in because of a lack of performance and we certainly  
15 don't if they have had accusations of abuse made against them.

16 **Q.** We're getting, I think, close to what we wanted to cover in your evidence-in-chief. Just one  
17 point, just going back to the MSO, so the management of sex offenders, does that allow  
18 offenders to engage in all contexts, or are there limitations on how they would engage in  
19 Army life?

20 **A.** There are very stringent limitations. I can give you an example of a convicted sexual  
21 offender in a corps setting. They would be allowed to attend, say, on a Sunday, they would  
22 not be allowed to go into, say, the toilet facilities on their own, they would not be allowed  
23 to enter into where children's activities are happening. Often we say you're not allowed to  
24 have a phone on you so they can take photos.

25 Those are some examples that I've personally been involved in in capturing in a  
26 management of sexual offenders agreement, and as I shared, there are at least four senior  
27 members of the congregation, including the corps officers, whose role it is to monitor the  
28 activities of the person when they're present.

29 So let's say another example would be a bible study in someone's home, if there  
30 were children present no, you would not be allowed to attend.

31 **Q.** And I think just finally, we might just talk about some of the terminology of the Army. We  
32 talked about General Change, but might just also be helpful to put in context some of the  
33 evidence in your statements, or potentially some questions that may follow from Ms Janes,  
34 just to explain again. In fact I think Ms Janes covered some of this in her opening, but just



1 the difference between an officer and a soldier?

2 A. So a soldier is a person who has a calling from God to full-time Ministry. For me that  
3 happened in -- and my wife, happened in --

4 Q. So that's an officer?

5 A. That's as an officer. An officer will sign a covenant first and foremost with God to serve  
6 through The Salvation Army in full-time Ministry. So that's an officer. Soldiers are  
7 members of The Salvation Army who sign what we call the Articles of War which, again, is  
8 another covenant which states clearly what they will do and how they will commit to the  
9 principles, the doctrines of the Salvation Army, both in the case of soldiers and officers,  
10 that then enables them to wear the uniform.

11 We also have adherents, and those are folks who generally are on a faith journey.  
12 They feel at this time that they can't necessarily commit to the full covenant of being a  
13 soldier, but it enables them to be recognised still as a member of the Salvation Army. And  
14 then of course we have people who might call themselves a Sallie or a salvationist in the  
15 broadest sense of the term. Many of the folks that attend services or engage with the  
16 Salvation Army across our social services might call themselves "I belong to the Salvation  
17 Army." And that's fine.

18 Q. And employees, do they need to be Salvationists or Sallies?

19 A. They do not at all, and many of our employees are Salvationists but conversely many are  
20 not. What we look for is that all of our employees and indeed our volunteers are committed  
21 to our Commission and our values, and, you know, as long as they're willing to do that and  
22 they obviously have the necessary skills and competencies, we would not be able to do  
23 what we do on a daily basis without our employees and our volunteers.

24 Q. Thank you.

25 **MS STEVENS:** Madam Chair, that was the end of our questions.

26 **CHAIR:** Yes, thank you Ms Stevens. I'll just check with Ms Janes, are you ready to commence  
27 your examination now?

28 **MS JANES:** Yes, if you're comfortable I think we'll start and run until 1 o'clock.

29 **CHAIR:** Yes, that's fine. Thank you.

30 **QUESTIONING BY MS JANES:** The public has a greater oversight on the charitable work of  
31 the Salvation Army, but would it be fair to say that the Christian values and the faith tenets  
32 are equally important in both your congregational and your charitable streams of work?

33 A. One flows from the other. Our international mission statement is that we will preach the  
34 gospel of Jesus Christ and meet human need and not discriminate. In this territory that is

1 we say caring for people, transforming lives, reforming society through God's power. And  
2 so our charitable work, which is, to be fair, external to The Salvation Army, is what we're  
3 predominantly recognised for, is an outworking of our Christian faith and is intrinsically  
4 merged in with our faith and so we want all of our mission stations, if I can use that term,  
5 our corps and centres, churches, to have that wider focus. That includes caring for people,  
6 transforming lives and reforming society.

7 **Q.** And is there an expectation that those same values are reflected by your employees and  
8 volunteers as they represent The Salvation Army?

9 **A.** Yes, that would be correct.

10 **Q.** As we've looked at the documents for The Salvation Army, there are a range of different  
11 layers and so we'll look at those briefly just exploring what relates to officers and soldiers  
12 and cascading down. So our first document is SAL103, it will come up on your screen.  
13 But just to orientate everyone, it's a 2008 document, an official minute for the management  
14 of sex offenders and we'll actually -- if we can go to page 2 paragraph 3.1 and call those out  
15 so that we can -- if I can just have you read that aloud.

16 **A.** "Sexual misconduct with children or young persons is a grievous wrong. In many cases its  
17 impact is profound and long-term. The sexual abuse of children has been described as  
18 'murder of the soul' because of its potential for spiritual damage. The Salvation Army's  
19 commitment to the safety of children and vulnerable persons is entirely in accord with  
20 biblical principles of justice. Jesus himself asserted the value of children and warned of  
21 fierce penalty for those who led any away from the kingdom of God." That's contained in  
22 Matthew 18:6.

23 "A sexual offence against a fellow corps member harms both the individual and  
24 the corps. The body of Christ itself suffers. The abused person and their family may be  
25 emotionally vulnerable long after the event even after they forgive. It is unjust to insist  
26 these persons be exposed to the presence of the abuser.

27 A sexual offence against children is not a mere mistake, a lapse, or even a simple  
28 sin. It is abnormal behaviour that speaks of a deep-seated pathology of mind and soul. It is  
29 addictive.

30 **Q.** Sorry, can I just ask, if we can slow down a bit particularly when you're reading just for the  
31 signers, sorry, thank you.

32 **A.** "Because of that pathology, certain types of sex offenders are highly likely to re-offend.  
33 One study of child molesters (which excluded people who molested family members) found  
34 that they averaged 14 victims each. Some had as many as 200 victims.

1                   For the sex offender, recovery is seldom easy. And deception is always a  
2 possibility. Even if the offender has undergone treatment or received prayer Ministry, they  
3 should not be presumed to be safe.

4                   Any sexual misconduct towards adults, especially when enacted by trusted persons  
5 such as officers or local officers, can have serious emotional and spiritual results."

6 **Q.** And I assume that would relate to young children as well as adults?

7 **A.** Yes.

8 **Q.** Would you agree that where care is being provided by an organisation which has Christian  
9 values and beliefs, there is an added dimension of that spiritual harm which is spoken about  
10 in this particular passage?

11 **A.** Yes, I would agree with that.

12 **Q.** And when one looks at a redress process, how can an organisation such as The Salvation  
13 Army ensure that that spiritual harm, that murder of the soul which is talked about, is taken  
14 into account in individual cases?

15 **A.** Individual cases of redress?

16 **Q.** Of redress.

17 **A.** That is something that over the last 20 years we have learned more about. This particular  
18 document that I've just read from is around 2007/2008 and was the first of these minutes  
19 and reflects some of the learnings. We've since reviewed this minute a number of times,  
20 taking the learnings, particularly from allegations that we've investigated and taken the  
21 learnings and applied those into this minute.

22                   In terms of the redress process, as I shared earlier, we are aware that the effects of  
23 the trauma on survivors is immense, it's beyond words, and we appreciate that and we need  
24 to do better in terms of supporting survivors, both now and going forward. So that's  
25 certainly been a learning for me and for The Salvation Army.

26 **Q.** I take it, though, 2008 wouldn't have been the first time that that long-lasting spiritual,  
27 emotional, physical and other harm was recognised?

28 **A.** That would be correct, yes.

29 **Q.** Mr Houston, in his evidence at paragraph 3.5, sets out the range of matters that are  
30 available under redress. So he talks about apology, monetary payment, targeted financial  
31 payments, non-financial assistance. Before we talk about what directions The Salvation  
32 Army gave to Mr Houston in each of those regards, would you also agree that as an  
33 employee it is his obligation to comply with any direct or lawful directions of his employer,  
34 being The Salvation Army?

- 1 A. That would apply to any employee of the Salvation Army, yes.
- 2 Q. And so the direction and the values and the tone of what a redress process representing The  
3 Salvation Army must come from The Salvation Army leadership?
- 4 A. Yes, in saying that, I acknowledge that in the earlier days of the redress process there was  
5 the involvement of insurers, legal advice that we received, some legislation that we initially  
6 took into account. However, now we don't include our insurers, we divested ourselves of  
7 that because we could see that actually, in some instances in our dealings with survivors, it  
8 was very punitive and that was outside of our moral and ethical stance and how we do wish  
9 to engage with everyone, particularly with survivors of abuse within The Salvation Army.
- 10 Q. Just going back to the point about Mr Houston being the employee -- independence of a  
11 process is something that we will return to as a discrete topic, but just while we're there,  
12 would you accept that, certainly from a survivor perspective, that where there is an  
13 employee who has an obligation to implement and administer the directions of its  
14 organisation, very hard for them to accept that that person is able to be acting objectively or  
15 independently?
- 16 A. I can appreciate as I sat here and listened to survivors' accounts late last year, and I was  
17 here intentionally because I wanted to hear firsthand and I heard that message from some of  
18 the survivors. I also heard survivors reference the support that they did receive from  
19 Murray, and my experience has been over a number of years now that Murray is very  
20 mindful of the values and culture of the Salvation Army and applies that in his dealings  
21 with survivors through this redress journey.
- 22 Q. And in terms of the early days, you obviously got the 2001 complaint from Janet Lowe, and  
23 it sounds like there was a period of a couple of years until 2003 when the redress process  
24 really started to be formulated. In those early years, and we'll unpack it as we have our  
25 discussion over the rest of the day, but in the early phase, how did The Salvation Army  
26 leadership sit down and ascertain what the redress could or should look like, so that the  
27 directions given to Murray when he came on board were clear? So let's just take in terms  
28 of monetary compensation, what was The Salvation Army leadership view in those early  
29 2000s about what that should look like and how that should be formulated?
- 30 A. Firstly I was not -- I came into The Salvation Army in 2002 as an employee so I was not  
31 privy to any of those conversations. All I've got to go on is what I have read. And my take  
32 on it is that, certainly from 2003 under our then Territorial Commander, Commissioner  
33 Shaw Clifton, who made the public apology and said, as has already been quoted, that we  
34 will not duck and weave on this matter, I think, you know, Murray was given quite a lot of

1 autonomy in which to deal with the cases of abuse that were presented; obviously working  
2 with both legal and, at that time, our insurers. So there was a number of different angles to  
3 this.

4 But certainly I don't recall seeing anything that would indicate that we were  
5 putting in place any barriers to dealing with redress claims at that time. Certainly that is not  
6 the case now at all.

7 **Q.** I understand from Mr Houston's evidence that he provides an annual budget to Salvation  
8 Army leadership about what he thinks the claims process may cost. Are you aware, have  
9 there ever been any constraints or limits or caps put on the redress budget, if I can call it  
10 that?

11 **A.** I can speak firsthand from 2014 onwards, so there are six, seven years when I was both the  
12 Secretary for Personnel and, more latterly, as Chief Secretary. And as I recounted earlier,  
13 when Murray brings to me a case and I authorise it, he will walk through, he will explain  
14 his rationale. Never, in any instance, have I challenged that and I do not know of any  
15 instance of that.

16 Personally, up until very recently, I did not know how much had been paid out in  
17 redress payments, because to me the dollar value is not as important as what else, well, that  
18 plus wrapping around what else have we done to support survivors in the way of an  
19 apology and other supports that we put in place. So our leadership now, and certainly from  
20 2014 that I can speak firsthand, but I've seen nothing prior that would indicate that there is  
21 a set budget that can't be exceeded.

22 **Q.** And you've raised an important point, that the monetary acknowledgment of harm is one  
23 thing, but it is the non-monetary services or assistance that is critical for many survivors. In  
24 those early years, was there thought given to that non-financial assistance, particularly with  
25 the added dimension of the spiritual harm and often the disconnection from spiritual  
26 community that comes with this? What was considered to be imperative in terms of that  
27 non-financial redress assistance?

28 **A.** You're referring to the early days versus now?

29 **Q.** Early days and coming through to now.

30 **A.** That's probably more of a question to direct to Murray in terms of the early days. But in  
31 the situations that I've been involved in, either joining Murray at interviews or in terms of  
32 being part of the Working Group supporting the Royal Commission response, or more  
33 latterly as Chief Secretary where the authorisation sits with me, I have looked to Murray  
34 and he, in every instance, has explained what the survivor is looking for and that's a very

1 personal thing and that can vary. And every attempt is made to, as much as possible,  
2 accommodate that in the redress journey, and in the apology and in the financial  
3 compensation that The Salvation Army makes to the survivor.

4 **Q.** Just returning to a theme of your evidence where you talked about now understanding that  
5 there needs to be a trauma focus. In terms of an organisation that, for over a century, has  
6 been working with vulnerable people, can you describe to us why this is a new revelation, if  
7 I can put it that way, it wasn't a central tenet in the early days to be trauma-focused and  
8 survivor-focused?

9 **A.** If I can respond broader in the context of our social service provision, and that includes our  
10 community ministries, our addiction work, prisoner reintegration, social housing,  
11 transitional housing, certainly in the last 20 years -- and I think this would be reflective of a  
12 number of not for profit and Government agencies as well -- there has been a steep learning  
13 curve in terms of the effects of abuse on people, and we reviewed both how we engage with  
14 people and our programmes have been reviewed and how we do things today look very,  
15 very different to nearly 20 years ago when I started in 2002.

16 And so there's been a concerted effort to reflect some of those intangible  
17 imperatives in terms of, you know, the spiritual, physical, mental, emotional aspects that  
18 make up all of us that in years gone by was not as well understood. And I don't think that's  
19 just within The Salvation Army, I came from another organisation and, you know, similarly  
20 where they are at today versus 20, 25 years ago is very different. And that's a good thing.

21 **Q.** And you've heard the evidence of the survivors, and we don't have time to go through that,  
22 but there were two particular quotes that I just wanted to read out to you from two of our  
23 witnesses, because it talks about that sense of the redress process not meeting the needs of  
24 survivors and that is not just going back to the early 2000s, it is through to the present.

25 So Roy Takiaho, which is witness 71001 paragraph 116, I will just read it out. He  
26 says, "How can I respect an organisation that on the one hand are giving settlement and  
27 saying they acknowledge what happened but on the other hand are sweeping it under the  
28 rug and not acknowledging anything". And I recognise these are the individual  
29 perspectives of survivors, but it has been a common theme that the Inquiry has heard.

30 One of the witnesses who didn't give oral evidence but made a written statement is  
31 Mr N, that's witness 70001. At paragraph 98 he said, "Since I received payment the  
32 Salvation Army has not reached out to see how I'm doing or to offer any further support.  
33 The whole process has felt a bit clinical. Because the process felt so cold, I was reluctant to  
34 ask additional questions."

1 I accept and acknowledge that you have already said that things can be done better  
2 and that you will take on board what you're hearing. So we will talk with Mr Houston  
3 about what that may look like, but I think as a leader of the organisation, what would you  
4 say to the survivors who have not found it a responsive, caring, supportive process, they've  
5 been left feeling that The Salvation Army wanted it over and done with as quickly as  
6 possible?

7 A. I would say to survivors please engage with us, come and see us, talk to us. If there's  
8 anything else we can help you with, we want to sit down and explore that. I want to  
9 apologise that survivors felt that way around the process. Our intention has always been,  
10 certainly over the last nearly 20 years, is to work with survivors in a way that is supportive  
11 of them, do it in a timely manner, because we appreciate it's very traumatic. And so if, in  
12 our attempts to expedite this as quickly as practicably possible, that people feel it's all  
13 happened a bit too quickly or they haven't felt they've had an opportunity to ask about  
14 something else that would help them, I apologise for that. But that was certainly not our  
15 intent, back then or certainly not today either.

16 Q. And would you accept that a redress process actually does need to be individually  
17 survivor-focused and that often that may be as simple as an early question, "What do you  
18 need from us" and the timeframe, because some will want it quickly, others will want to  
19 take it more slowly?

20 A. Yes, and we have experiences of people who are wanting to deal with this quickly, for very  
21 valid reasons and others who are willing or want to take a bit longer. I would say that most  
22 definitely we -- our ongoing commitment as from the outset, still is today, acknowledging  
23 that we haven't got it right in every instance, is to be survivor-focused.

24 Q. And you agree that that will require flexibility in the process that's applied?

25 A. Yes.

26 Q. You've mentioned in your evidence that there are no -- at paragraph 3.9 -- that there are no  
27 orders or regulations or informal guidance about how you should approach redress. And  
28 just taking a step backwards, when we looked at the 2008 minute, which was specific to  
29 sexual abuse, can I just confirm that similar views and a similar abhorrence would attach to  
30 physical abuse?

31 A. Yes.

32 Q. And also neglect resulting in harm?

33 A. Yes.

34 Q. If we can go to SAL ending in 73, witness 249010, thank you. Just as it comes up, again

1 orientating, it's the 2018 Territorial Governance Charter. Can you just advise whether  
2 anything preceded this formal document, and was it similar if it did?

3 A. So The Salvation Army internationally from around 2015 onwards has been going on a  
4 journey around accountability which has included the development of a Governance  
5 Charter for every one of the territories across the world. So in the case of what was then  
6 New Zealand, Fiji and Tonga territory, this is the revised charter for 2018, I think that says,  
7 approved by International Headquarters. There was a charter document prior to that and  
8 actually we have just updated our charter and that has, just in the last three weeks, been  
9 approved by our International Headquarters. So it's a living document.

10 Q. And would the one, or several ones, that preceded the 2018 have been in relatively similar  
11 form?

12 A. Yes.

13 Q. If we can go to page 6 of this document under the heading "Accountability", it talks about,  
14 "The board ensures that actions and decisions taken are subject to oversight and  
15 justification. Accountability to the board includes the obligation to report, explain and be  
16 answerable for consequences." And I assume that would equally apply to the redress  
17 processes run by The Salvation Army?

18 A. Yes, it would.

19 Q. And if we go to page 8, which is the mission, includes the mission of the Salvation Army.  
20 And without reading it in full it talks about caring for people, transforming lives, reforming  
21 society, and through God in Christ by the Holy Spirit's power. How would you describe  
22 that mission as an overarching principle for the redress process and what you are trying to  
23 achieve as an organisation?

24 A. I would include our values, we have seven values which underpin our mission and support  
25 and enable the mission. So I would expect that in our engagement with survivors and/or  
26 survivor groups that we would reflect our values and also our mission.

27 Q. And I don't know if you're aware, Sir Mason Durie has Te Whare Tapa Wha.

28 A. Yes.

29 Q. Which is four dimensions, it is about mental well-being, but it encompasses physical,  
30 spiritual mental and family. Would you agree that those four pillars should also be  
31 underlying the well-being that you're trying to achieve through a redress process?

32 A. What you've outlined, which I touched on earlier when I spoke about we're all spiritual,  
33 physical, we have all have those components, in terms of our social work practice, both in  
34 our community ministries and in our addiction service, what you've outlined is part of the



1 foundation upon which we operate, and we endeavour to apply that right across the  
2 organisation. So in the case of what we're talking around here in terms of the redress  
3 process and journey, yes, I would expect that it would be encompassed, because that is part  
4 of who we are in the wider Salvation Army.

5 **Q.** That comes into the transforming lives, so the wholeness?

6 **A.** Well, it comes under initially caring for the person, but also, yes, as you say, transforming  
7 lives and through that also the ability to reform society generally.

8 **Q.** And moving way back in time to 1937, I don't know that we necessarily need to go to this  
9 document unless you would like to see it, but we are looking at SAL ending in 190 and it's  
10 1937 Orders and Regulations relating to the investigation procedures for improper conduct.  
11 You're nodding you're aware of the document?

12 **A.** I'm aware of that, yes.

13 **Q.** Thank you. It talks about where a soldier is accused of improper conduct which, again, has  
14 an emphasis on sexual misconduct, but I assume that any misconduct resulting in harm  
15 would fall within the same abhorrence?

16 **A.** Yes.

17 **Q.** And it sets out what the organisation will do not to be reinstated until at least six months  
18 have elapsed. What would be the situation in more recent times where allegations have  
19 been made, investigated -- you've talked about the particular case where the person was  
20 stood down; could you just briefly outline where an allegation, particularly in those early  
21 years pre-2000, what would the process have been to communicate the allegation,  
22 investigate and then what action could or should have been taken, because you've said  
23 certain movement between residences or annual change should never have been the  
24 answer?

25 **A.** So if I go back from 1937 when that order and regulation was written, the expectation is  
26 that any allegations would be investigated by the next line manager, if I can use that term.  
27 So if it involved, say, a corps officer or a soldier in the corps, it would be investigated by  
28 the next person up and then through to the Divisional Commander of the day, depending on  
29 the severity, go through to Territorial Headquarters to be noted as well and possibly for  
30 them to be involved in whatever action was taken.

31 But that, what you've outlined, is the only reference that we could find going back  
32 that far. Subsequent to that, as I've outlined, there are more policies and procedures which  
33 dictate very precisely what action has to occur in those situations.

34 **Q.** And given the dispersed nature of the organisation and going back to possibly those early

1 years where maybe pastoral care may have taken precedence because there was not that  
2 understanding of the impact of abuse, what processes were in place that could ensure that it  
3 wasn't dealt with at a local level, that there was a central repository of allegations so that  
4 appropriate steps could be taken at an annual change consultation?

5 A. Unlike today, there were not the robust processes in place. I mean I wasn't around back  
6 then obviously, but to my knowledge there weren't. And but certainly in more recent years  
7 there is the rigour around ensuring that all that information is captured in the right place,  
8 investigations are dealt with appropriately, in many instances independently of the  
9 Salvation Army, and the appropriate action is taken as per Orders and Regulations, which  
10 stipulate very clearly what action needs to happen to either an officer or a soldier who is  
11 found guilty of particularly crimes of a sexual nature.

12 Q. Some of the documents disclose disquiet even within The Salvation Army about a  
13 prevailing pastoral preference over reporting, and we've certainly heard that is a perception,  
14 talking about the 1950s, 1960s, 1970s period particularly. Are you able to say anything on  
15 behalf of the Salvation Army's leadership about whether there was -- how that balance  
16 between pastoral care of officers and soldiers versus survivor focus was managed and when  
17 that changed, if it changed?

18 A. I acknowledge that there is a potential tension when a corps officer is wearing both the  
19 pastoral hat, if I can use that term, and also one of our, you know, as heard in an allegation.  
20 What we do now is we ensure that we separate that out, that the officer will continue to  
21 provide pastoral support, but the investigation of any complaints are done independently of  
22 that person, so there is no longer an expectation, and that tension of one person trying to  
23 provide support on one hand and at the same time investigate allegations, we have  
24 separated those out and that's now been in place for a number of years.

25 Q. Are you able to say when that likely --

26 A. I think it started probably in -- I talked about the sexual misconduct policies and procedures  
27 of 1999, I also -- Officer Review Board -- now this is in respect of officers -- was initiated  
28 internationally in 1989, and Orders and Regulations for Officer Review Board stipulate  
29 very clearly the process that has to be followed in the investigation of complaints against  
30 officers. So those are some examples.

31 Q. And what is a sanction, because we are going to quickly look at the Officer Review Board,  
32 what would be the sanction of somebody saying "I would prefer to deal with this outside of  
33 those formal processes"?

34 A. Who would be saying that? Can I just clarify?

1 **Q.** If there's an allegation against an officer and it should go through the Officer Review Board  
2 in terms of both the disciplinary processes, what would stop a Salvation Army person not  
3 complying with that direction? Is there any sanction for not reporting through the Officer  
4 Review Board?

5 **A.** I'm still trying to understand your question actually.

6 **Q.** Let's look at the Officer Review Board.

7 **A.** Certainly.

8 **Q.** And that is SAL 191. So you've talked about that coming into force in 1989 and this is the  
9 Orders and Regulations for the Officer Review Board in 1999. And if we go to page 4  
10 paragraphs 14 and 16, if you can call those out so Colonel Walker can look at those.

11 So this talks about where an officer is convicted in a court of law of a criminal  
12 sexual offence, then it goes to the Officer Review Board. But if there is no conviction and  
13 allegations are made at a local level, what is a mandatory requirement, if any, for that to be  
14 escalated to leadership?

15 **A.** It's a mandatory requirement in every single instance.

16 **Q.** And how is that made clear to officers, soldiers, adherents, employees, volunteers?

17 **A.** Since we're talking about the Officer Review Board, in our training college and officers,  
18 cadets will spend two years generally in our training college, we touch on the Officer  
19 Review Board process. Also the divisional leaders are very familiar with the Orders and  
20 Regulations around Officer Review Board and know when they must immediately report  
21 any allegation of a complaint of any nature, let alone of a sexual nature.

22 And so similarly, if a soldier or a member of the Salvation Army has a complaint  
23 and they bring that to the attention of, whether it's their corps officer or someone in The  
24 Salvation Army, that will then quickly and immediately go to the Secretary for Personnel.  
25 I held that position for four years. It's made very clear in our documentation that the  
26 Secretary for Personnel is charged, as it says in the Orders and Regulations, is charged with  
27 the responsibility of investigating or initiating an investigation and sometimes that is  
28 independent of the Salvation Army, and bringing that information before the Officer  
29 Review Board that I, as the Chief Secretary, chair. The Territorial Commander is the final  
30 decision-maker, they do not sit on the Officer Review Board and the Officer Review Board  
31 only ever makes recommendations to the Territorial Commander.

32 **Q.** And I'm conscious we're right on lunch. May I ask one quick question and hopefully it's  
33 got a short answer?

34 **CHAIR:** Of course.

1 **QUESTIONING BY MS JANES CONTINUED:** Just for clarity, if you were to put in one or  
2 two sentences what the understanding that somebody comes out of the two year training,  
3 what would you summarise as expectation and knowledge about what should be  
4 communicated and when and to whom?

5 A. So in the training, there are sessions around the management of sexual offenders minute.  
6 There is training that they receive around the Keeping Children Safe, there is reference to  
7 Sexual Misconduct Policies and Procedures manual. They would touch on the Officer  
8 Review Board so that they're aware that that exists.

9 The Officer Review Board is there for two primary functions; the welfare of and  
10 also the discipline of officers. And so that would be what we would expect cadets to be  
11 aware of in their initial two years. They would undertake the same training as an officer,  
12 they would have the one day training of the Keeping Children Safe, they would have the  
13 follow-up, they would have already had a rigorous Police check and prior to them being  
14 accepted as cadets themselves, reference checks and so forth.

15 **Q.** And regular refreshers?

16 A. Yes, there are regular refreshers.

17 **MS JANES:** I know I slipped that in, but thank you.

18 **CHAIR:** Yes, you did. I think it's time that we took a break. Just before we do, Colonel, it's  
19 important now that you're being questioned by Ms Janes that you don't talk about your  
20 evidence to anybody over the break, do you understand that?

21 A. Yes.

22 **Q.** If something arises and you feel you do need to get some direction, if you could just make  
23 sure you speak to counsel first and they'll sort it out.

24 A. Thank you.

25 **MS JANES:** And Madam Chair if I may be the first transgressor of that particular direction, there  
26 is a document that I have just given to counsel for The Salvation Army earlier, it would be  
27 helpful for this witness to read the page and there will be questions about it, so if they're  
28 entitled to that dispensation.

29 **CHAIR:** Of course, that gives you a chance to have a look at the document and prepare, I'm  
30 perfectly happy with that.

31 **MS JANES:** Thank you.

32 **CHAIR:** Thank you, we'll take the lunch adjournment.

33 **Luncheon adjournment from 1.04 pm to 2.16 pm**

34 **CHAIR:** Just before we commence, can I just do a general reminder to everybody about the pace

1 of their speaking and their answering and their questioning for our signers in particular who  
2 have communicated that they can sign at any speed that you speak but the quality of what  
3 they're communicating does tend to go down a little bit if they have to go too fast, so if you  
4 just bear that in mind, thank you.

5 **QUESTIONING BY MS JANES CONTINUED:** Colonel Walker, just before the lunch  
6 adjournment we had gone through the orders and regulations and established that there  
7 were documents in place from 1937 requiring communication of allegations of abuse and  
8 that they were well-known to all within The Salvation Army who were dealing, so  
9 escalating them through to --

10 A. My reference to "well-known" was in more recent days than perhaps in 1937, in that era.

11 Q. And so in the 1950s and 1960s, or 1970s, are you able to say how well-known it was  
12 understood in that period?

13 A. No, I'm not.

14 Q. And then we come to New Zealand has its own documents relating to these processes and  
15 in your evidence at paragraph 5.2 to 5.4 -- you don't need to go to -- you talk about the  
16 sexual misconduct policies and complaints procedures manual. That's been in place since  
17 1999?

18 A. Correct.

19 Q. And the latest version is 2016?

20 A. I believe that to be correct, yes.

21 Q. And just for the record, that is SAL ending in 80. If you need to see the document by all  
22 means tell me and we can pull it up, but a couple of points just to address on that, at clauses  
23 10.2 and 10.3, it talks about complaints alleging child abuse, firstly where the child is still a  
24 child, so current abuse, and the need for that to be notified to the Secretary for Personnel;  
25 correct?

26 A. Correct.

27 Q. And then in the next clause it talks about child abuse which is historical in that the person is  
28 now an adult and that also must be notified to the Secretary for Personnel; correct?

29 A. Yes.

30 Q. Then at clause 11.1 it talks about The Salvation Army policy which is to support and  
31 encourage a person to complain to the Police and the cooperation by The Salvation Army in  
32 any Police investigation. You recall?

33 A. Yes.

34 Q. So again, given this is quite a pivotal document in terms of management of abuse claims,

- 1           how is this ensured that it's promulgated in the right quarters for people to act on it, or  
2           where they hear about abuse?
- 3   **A.**    Our policies and procedures are captured on our intranet and as they're updated the intranet  
4           is updated. So they're accessible certainly to all officers and we make minutes and policies  
5           available to all staff who need to have access to them. There's also reference made to these  
6           documents in our training programmes that we have, as I've alluded to previously.
- 7   **Q.**    And at clause 11.4 of the same document, it says that you can't investigate anonymous  
8           allegations or complaints. Can you acknowledge that for many people they would want to  
9           make an anonymous allegation so that action is taken but they don't necessarily want to be  
10          caught up in the process?
- 11   **A.**    I can certainly appreciate it from the perspective of the person making the complaint, and  
12          that's one of the reasons why we initiated the whistleblower policy in 2016 to allow people  
13          to make complaints of that nature. But conversely, it can make it very challenging to  
14          investigate such complaints when you go to the alleged perpetrator and you can't disclose  
15          who, and there are varying degrees of detail has been my personal experience from dealing  
16          with some of those cases over the years.
- 17   **Q.**    And at clause 13.1 of the same document, it says the complainant must meet with the  
18          Secretary of Personnel or a delegated representative. Can there be a delegated  
19          representative who is a non-Salvation Army officer or soldier?
- 20   **A.**    Yes.
- 21   **Q.**    And how often does that happen in practice?
- 22   **A.**    Not very often, I'm thinking back to my days as Secretary for Personnel. If it was involving  
23          one of our nationally-managed programmes, at that time two out of the three  
24          nationally-managed programmes were led by lay people. But I cannot recall an instance  
25          where there was an allegation in those particular spaces. But if there had been, I would  
26          have engaged with the National Director who, in these cases, was a lay person, and  
27          discussed with them the way forward. And I may well have delegated the responsibility for  
28          the investigation to them.
- 29   **Q.**    Would there be the opportunity for a complainant to express a preference for a  
30          non-Salvation Army delegate, particularly where there may have been abuse and a  
31          disconnection with trust?
- 32   **A.**    Yes.
- 33   **Q.**    Then clause 20.1 it talks about the Secretary for Personnel must ensure all material on the  
34          complaint, the investigation, and the decision are retained on a confidential file, kept

- 1 securely can only be destroyed with approval of the Territorial Commander. Does that  
2 happen in practice and where is that file held?
- 3 A. Yes, it does happen, and the files are held at Territorial Headquarters under lock and key in  
4 the Secretary for Personnel's office.
- 5 Q. And would that be available on the annual General Change consultation process to be able  
6 to check allegations against potential movements?
- 7 A. The Secretary for Personnel would be aware of every allegation and investigation and  
8 outcome, and the Secretary for Personnel is part of the Territorial Appointments Board and  
9 is also involved in the annual consultation period that occurs in July of each year. So they  
10 would be very familiar with any issues of that nature, yes.
- 11 Q. And so the expectation is that that information would be fed into that annual change  
12 process?
- 13 A. Correct.
- 14 Q. At appendix 6 clause 1.2 it talks about investigators and mediators being either internal or  
15 external. Again, how are those decisions made about which is used and is there flexibility?
- 16 A. The Secretary for Personnel, sometimes in consultation with the Chief Secretary, would  
17 make that decision and yes, there is flexibility. In my time as Secretary for Personnel the  
18 majority of cases were dealt with externally by an independent investigator qualified to  
19 undertake such investigations and there are a change of people that we have used.
- 20 Q. And finally on this particular document, clause 18.2, after considering the investigation  
21 report and giving an opportunity to respond, the Secretary for Personnel must decide  
22 whether the complaint is upheld or not. Does The Salvation Army have objective criteria  
23 that is applied to that decision, or is it a subjective threshold by the person investigating?
- 24 A. It's two-fold, in that if there has been -- well, whoever conducted the investigation often  
25 will make recommendations, so they're taken into consideration. And the Secretary for  
26 Personnel has to ensure that we have followed due process, it has been fair to all parties, it  
27 has captured all the relevant information and is in line with, for instance, Orders and  
28 Regulations if it's applying to an officer, because if it's applying to an officer that would  
29 then go to the Officer Review Board, but if we're talking outside of the officer force they  
30 would weigh all of those things up in terms of determining the outcome.
- 31 Q. In terms of consistency of approach, would it be helpful to have guidelines or criteria?
- 32 A. As I said, if it's in terms of the Officer Review Board, if it pertains to an officer, there are  
33 guidelines in that Orders and Regulations which sit outside of the document you're referring  
34 to currently.

- 1 **Q.** Just quickly, we won't go back to the document, but we did see the 2008 Official Minute on  
2 Management of Sex Offenders earlier today, it talks about the need for the names of known  
3 and/or alleged sex offenders to be retained permanently on a register held by the Secretary  
4 for Personnel or Personnel section. Can you confirm that in practice that does occur for  
5 every name of known or alleged offenders?
- 6 **A.** Yes.
- 7 **Q.** And is there a process by which they can be removed from that register at any stage?
- 8 **A.** I know of no process, and in my time both as Secretary for Personnel and Chief Secretary  
9 that that question has never been raised while the person is still associated with The  
10 Salvation Army, they would remain on that register.
- 11 **Q.** There is a document which seems to suggest the possibility that a name could be removed  
12 and they shouldn't be reinstated even if that occurs. Just we wanted to check what  
13 circumstances a name could be removed and had that ever happened?
- 14 **A.** As I said, it hasn't happened in my time, which spans six, seven years in total.
- 15 **Q.** And you spoke earlier about the Keeping Children Safe document and one of the aspects in  
16 that document is that it highly recommends regular audits about adequate training and  
17 appropriate knowledge for respective roles. Have audits been undertaken in respect to  
18 training?
- 19 **A.** We have a dedicated qualified person at our Territorial Headquarters who's tasked with  
20 updating the Keeping Children Safe policy and also responsible for monitoring the, you  
21 know, that the policies and procedures are being followed. They're also involved in  
22 updating our training, looking externally at best practice and applying that to our policy and  
23 procedures.
- 24 **Q.** Just that issue of best practice, we talked earlier about evolving state of knowledge about  
25 the effects of abuse. At what stage did The Salvation Army start looking at best practice  
26 and implementing it obviously in terms of the redress processes?
- 27 **A.** If I can talk in terms of precursor to the Keeping Children Safe policy was Safe to Serve,  
28 which, if I recollect correctly, came in in about 2010, and that captured the training that was  
29 required, it captured the signs to look for, the training needed, who needed training, the  
30 monitoring of that, the auditing of that. Prior to 2010 I do not recall that there was anything  
31 as clearly documented as that. There may well have been in some of our community  
32 ministries space and our addictions area, but I can't confirm that.
- 33 **Q.** And this is a document we will put up on the screen, so it's SAL ending in 198. My  
34 recollection is it's a relatively short document. It's dated 21 January 2016 and it's Orders



1 and Regulations. Perhaps if you can call out the highlighted part to make it easier to read?

2 A. "5. Claimant. Where a person is known to have suffered from an officer's abusive  
3 behaviour, appropriate counselling may be provided by The Salvation Army as deemed  
4 necessary. This person or his/her representatives may be notified by The Salvation Army  
5 of the disciplinary steps taken. The Salvation Army will cooperate with the relevant  
6 authorities in any matter requiring financial redress or compensation with appropriate  
7 apologies."

8 Q. Just three quick points arising out of that. In terms of appropriate counselling, how has that  
9 worked in practice and are referrals to internal Salvation Army counsellors or can  
10 somebody choose an external counsellor?

11 A. If I can use an example of a situation I was involved in that did not -- one did involve an  
12 officer. We talked with the survivor and we were very supportive of them identifying the  
13 appropriate service, the counselling service, whatever it was that they required, and we  
14 committed to cover the costs of that and review that periodically. So in answer to your  
15 question, yes, if a person says "Look, I'd like to go and see this particular counsellor or  
16 psychologist", whatever it is, professional, then we have no issue with agreeing to that and  
17 covering the costs of that.

18 Q. You may recall the evidence of Darren Timpson in that there was a lack of trust, just a  
19 perception of lack of trust with a Salvation Army counsellor and the need to go external.  
20 On the issue of a representative or a person maybe notified of disciplinary steps taken, one  
21 of the written statements from Mr N, which is witness 7001, at paragraphs 92 and 100 he  
22 talks about the lack of information about The Salvation Army investigation into the  
23 perpetrator and, in his view, because there was no information he felt it had not been  
24 properly investigated.

25 So in terms of this policy direction, does a complainant have to specifically ask to  
26 be notified of disciplinary steps taken, or is Salvation Army proactive?

27 A. In this context because this is referring to officers, but specifically, the cases that I have  
28 been involved in, we have remained engaged with the survivor right through the process  
29 and indeed post the process, depending on the level of support and engagement that the  
30 survivor wishes to have with us and we are conscious that there are privacy issues, there's a  
31 legislation covering that so we don't want to inadvertently breach privacy. However, we, in  
32 the cases that I recall, we gave the survivor as much information as we were legally  
33 allowed to do.

34 Q. So I hear you acknowledging that it is important for many survivors as part of the healing

- 1 to know as far as they're able what happened in the investigation into the complaint?
- 2 A. I acknowledge that and I acknowledge that over the years as we've refined our processes  
3 that we've got better at that.
- 4 Q. Just a final paragraph there it talks about The Salvation Army will cooperate with relevant  
5 authorities in any matter requiring financial redress or compensation with appropriate  
6 apologies. I take it that's the approach that's been taken to the Royal Commission, but also  
7 any recommendations that Government may adopt Salvation Army would comply?
- 8 A. If the Government, through legislation or regulation, say that this is how it needs to be, then  
9 yes, The Salvation Army would comply with that. And as I've already stated, we are very  
10 open and responsive to the findings of the Royal Commission, the recommendations of the  
11 Commission.
- 12 Q. So it's not a matter of having to be compelled to make change, you will be considering that  
13 from now right through to the end of the Commission process?
- 14 A. Yes.
- 15 Q. You've talked -- changing topics just to highlight -- you talked earlier about the 2003 events  
16 of the broadcast and how at that stage Salvation Army leadership took charge including  
17 Clifton Shaw. And they set up the foundation for what has become the cornerstones of the  
18 redress process. Is that a fair summary?
- 19 A. That's correct.
- 20 Q. Did that formulation of the redress process take into account the Treaty of Waitangi and its  
21 principles and how they should be used to inform and develop a redress process?
- 22 A. I wasn't involved back in 2003, I'd only just joined full-time The Salvation Army the year  
23 before, so I can't precisely answer your question. What I can say is that in more recent  
24 years we are very conscious of our responsibilities and obligations under the Treaty of  
25 Waitangi and we continue to focus on how we can best serve and meet the needs of Māori  
26 and, broader than that, other cultures as well, but of course predominantly in the first  
27 instance our bicultural responsibilities that we take very seriously.
- 28 Q. And if we can have a look at SAL ending in 123, as early as 1997 The Salvation Army had  
29 a Treaty of Waitangi policy -- if we can call out the highlighted parts -- and it talks about  
30 that bicultural partnership, the importance of the bicultural partnership, a forum through  
31 which Māori voices and concerns can be expressed, and including worship, building and  
32 signage, unique bicultural nature of our nation, working towards ensuring Māori feel  
33 acceptance and safety within The Salvation Army.
- 34 So this is a policy in 1997 shortly before the claims started coming to The

1 Salvation Army. And already there was this commitment to working in partnership,  
2 hearing the voices and making sure that there was acceptance and safety. Can you confirm,  
3 though, whether this policy was ever considered to be relevant to the redress processes, or  
4 was it really formulated more towards the other work being done by The Salvation Army?

5 A. I wasn't privy to conversations back in those early days of 03 and so forth, so I can't really  
6 answer your question.

7 **Q.** So given that this was a policy that was put in writing, what could survivors, particularly  
8 Māori survivors, have expected to see as a result of this commitment?

9 A. Based on this commitment and our journey, they could expect to see that we would be  
10 conscious of their cultural values, what was important to them and that would be reflected  
11 in both the process and also the outcome in terms of redress. And there have been  
12 examples of that and Mr Houston can speak to those over the last 18 or so years.

13 **Q.** And I don't know if you're aware, but this policy was updated in 2005. Do you know if at  
14 that stage in the intervening eight years there was a recognition that this should be applied  
15 to the redress processes?

16 A. I'm not. Again, in 2005 I wasn't involved in this area. What I can say is that, you know,  
17 we've been on this journey and in 2015 we developed in consultation with Māori within  
18 The Salvation Army a document called Te Ōhākī. It's a 10-year strategy, we're now about  
19 halfway through that and that identified a number of goals that we were aiming to achieve.  
20 That I was personally involved in; back in 2005 I can't comment.

21 **Q.** You may not be able to comment on this, but in terms of the understanding within The  
22 Salvation Army leadership, what would you say their understanding of tikanga Māori is and  
23 how that could or should be applied to redress processes?

24 A. Can you define "leadership" a bit more specifically?

25 **Q.** Those who are providing the direction to Murray Houston in terms of what happens with  
26 redress processes?

27 A. That would include myself as part of the working group, and so I would be able to speak  
28 into that with some clarity and knowledge that I have my own -- myself over many years  
29 developed and my commitment to our -- my cultural journey, which is at the forefront of  
30 my role at the moment and something I commit quite a lot of my energy and time to.

31 **Q.** And so if we're looking at the actual redress processes, both early on, because it stands 20  
32 years now, so one assumes it evolves, what would tikanga Māori principles and treaty  
33 principles in your knowledge and expertise, what should that have looked like in the early  
34 2000s?

1 A. In an ideal situation it would have included, amongst some other things, the involvement of  
2 whanau, or at least the opportunity for that, and the survivor could obviously decide  
3 whether they wanted whanau to even know or be involved, I respect that. In terms of  
4 potentially where some of our interviews may well have taken place, I know that Murray is  
5 very conscious of where interviews take place with survivors, so that it's respectful of the  
6 needs of the survivor. There could be the potential for that to occur on a marae or  
7 somewhere similar, those are a couple of examples.

8 Certainly what I'm picking up, and this was prior to today, is that as part of our  
9 responding to the needs of Māori, both within The Salvation Army and those we serve, the  
10 redress process cannot be immune from that or separate to that, and so that is an area I will  
11 go back and review in light of this.

12 Q. And it is, as your counsel said, the recognition that one size does not fit all, so a Māori  
13 claimant may not want exactly the same as another Māori claimant or any other ethnicity?

14 A. Correct.

15 Q. And then in 2018 there was a bicultural statement and commitment to honouring the Treaty  
16 of Waitangi which was re-affirmed. That's SAL 73. We probably don't need to go to it, but  
17 we can do if that would be helpful. So it was really that fact that in 2018 there was this  
18 deliberate conscious re-affirmation of the importance of the Treaty and the bicultural  
19 relationship. At that stage did anyone take a step back and say this is not just for the  
20 organisation as a whole, but we need to re-look at our redress processes and whether we are  
21 honouring it in spirit and practice?

22 A. I don't recall that specifically in respect of this redress process that we had that conversation  
23 in 2018.

24 Q. So what would have been communicated to Murray about expectations from the  
25 organisation about meeting those commitments?

26 A. I know of cases where Murray was very conscious of our bicultural commitment, and one  
27 example is when he travelled to Australia to meet a Māori gentleman, a survivor, and he  
28 took with him one of our Māori cadets at the time with him to Australia for the interview,  
29 that's one example that I am familiar with.

30 Q. And so would it be up to the claimant to request that, or is that made as an offer or a routine  
31 occurrence that an appropriately culturally --

32 A. I don't know in this particular instance that I've just cited how it came about; whether it was  
33 instigated, initiated by Murray or the gentleman concerned, I don't know.

34 Q. Would you accept that often survivors and claimants don't know what is available, so there

- 1 would be a number that would miss that opportunity unless they knew to request it?
- 2 A. I accept that, yes.
- 3 Q. So is that something that the process could be re-designed to be more inquisitive about  
4 what an individual claimant needs for their particular journey to healing?
- 5 A. Yes.
- 6 Q. Not quite sure of the date of a particular document, it's SAL119, but there was a proposal  
7 for appointment of a bicultural policy development consultant. I've made the assumption,  
8 but you can correct me if I'm wrong, that it's probably around that 2018 period, because it  
9 talks about a 15-year, are you --
- 10 A. It would be earlier than that because it references in the second paragraph Joe and Nan  
11 Patea. Joe unfortunately passed away in 2011.
- 12 Q. Thank you, that is helpful. The question was at around the time that this proposal was  
13 made, do you recall if a bicultural development consultant preceded?
- 14 A. I was involved in the community ministries area at the time, which is referenced as social  
15 services, it captures community ministries, and we had, as is stipulated there, Joe and Nan  
16 Patea, we had other people that were involved from within The Salvation Army. I can't  
17 really elaborate anymore, I don't recollect anyone specifically being approached at that time  
18 and, as I say, this would be prior to 2011 when Joe passed away.
- 19 Q. Because at the end, the last paragraph it talks about someone being appointed within the  
20 financial year but it sounds that didn't happen?
- 21 A. I really don't know whether it did or didn't happen. I don't recall.
- 22 Q. And there's a document which talks about 37% of Māori accessing Salvation Army  
23 services, but I thought I understood you to say 50% this morning. Can you clarify what the  
24 proportion is and the basis that you're able to give that figure?
- 25 A. We have a data system that captures those that access our services, it's a management  
26 information system, and in more recent years we have asked people if they're willing to  
27 state their ethnicity, and if they are Māori we've actually asked could they also give us  
28 their, if they know, their iwi affiliation so that we can use that as well in terms of how we  
29 better support Māori.
- 30 So in terms of our social services provision, the latest information that I've seen is  
31 that we are looking at around 50% of our client group being Māori. Now that varies, that's  
32 nationally and it varies from place to place.
- 33 Q. And do you keep the same statistics on Māori who access or come through the redress  
34 claim process?

- 1 A. I don't know the answer to that.
- 2 Q. And I assume Murray would know the Pacific, whether statistics on Pacific and people with  
3 disabilities are captured in the redress?
- 4 A. That would be a question for Murray.
- 5 Q. And then just very briefly touching on, and you may not know the answer to this, but in  
6 SAL ending in 28, we don't need to go to it, but it's a 2003 document, it talks about setting  
7 up Māori ministries. Just trying to check whether they were set up, and whether they had  
8 any relevance or involvement in the redress process?
- 9 A. Māori ministries as part of the Salvation Army was very much in its early stages in 2003.  
10 We had had, prior to that, dedicated officers who were involved in our Ministry to Māori,  
11 but definitely certainly in the last 10 years that has increased considerably in terms of both  
12 resource. We're not there yet, we acknowledge that, and right now we're preparing a paper  
13 that will include a proposal to increase the resource that we apply in this area going forward  
14 as part of our commitment.
- 15 Q. And would there be a commitment by The Salvation Army, having now the survivor  
16 evidence and knowing the high proportion, disproportionate amount of Māori who do go  
17 through the redress claims process, to re-look at how the redress processes can be more  
18 compliant and remove barriers for access?
- 19 A. Yes, and not just for Māori, but for others as well.
- 20 Q. And has The Salvation Army considered the importance, or they may well have done it, of  
21 Murray in his position receiving appropriate training?
- 22 A. In what area?
- 23 Q. Both in terms of cultural knowledge and how best to apply that to the redress process?
- 24 A. That is certainly something we will be taking away from this hearing as we picked up in the  
25 last hearing, and looking into going forward, most definitely. Yes.
- 26 Q. And again, not confined just to Māori, but also Pacific people and those --
- 27 A. Correct.
- 28 Q. We've talked about the very specific obligations that there are under Te Tiriti. Does  
29 Salvation Army recognise that there are also other international human rights to which they  
30 need to take account of such as the Convention of Disabilities, persons with disabilities,  
31 declaration of indigenous rights?
- 32 A. Yes.
- 33 Q. And the Convention on the Rights of the Child?
- 34 A. [Nods].

1 **Q.** So how and when, but they were all ratified at different times from 1993, the rights of the  
2 child, 2008 persons with disabilities, 2010 rights of indigenous people. At each time that  
3 New Zealand enters into such commitments, what steps does The Salvation Army take to  
4 ensure that its translated into its redress processes?

5 **A.** It happens in a number of ways. If I take the example of when we were involved in running  
6 rest homes or more latterly our home care service, which was a home care service  
7 predominantly for elderly, in our policy and procedures we would have been very  
8 conscious of the relevant, either pieces of legislation or, as you've just outlined, guidelines,  
9 policies from a United Nations perspective, so that's one avenue. And in our contracting,  
10 because many of our services we are contracted to Government agencies, they all ensure  
11 that we are complying with all the relevant policies and legislation, and they audit us  
12 regularly against each of those.

13 **Q.** And you'll be aware of the principle of rangatiratanga for Māori to be able to make -- be  
14 involved in decision-making and the rights of people with disabilities, there's a similar --

15 **A.** Yes.

16 **Q.** -- supported decision-making. So given that there are particular barriers, whether it be  
17 inability to write, to speak, to hear, physical, mental, emotional, neuropsychological, how  
18 could or should your redress processes be amended or tailored to be able to allow that  
19 informed decision-making from whatever particular part of the spectrum, both culture,  
20 ethnicity or disability?

21 **A.** Our focus from the outset in the early 2000s was to ensure that we focused on the needs of  
22 the survivor first and foremost. And so there have been learnings over the years and  
23 certainly going forward I would expect that what you've just shared would be taken into  
24 consideration, as they are in other areas of our Salvation Army activity presently.

25 **Q.** So has Salvation Army considered undertaking an audit to check compliance against both  
26 Treaty of Waitangi and international United Nations obligations?

27 **A.** In the context of?

28 **Q.** Its redress processes.

29 **A.** No, we have not.

30 **Q.** Is that something you could consider?

31 **A.** Yes, definitely.

32 **Q.** And the New Zealand Salvation Army lies within the South Pacific region, so has  
33 responsibility for Fiji, Samoa and Tonga as well. Would it be reasonable to say that there  
34 is, as a result of that, familiarity with Pacific peoples and their particular cultural approach

1 and needs?

2 A. Your question?

3 **Q.** Has it been an advantage being in the South Pacific region so that you have a greater  
4 awareness of Pacific cultures?

5 A. We're very conscious that our territory encompasses our four nations, and also within  
6 New Zealand those other three nations of Tonga, Fiji and Samoa are represented, in the  
7 case of Tonga and Samoa high proportions of Samoans living in New Zealand or Samoan  
8 descent, similarly Tongan, less so Fijian. So yes, we would be taking that into account in  
9 terms of how we best engage and support and care for people from those cultural groups.

10 **Q.** Given the high proportion, not generalising, but Pacific cultures have an affinity for  
11 Christian faith and religious worship. I was surprised by Murray's evidence that very few  
12 Pacific claimants had come forward, if any, that he could recall. Would Salvation Army  
13 consider proactively going out to advise and inform that there is a process, because that  
14 may be a barrier, lack of information, lack of knowledge of availability?

15 A. We are very conscious, not just in the area of redress, that we engage and communicate in  
16 an appropriate way with people of any different cultures, where English is often a third or  
17 fourth language. And so we do exercise a lot of thought in terms of how we appropriately  
18 engage, and we would certainly take on board any suggestions. We translate a considerable  
19 amount of our information in different languages, Te Reo, Samoan, Tongan being the  
20 primary examples.

21 So those are examples of us being conscious of engaging appropriately and clearly  
22 with people for whom English is a second language, and also reflecting the cultural norms  
23 of a particular culture. That's a journey, I think it's a journey for everybody, but we are on  
24 it and we see that as a focus area.

25 **Q.** You may be able to help me, because it's perplexing in that it's document SAL516, which is  
26 an e-mail from August 2003 and at paragraph 3.2 if you were able to move that up it talks  
27 then about the need for a complete written protocol to be held -- perhaps if you could call it  
28 out it will be easier to see -- so we need a complaint written protocol on file for handling  
29 these complaints, all parties to be fully trained and briefed all over again in light of recent  
30 events and media.

31 So in 2003 it was recognised that there needed to be a written protocol. Are you  
32 able to comment about why that has never in those 17, 18 years, been reduced to a written  
33 protocol?

34 A. No, I can't comment on that, I don't have an understanding of that. I wasn't involved back



1 in 2003. What has happened is that the protocols and the process has evolved over time  
2 and been refined, taking into account feedback from survivors, taken the learnings and  
3 applied to that, and so it is an ongoing process.

4 **Q.** Does it surprise you that in 2021 there is still no written protocol?

5 **A.** I guess it depends on how you interpret a written protocol, because reading this I could see  
6 that it would apply to how if a person was, say, a survivor approached one of our facilities,  
7 a corps or one of our social services, who they would report the complaint to. I suspect that  
8 was part of what was involved in this written protocol. So where it says "all parties to be  
9 fully trained and briefed all over again in light of the recent event and media interest", but  
10 other than that I can't comment, I wasn't involved.

11 **Q.** And do you accept that if you were a survivor or a victim considering pursuing a claim, it  
12 would be useful to have somewhere that you could read a written process about who to  
13 complain to, what the process would look like, what eligibility criteria were, what possible  
14 outcomes were?

15 **A.** In terms of the first two points that you raise, we already have that, that's documented on  
16 our website for people to see. Personally, I wouldn't want to set any parameters around the  
17 potential outcome, because that could send a negative signal to a survivor, but most  
18 definitely we have in place now reference to how to go about making a complaint and  
19 encouraging the person to come forward and at the same time encouraging them to go to  
20 other authorities, specifically the Police. And that's been in place for some time now.

21 **Q.** My understanding from the evidence is that information about contact has not been  
22 consistently on The Salvation Army website. Can you clarify at what points it was there,  
23 why it was there, why it was taken down and then why it was put back?

24 **A.** No, I can't actually.

25 **Q.** Why was it not there consistently?

26 **A.** I don't know about the why it wasn't there consistently. Whether, and I don't know this to  
27 be the case, whether -- from time to time we update the website and whether inadvertently  
28 something fell off, but other than that, I can't comment, other than that is an avenue that we  
29 use to communicate that we would welcome and encourage people to come forward where  
30 they have complaints of abuse in our care.

31 **Q.** And I know Australia is a separate jurisdiction to the New Zealand Salvation Army, but  
32 would it be fair to say that the New Zealand leadership would have kept a close eye on  
33 what was happening in Australia, particularly with their Royal Commission?

34 **A.** We did, yes.

- 1 **Q.** And I don't know when it came into being, but the Australian Salvation Army has  
2 something called the Centre for Restoration, are you aware of that?
- 3 **A.** Yes.
- 4 **Q.** And the Centre for Restoration has a large amount of material on its website which is very  
5 helpful in terms of guiding claimants through what the journey may look like. I was  
6 actually going to -- and I will still put it to Murray rather than yourself, but, for example,  
7 there is a "Develop a care plan", and there is "What can I expect" in frequently asked  
8 questions. Would you accept that that type of written guidance consistently on the website  
9 would be of value to somebody particularly looking at pursuing a claim, or going through a  
10 claim to know what is going to happen?
- 11 **A.** Yes, I would.
- 12 **CHAIR:** Just for clarity, because I haven't looked at your website, Colonel Walker; you've said  
13 that the website says that it welcomes people, encourages people to come forward, that sort  
14 of -- a promotional aspect. Does it then say what happens if you do come forward, does it  
15 set out any process at all?
- 16 **A.** Not to my knowledge, Judge, no. Again, I haven't -- gone into the website.
- 17 **Q.** Something one would have to go and have a look at.
- 18 **A.** Yes. It's really focused on the encouraging approach.
- 19 **Q.** Thank you.
- 20 **QUESTIONING BY MS JANES CONTINUED:** And just rounding out that topic, I assume that  
21 putting something on the website is something that Murray would need to get clearance  
22 from the organisation for?
- 23 **A.** Yes, anything that goes in our website goes through our communications people, yes, for  
24 consistency and accuracy, yes.
- 25 **Q.** And he talks in his evidence about currently drafting some material that could be publicly  
26 available. What reasons would The Salvation Army not put something public on its  
27 website, given that it is more valuable than not?
- 28 **A.** In the -- specifically around the redress?
- 29 **Q.** Yes.
- 30 **A.** I cannot think of a reason why we wouldn't.
- 31 **Q.** So can you think of a reason why it hasn't been done before now?
- 32 **A.** I think it's just part of the evolving learning, and certainly we have been watching what's  
33 been happening in Australia and within New Zealand and that's something we would take  
34 on advisement. You've referenced that Murray's looking into that, so certainly it's

1 something going forward that we will do.

2 **Q.** And while not relevant directly to The Salvation Army, and you may not be aware of it, but  
3 in the State redress hearing there was an Ombudsman decision because there had been  
4 resistance by MSD to put its written guidance on the website, and the Ombudsman was  
5 clear that it was the right of claimants to know what they were eligible for, what the process  
6 looked like, and what possible outcomes may be. Would you accept that that is an equally  
7 relevant consideration for claimants for faith-based institutions?

8 **A.** Yes, I would, and we apply that in other areas of the Salvation Army in terms of provision  
9 of services. There's client information in a range of areas so that people are aware of what  
10 they can expect. So it is in line and in keeping with how we do things in other spaces  
11 within The Salvation Army currently.

12 **Q.** And Murray's given evidence that very much he, when he looks at a particular claimant, it's  
13 based on personal circumstances and he puts it on a spectrum of other known claims that  
14 he's dealt with. Would you agree that at least as a starting point it would be valuable as the  
15 Crown does irrespective of whether you agree with the categories, but to have categories  
16 that anybody would be able to look at, understand that there is fairness and equity and  
17 relativity within the bands of categories?

18 **A.** Can you clarify what you mean by the "categories", and are you talking to financial?

19 **Q.** So the Crown in its redress framework has seven categories where it looks at the nature and  
20 severity of the abuse, and it puts them in particular bands which have financial frameworks  
21 around them. There obviously is discretion, so putting discretion to one side, would you  
22 accept that it is helpful, not wishing it on Murray, but he may get run over by a bus, would  
23 you accept that for an organisation such as The Salvation Army to actually have categories  
24 to remove both subjectivity and ensure some certainty, relativity and consistency would be  
25 a useful device?

26 **A.** We have over the years endeavoured to apply relativity and consistency whilst not negating  
27 the personal circumstances of the survivor, which we certainly would not want to do by  
28 putting in place something that sets tighter, potentially tighter boundaries or criteria. So but  
29 that is -- as I've shared in my brief of evidence, we are conscious that Murray has served us  
30 exceptionally well for all these years, but at some point he will move on and we do need to  
31 future-proof our redress process, and so those are all things that we're open to considering.

32 **Q.** Turning to looking at the nature and extent of abuse allegations within The Salvation Army,  
33 there is some differences in the numbers, but let me just put the proposition, because not a  
34 lot turns on it, but we've heard numbers of 238 and information received from The

1 Salvation Army under the section 20 notices has provided a wealth of data that we've  
2 looked at, there have also been responses from counsel for The Salvation Army which  
3 explains that there are a small number of claims post-1999 that were not included. So if  
4 I said a round number of around 274, would that tally with your understanding of the nature  
5 and extent of the claims that you've received?

6 A. That would be in the vicinity as I understand it, yes.

7 Q. And we've heard the evidence that the 2003 really was quite a watershed, it's purely as an  
8 aid we will put a document MSC ending 2219 on the screen which just looks at the number  
9 of claims for the Commission and also for the public. This document is internal research, it  
10 needs to be available for The Salvation Army to be able to verify it, so it's been produced  
11 not totally for the accuracy of the numbers, but just to show patterns and trends.

12 **CHAIR:** When you say "internal" you mean the Royal Commission has produced it?

13 **MS JANES:** Yes, we've looked at the information provided to us and these are the numbers that  
14 we have reached.

15 **QUESTIONING BY MS JANES CONTINUED:** So if you look at the first page. So we've  
16 really covered the numbers, the top half ends -- the total is 274, according to my calculator,  
17 but then at the bottom of that page it also talks about a number of claimants who have made  
18 contact but it's not necessarily known the date of the claim.

19 So the point really is looking at the number and the years. So we look at 2003, there  
20 were 68 -- sorry, the first, top table, 2003. There were 68 claims in one year, 50 in 2004,  
21 and then it starts to tail off, 15 in 2005, 13 in 2006, 11 number 2007. And then in the  
22 bottom half there are 14 in 2003. So clearly that documentary prompted quite a wave of  
23 contact.

24 A. Yes, it did.

25 Q. And we know that Murray was the person who charged with handling and dealing with  
26 these claims?

27 A. Correct.

28 Q. Was there ever any consideration about providing additional resource to Murray to be able  
29 to deal with this bulge of claims coming through?

30 A. Again, I was not involved closely back then or to any degree in 2003, I'd only just started  
31 with The Salvation Army, so I can't comment on what conversations may or may not have  
32 been had around that.

33 Q. I'll pick that up with Murray then thank you. And we've heard the evidence of Janet Lowe  
34 and acknowledged by your counsel that there was a period of disbelief 2001 to 2003. Are

1 you able to clarify or explain why that would have been the view of Salvation Army  
2 leadership at that stage?

3 A. I can't speak for leaders of the day in terms of those that may have expressed those  
4 comments. But if I -- going off what you've presented here in terms of the number of  
5 complainants, there was a huge increase, significant spike in 2003, and possibly those kind  
6 of conversations were had at the time, I don't know.

7 **Q.** It seems for an organisation that values caring for the person and ensuring well-being,  
8 would you accept that that initial disbelief of Janet Lowe and the first few claimants  
9 contributed to further harm for them?

10 A. The process back then I acknowledge in the case of Janet Lowe and some others we could  
11 have done better, I apologise for that. From 2003 onwards when we had in the case of  
12 2003, 68, and Murray was appointed to this role, he has, as you can see, dealt with those  
13 cases and, from our perspective as leadership of the Salvation Army, he's done that very  
14 well. He's done that in a timely manner, he's engaged and visited each and every survivor,  
15 made that opportunity available.

16 We moved away from using our insurers because there were certain parameters  
17 that were being applied there and we said look, we take people at their word and we did not  
18 impose any of the legislative limitations that existed at the time, and we engaged in a  
19 genuine way to work with survivors and journey with them and to believe what they were  
20 saying and come up with an agreement and it was an agreement in each case, that was  
21 something that was an agreement that they would sign and accept. So Murray has done a  
22 sterling job for us over these years and so...

23 **CHAIR:** Colonel Walker, there's a reason why you brought Mr Houston in, wasn't there, there  
24 was a reason why you changed the processes from the formerly legalistic ones. Could that  
25 reason be that it was obviously causing harm to the survivors, that it wasn't  
26 survivor-centred and it was doing more harm than good in a way?

27 A. Yes, that's correct, yes.

28 **Q.** Thank you.

29 **QUESTIONING BY MS JANES CONTINUED:** And again, you weren't there at the time, but  
30 internal documents, and just one example is SAL 37, again we don't need to go to it, but  
31 dated in that 2001 so the Janet Lowe complaint has come through, it talks about a PR plan  
32 for The Salvation Army "to counter the negative vibes of the Jan Lowe episode". Can you  
33 accept that the perception of somebody seeing a document like that is that there is far more  
34 concern about the reputation of the organisation than being survivor- focused?

- 1 A. I accept that you could come to that conclusion, yes.
- 2 Q. I think we've mostly covered the annual General Change process and you have confirmed  
3 that it would be expected that that permanent register which contains alleged or known  
4 abusers would be consulted?
- 5 A. Yes, certainly, as I outlined before, the Secretary for Personnel who actually leads the  
6 General Change process and all its facets would be well aware.
- 7 Q. And what year could we date that back to being certain that would have occurred?
- 8 A. That's a difficult one. I'm surmising here. It was certainly in place, I was in the role from  
9 2014 to the beginning of 2018. My predecessor was in the role four years, and it was well  
10 and truly in place because I became involved in that process in 2010 by virtue of another  
11 role. I was involved so I can speak with clarity from 2010 onwards. I wasn't involved in  
12 those meetings prior to 2010, but my understanding is that they were well entrenched  
13 before 2010.
- 14 Q. And to try and ensure there's no gaps in the information, the information that Murray  
15 Houston holds on alleged perpetrators, how is that reconciled with the known abuse register  
16 that the Secretary for Personnel holds?
- 17 A. Are you talking in the context of officers or wider?
- 18 Q. Probably best if you describe, so what we want to really clarify is, is there a list of officers  
19 against whom allegations have been made, is there a register of allegations against soldiers,  
20 employees, volunteers, and how do they all get married so that there are no people falling  
21 through gaps?
- 22 A. So within the office of Secretary for Personnel there is information stored on officers,  
23 employees, soldiers, volunteers, anyone engaged in The Salvation Army. In terms of the  
24 redress journey process, Murray actively engages with personnel, and when I was the  
25 Personnel Secretary he would periodically walk into my office and say "Look I've got this  
26 case and it potentially or does involve a soldier or an officer", I was made aware of that. So  
27 the two run parallel and are linked with Murray engaging with whoever it is the Secretary  
28 for Personnel and from time to time accessing records that are held in the Secretary for  
29 Personnel's office.
- 30 Q. And The Salvation Army has provided enormously rich data to the Inquiry. Is there the  
31 opportunity for The Salvation Army to do a reconciliation with that information to ensure  
32 perhaps a very solid benchmark moving forward about known alleged abusers and proven  
33 abusers?
- 34 A. We have that presently.

1 **Q.** Can you explain how that works?

2 **A.** So if we have no knowledge of abuse, and if it's in the -- if it's in our homes and Murray  
3 holds that information, conversely we also, within the Secretary for Personnel's office, hold  
4 all the information pertaining to anybody else who has been involved or had allegations  
5 made against them, convictions and so forth. So within our Territorial Headquarters the  
6 information is stored and there's regular communication between Murray and the Secretary  
7 for Personnel.

8 **Q.** So any information Murray holds has a mechanism for finding its way into the centralised  
9 records?

10 **A.** If it's relevant and particularly if it involves an officer, then most definitely it would, yes.

11 **Q.** And how often would that transmission or reconciliation take place?

12 **A.** As and when required. I can't put a number on it for my four years as the Secretary for  
13 Personnel, but from time to time Murray would come in and we'd have a conversation.  
14 Conversely it would also go the other way, that I would become aware of something and  
15 would go in and talk with Murray to compare notes and share information.

16 **MS JANES:** I'm going to change topics, so perhaps if we take a break.

17 **CHAIR:** Very good time to change topics and very good time for us to take the afternoon  
18 adjournment. Just remind you, Colonel, about not talking to anybody about your evidence.  
19 We'll take 15 minutes.

20 **Adjournment from 3.31 pm to 3.48 pm**

21 **CHAIR:** Yes Ms Janes.

22 **QUESTIONING BY MS JANES CONTINUED:** Colonel Walker, you're obviously not going to  
23 have any personal experience of this next topic, so it's about talking about principles and  
24 propositions effectively. We've talked about the size and nature of the abuse and we're  
25 looking at about 274 claims relating to the children's homes. If one looked at the fact that  
26 there were allegations and concerns communicated within The Salvation Army at very  
27 early stages, and we're looking at one in the 1950s, one in 1967, one in -- two -- in fact four  
28 if we go 1970s that decade, and then two in 1991; so clearly The Salvation Army did  
29 receive communications of concerning conduct, would you accept that's the information  
30 that we have provided from the Salvation Army?

31 **A.** Yes.

32 **Q.** And then these same people, so the one from the 1950s, there is another complaint in 2002,  
33 the one in 67 no further complaints, so we don't know what happened to that person. For  
34 one of the 1970 complaints, there's another complaint in 2002, another 1970 complaint

1 again in 1999, 74 complaints in 93, 78 complaints 99, and then the two 91s relating to two  
2 different people, again complaints about each of those in 2003.

3 Accepting that there were those early complaints and then quite a period and then  
4 further complaints, standing back, one asks the question if something had been done about  
5 those early complaints in the 1950s, 60s, 70s, they would not have gone on to abuse others;  
6 would you accept that as a proposition?

7 A. Not knowing the details of the cases you're referring to, but I would like to think if we'd  
8 dealt with the situation earlier that would have minimised the risk of it occurring again, you  
9 could never 100% guarantee that it wouldn't happen again.

10 Q. But if they were not within a Salvation Army children's home setting, if abuse occurred  
11 elsewhere it would not have been in those settings?

12 A. I don't understand your question.

13 Q. If a complaint, say, in 1950 had been communicated, investigated, proven to be accurate,  
14 what would you expect to have happened to that person? Would they be able to go on  
15 remaining in a children's home setting or would they be moved on, moved out?

16 A. Again, not knowing the detail that you're specifically referring to, if they were found guilty  
17 of the charge, I would expect that they would not be employed, if it's an employment  
18 situation you're referring to, I would expect that they would not be employed by The  
19 Salvation Army going forward.

20 Q. If we took it role by role, if it was an officer proven to be correct, they would not be able to  
21 continue being an officer in a children's home setting?

22 A. In the case that they were found guilty of a crime?

23 Q. If the allegation was proven?

24 A. If the allegation was proven, if we use the officer review process, which I would have  
25 hoped would have applied but I don't know in this particular instance that you're referring  
26 to from the 1950s, I would expect that it would have gone through the equivalent -- this was  
27 prior to the Officer Review Board being initiated, but as you cited in Orders and  
28 Regulations going back as far as 1937 there was a process that was outlined that had to be  
29 followed, and I would have expected that that process would have been followed back then,  
30 but I don't know in this particular instance.

31 Q. And so in each of these eight cases that I've cited, obviously for confidentiality reasons I'm  
32 being very careful, but in each of those cases there were early indications of concern about  
33 behaviour and then there were much later repeat offending, we don't know what happened  
34 in the intervening years, but could you accept the general proposition that failure to deal



1 with an allegation, investigate and take decisive action, if proven, immediately enables an  
2 environment for later repeat offending?

3 A. It certainly can do.

4 Q. And then looking at the information that The Salvation Army has provided to the  
5 Commission, with no disrespect, but there are a number of frequent flyers, if I can call them  
6 that, in that there are repeat claims about the same alleged abusers, and there also appears to  
7 be movement between residences.

8 So really trying to explore what happened and why it happened, because it does  
9 look like it has enabled a greater number of abuse experiences, if I can phrase it that way.  
10 So just again, being careful with names, there are two that can be named, obviously John  
11 Gainsford and Les Hobbs fall within that category and that for Mr Gainsford there are a  
12 number of claims, 25, 26, and they relate to the years 1963 to 1983.

13 In terms of Mr Gainsford there was -- we will have a quick look at it, SAL 790, it's  
14 notes of a Police interview from November 1972, which was attended by Captain Gainsford  
15 and some other people and a major from The Salvation Army, and just at paragraph 1 if you  
16 can call that out. So this is 1972, and just going back, that the claims span 63 to 83.

17 So 1972, we have this Police interview, there are concerns relating to  
18 Mr Gainsford's behaviour, concern for the moral and spiritual welfare of people, concerns  
19 from the parents for their children. When one reads through the document, the behaviour is  
20 described as inappropriate and concerning by the Police, the Police --

21 MS STEVENS: Sorry, can I just clarify, is this a Salvation Army record? It's on the top, so it's a  
22 Salvation Army record of an interview and it does, however, in that first paragraph refer to  
23 discussions that have been held with the Police, just to clarify.

24 MS JANES: Thank you for that clarification. The Police have been involved because the  
25 document then refers to the Police --

26 CHAIR: It's not a report of a Police summary, it's a report of something that happened after the  
27 Police have been involved, is that right?

28 MS STEVENS: Yes, I understand that the issue had been raised with the Police, but I think the  
29 document goes on to record that the Police considered it was a matter that the Salvation  
30 Army itself should deal with and then that is what it is doing.

31 CHAIR: That's right, yes, so it is a Salvation Army taking action on information received from  
32 the Police.

33 MS STEVENS: It may have come directly to The Army as well, but yes.

34 CHAIR: Thank you for that.

1 **MS JANES:** And that makes sense when you look at the attendees. So thank you, I overlooked  
2 that, there is no Police person mentioned.

3 **QUESTIONING BY MS JANES CONTINUED:** So in paragraph 1 and 3 it talks about the  
4 Police told The Salvation Army Major that as the reported actions of Mr Gainsford had  
5 serious implications, they would be glad if The Salvation Army would take what action  
6 they thought necessary within the organisation. So that is consistent with the complaint to  
7 the Police, Salvation Army now holding an interview with Mr Gainsford and others and  
8 deciding what action to take. That's consistent with your understanding of the document as  
9 we've now clarified it?

10 A. Correct.

11 **Q.** Page 2 paragraph 2, if we can just call that out, it says, "The parents expressed appreciation  
12 that their concern was not being ignored, that the situation would be dealt with before  
13 anymore serious situation developed. This was for the sake of all concerned."

14 So everyone has agreed that there is serious conduct concerns, that action needs to  
15 be taken because otherwise others may be put in jeopardy. Fair reading so far?

16 A. Yes.

17 **Q.** We don't need to go to it, but at paragraph 4 of that the Police confirm that if The Salvation  
18 Army will take appropriate action they won't lay any charges, rather for the sake of all that  
19 justice be done through the Salvation Army procedures.

20 We will go to the page 2 right at the very bottom, if you can all out the  
21 handwritten note. I've interpreted but anybody feel free to correct me, effectively I'm  
22 assuming this would be the Major writing the outcome from the meeting, would that be a  
23 fair assumption?

24 A. I think it's a reasonable assumption to make, yes.

25 **Q.** Because it says this person spoke afterwards with the detective and the constable, they  
26 believe that Gainsford has been very foolish, no deliberate intent to embarrass or hurt the  
27 children. And just for a bit of context, there are three incidents involving different children  
28 that are being discussed. He accepts that if the action other than -- and there was going to  
29 be counselling the Captain. So that was as I understood it the decision from Salvation  
30 Army that in light of these concerns counselling was the action to be taken.

31 **CHAIR:** Does it say at the bottom "counseled the captain and recommended that he", is it "visit  
32 the something, and expressed his sorrow".

33 **MS JANES:** The people.

34 **CHAIR:** Is it the people?

1 **MS JANES:** Yes.

2 **CHAIR:** "And expresses sorrow that the" -- does it go on?

3 **MS JANES:** "And expresses sorry that the, something" on the next page.

4 **CHAIR:** It goes up the side, which is almost indecipherable.

5 **MS JANES:** And something about having caused so much harm. So it sounds like counselling  
6 and an expression of sorrow for the harm caused.

7 **QUESTIONING BY MS JANES CONTINUED:** So back in 1972, when something, it's not an  
8 isolated incident, there are three different incidences, would it have been the approach of  
9 the Salvation Army at that time to focus more on the pastoral care with the counselling  
10 married with the expression of sorrow and harm caused for the children and their parents?

11 **A.** The expectation I would have then, and definitely now, is that the focus is on the children,  
12 including their parents, and that everything is centred around supporting them. And not  
13 knowing what happened outside of this statement here, I don't know what other interaction  
14 occurred with the families concerned.

15 **Q.** So would it be acceptable, in your view, that these types of allegations involving young  
16 children, inappropriate conduct on more than one occasion, that Mr Gainsford, Captain  
17 Gainsford as he then was, should be permitted to remain in a situation where he has access  
18 and care of children?

19 **A.** I note here, and the reference to the FS, that is the Field Secretary and that's a senior  
20 position within The Salvation Army, so the corps officer of the day who was Major Daly  
21 contacted Territorial Headquarters, I think it references the Territorial Commander  
22 instructed that the Field Secretary go and investigate, so there was an investigation. So The  
23 Salvation Army took this very seriously, and again, as you've outlined, engaged with the  
24 Police as well, the Police did not press charges. I can't speak to that, so they followed the  
25 process of the day.

26 **Q.** So given that he was allowed to remain at Temuka for another decade, how reasonable is  
27 that, in your view, and how defensible is that for the survivors and victims who were  
28 abused in that period?

29 **A.** I certainly can appreciate that for the survivors, seeing for the first time I acknowledge,  
30 some of this information now that it's going to be public record, that they could come to the  
31 conclusion you outline and be very disappointed and upset with the Salvation Army, yes, I  
32 can see that.

33 **Q.** It's after Mr Gainsford has left Temuka, but there were further concerns raised by a social  
34 worker in 1993 who wrote to The Salvation Army to a colonel at Territorial Headquarters,

1 spoke about abuse that occurred in 70 to 72, implores The Salvation Army to address the  
2 matter on more than one level, firstly to support healing of the client, secondly to avoid risk  
3 of further abuse, thirdly to preserve the good standing of the Salvation Army. There's very  
4 specific information about the concern in that letter. What action would you expect The  
5 Salvation Army to take either aligned with the 72 information or even as new information  
6 in 93?

7 A. The expectation I would have now is that that would be fully investigated and take into  
8 account previous allegations, instances, and that a full and comprehensive investigation  
9 would have taken place.

10 Q. But it's not really until 2005 that anything actually happens and the Police do take action  
11 against Mr Gainsford?

12 A. That's when the Police took action, yes.

13 Q. So what would The Salvation Army records show about Mr Gainsford up to that point and  
14 could or should there have been red flags where action was taken?

15 A. Aside of the information that I have seen already that you're privy to, I can't comment on  
16 what other information may have been stored at the time. I do not know.

17 Q. We also have information that's been provided that a particular Salvation Army -- they're  
18 actually a general practitioner at the Temuka home, so they may or may not have been a  
19 Salvation Army adherent, but in 1974, so early 1970s, the GP had concerns and conveyed  
20 them to The Salvation Army and also to the Department of Health.

21 So putting aside the Department of Health and what they did or didn't do, so  
22 you've got the 1972 allegations, you've got probably a couple of years later a concern from  
23 the general practitioner at Temuka, again, how has the system failed so badly that so many  
24 people were left in an unsafe environment with this person?

25 A. Again, not being present at the time and privy to all the information, all the conversations,  
26 but looking at it comparing it to today, it would be totally unacceptable and that would not  
27 happen today.

28 Q. And the reason you can say with absolute certainty it would not happen today is because?

29 A. Today when allegations are made, as I referenced earlier, they go to the Secretary for  
30 Personnel, they are fully investigated, each and every complaint, and if they're not upheld  
31 the information is still kept on record, and it is duly noted and if there's a subsequent  
32 allegation or incident, then the two are linked, whereas back in the early 1970s that possibly  
33 did not happen. I can't comment specifically exactly on that.

34 Q. And so that's the example of Mr Gainsford in one particular residence. There are examples

1 where alleged perpetrators have moved between residences and I just want to explore that  
2 with you as far as we can. So we have -- perhaps you can confirm, that Brigadier Major  
3 Blanche Christopher is the same person or were there two?

4 A. No, it would have been Major then promoted to Brigadier, there's only one Blanche  
5 Christopher.

6 Q. So looking at, what would be best to call her, Major or Brigadier?

7 A. She was Brigadier when she retired.

8 CHAIR: Sorry, what was her second name?

9 MS JANES: Blanche Christopher.

10 CHAIR: Blanche Christopher, thank you.

11 QUESTIONING BY MS JANES CONTINUED: Looking at the information we have relating  
12 to the claims of Brigadier Christopher, there were four at Florence Booth between 1945 and  
13 1961, and overall there are 12 claims relating to Florence Booth, so she forms a proportion  
14 of those; there are four from The Grange 1948 to 1971, again, overall 12 claims, and two  
15 from The Nest, 1964 to 1971; and overall 14 claims.

16 So looking at the ability of this particular person to move between three different  
17 settings and there are 10 claims that have come to The Salvation Army, what would you  
18 say about how the processes have failed children within those and why was something not  
19 picked up that may have stopped the movement between institutions.

20 A. Not knowing about the nature of each one of those situations that you cite, but I am aware  
21 that a significant number of those related to physical abuse versus sexual abuse, that's my  
22 understanding. And this is no excuse and it doesn't make it right, but if I look back to the  
23 1940s and 50s when there was corporal punishment and so forth, perhaps at the time if the  
24 complaints had been made to The Salvation Army, and I don't know whether that's in fact  
25 the case, again I'm not being critical of the survivors at all, it may either have not been  
26 known or seen as being acceptable in the context of the era, potentially.

27 Q. So looking at other situations, and again you may not be able to comment more than you  
28 have, but if one looks at allegations where it's not just physical abuse, that there are also  
29 allegations of sexual and psychological, so for example we've got, I'm not sure if he was a  
30 Captain, Hugh McCready?

31 A. Yes.

32 Q. He was at both Hodderville and The Nest, 13 claims from Hodderville, one from The Nest.  
33 We have Raymond Vince who was at both Whatman and Temuka, one from Whatman, five  
34 from Temuka, there's a particular person which I won't name because they have privacy,

1 but one from The Nest, four from Hodderville, one from Temuka. Similarly another  
2 person, four Temuka, five Whatman, two Hodderville. And so there are a number of  
3 circumstances where a particular perpetrator has crossed several settings and would you  
4 accept that as a result of that, additional children have suffered harm?

5 A. Abuse of any nature, whether it's physical, sexual, spiritual is totally abhorrent to us, and I  
6 would concede and agree with what you've just said, that on the face of it it looks as you've  
7 described.

8 Q. So we've looked at the Gainsford one and there probably is not much -- there is a lot of  
9 other information that flowed through to The Salvation Army but it was after he had left the  
10 home setting. But one question you may be able to answer is in relation to Hugh McCready  
11 where there were the allegations relating to Mr McCready over the period really 1950 to 84.  
12 And then I note that he's the first contact for a complaint from another victim in 2000, at  
13 which point all of the abuse is known about, but he's acting as Manager for Child and  
14 Family Services. What would have been the thinking of The Salvation Army against the  
15 background of knowledge of the claims of abuse to inhabit a position or a role that was  
16 Manager for Child and Family Services?

17 A. Based on the information you have shared, I would say he should not have been a manager.

18 Q. And given that he had been at The Nest and a claim of abuse related to The Nest, and this  
19 particular complaint was from somebody at The Nest after Mr McCready had gone, but  
20 how appropriate is it in looking at your redress process and who the first points of contact  
21 are? And just before you answer, we also heard from one of the witnesses that his uncle  
22 had been a person who had been the first point of contact for his complaint was the one  
23 who had encouraged him to be put in Bramwell Booth.

24 So again, do you recognise the process might be best streamlined, publicly  
25 available so that it potentially avoids this barrier or extra trauma for people trying to come  
26 forward and that they might have to talk to the person they least need or should be talking  
27 to?

28 A. In the case of a survivor coming forward, my expectation would be that we would do all  
29 within our power to create an environment that was as safe as possible and as easy as  
30 possible for the survivor to come forward and feel that they could be heard by the  
31 appropriate person, and if that was somewhere involved in the process previously then that  
32 would not be appropriate.

33 Your other question I'm still trying to process, I can't quite understand where  
34 you're going with it.

1 **Q.** I suppose the simple issue is that for a survivor to feel safe to come forward and make a  
2 complaint about an organisation, every endeavour should be made to ensure that it is a safe,  
3 independent person unlikely to have any association such as with a family relative who's  
4 loyal to the organisation, or Mr McCready who the organisation knows has been subject of  
5 allegations of abuse. So the short point wrapping around that is, would it not be better to  
6 have an independent external person that is always the first point of contact rather than the  
7 very many avenues that it appears people go through?

8 **A.** Today, as I've outlined, the Secretary for Personnel would lead that process and determine  
9 the best course of action, mindful of the needs of the survivor, and that could well include  
10 an external independent investigation. Back in that time I can't comment on conversations  
11 that might have been had around that and how it was dealt with.

12 **Q.** Just from the information we've been able to traverse, would you accept that standing back,  
13 and you weren't there and don't know who was involved, but there clearly have been  
14 systemic breakdowns in terms of allegations and concerns being raised, investigation and  
15 lack of action?

16 **A.** Our processes certainly back then were not as robust as they are today. I accept that most  
17 definitely, and I again apologise to survivors who have been impacted by that.

18 **Q.** And on a similar topic but just again exploring the General Change way it interacts, if we  
19 look at Raymond Vince where, again, there were a number of claims and he was a  
20 convicted offender later on; but when we look at what was known by The Salvation Army,  
21 we don't necessarily need to go to it, but at NZP9055, which is actually a Police notebook  
22 entry this time, and that's from June 2009, it asks why he's in prison, he says for sexual  
23 offending years ago, and he tells the Police that The Salvation Army were aware of it in  
24 1992 but nothing happened until 2008.

25 So even much more recently, 1992, would you accept it looks like the system fell  
26 down in terms of information coming to The Salvation Army but nothing happening until  
27 much later when the Police become involved?

28 **A.** On the face of the information before the hearing, yes.

29 **Q.** And at NZP5821, this is a document -- we will quickly actually look at it, it's a handwritten  
30 document, you'll see at the very top it appears to be dated 31 January 1997, or at least  
31 records that that's when Raymond Vince resigned, and just very quickly precising the  
32 document, it looks like -- have you had a chance to read it?

33 **A.** Yes.

34 **Q.** So very quickly for the Commissioners, it looks like Raymond Vince has been put forward

1 in the annual General Change process to take up a position, the family of Mr Vince have  
2 said "Absolutely not, if you go ahead with that we're going to tell the Police."

3 So the question, Colonel Walker, is how has the General Change process fallen  
4 down in 97 when, and it has taken the actions of the family to stop Mr Vince being moved  
5 elsewhere?

6 A. My interpretation of being around then is that there was not a correlation at that point in  
7 this particular instance between what was being alleged, and again I don't know exactly  
8 what was known by The Salvation Army. Certainly the family had their concerns and as  
9 they've outlined here, they approached The Army.

10 I don't know precisely what we had on record, but certainly today I would expect  
11 that that information would have been acted upon immediately, any allegation made against  
12 an officer or anyone for that matter would be dealt with quickly, efficiently, effectively and  
13 that that would be done outside of the General Change process. The General Change  
14 process would not be used as a means of moving somebody on, as I've already outlined.

15 Q. So just unpicking it gently, we've heard earlier that where there are allegations of sexual  
16 abuse, they are entered on the permanent register?

17 A. If there are allegations of any nature against an officer, they are dealt with by the Secretary  
18 for Personnel, not limited to or specifically pertaining to a sexual nature.

19 Q. So taking Raymond Vince at his -- accepting that he knew that The Salvation Army was  
20 made aware in 1992 of allegations of sexual abuse, how is it that that was not captured on  
21 the permanent register and so he was able to go through the General Change process in 97?

22 A. Going back to 1992, if an allegation of that nature or anything like that was made, it should  
23 have been escalated, and investigated thoroughly and a determination made, and certainly  
24 that would be dealt with not pertaining in any way to the General Change process.

25 So I cannot speak into how a number of years later we end up in this situation of  
26 under the General Change Ray Vince being appointed to Cambridge Corps. I would  
27 presume that no-one on the Territorial Appointments Board, who ultimately makes the  
28 decision about the General Change and the appointment of any officer, would have been  
29 aware of this. That's my assumption.

30 Q. Looking at one other example of many, but time is limited so I'm really just sort of  
31 choosing some that illustrate other points as we go through, but you spoke in your evidence  
32 about the particular corps member who goes by the GRO-C-130 denominator, you've talked  
33 in your evidence about there being four complaints about this particular person in the  
34 period July 2013 to January 2014, and that there have been one previously dealt with in



1 2000/2001; correct?

2 A. There was a complaint made in 2001, the person at the time did not take it to the Police.

3 But I am aware of the complaints and subsequent investigation, yes.

4 Q. And there's a document provided from The Salvation Army, SAL852, which is a letter to  
5 the Territorial Commander noting a complaint was first made in 1971, it's at page 1 para 3,  
6 but I think, summarising that, the person talks about being politely placated and dismissed.  
7 They talk about another Salvation Army officer taking a statement in 2001 and that they  
8 understood it was held on The Salvation Army file, implores The Salvation Army to take it  
9 seriously.

10 So again, we have a period of 71 and over a number of years where this particular  
11 name comes up in a range of capacities, complaints, there's a letter to a pastor, I won't take  
12 you through, but there are about six or seven documents where there's a particular survivor  
13 who raises it twice some years apart and said "Look this is my second complaint, I hope  
14 you take it seriously." How can we look at this information and be reassured that the  
15 systems that were said to be in place were actually working, because there are so many  
16 examples of them failing individuals and harm being caused?

17 A. In respect of the 2013 period, our policies and procedures were followed to the letter in  
18 terms of once the complaints were received there was an internal investigation carried out,  
19 initiated -- an external investigation, we commissioned a retired police officer to do that.  
20 That was postponed whilst the Police did their investigation so we didn't compromise the  
21 outcome.

22 In terms of the allegations made back in the 1970s, the first we became aware of  
23 that, and by "we" I say, as I was the Secretary of Personnel then, but at a Territorial  
24 Headquarters level, was when they were referenced by a number of the survivors, the  
25 particular survivor you allude to who said "Well this is the second time I've raised this  
26 issue". And I actually attended -- visited, along with the then Territorial Commander, each  
27 of the survivors that was willing to meet with us and we personally apologised to them for  
28 the fact that we should have done a lot better.

29 Q. And you've talked about the Vulnerable Children's Act coming in in 2014 and Keeping  
30 Children Safe, but this particular person was allowed to take Salvation Army Sunday  
31 School children on a Santa parade in December 2013. Would it not be reasonable to say  
32 that as you were developing your keeping the children safe and you spoke about not  
33 allowing children in a vehicle, how did this happen and there was a complaint about this  
34 very fact from an external person as well; can you explain again why that failed?

- 1 A. It should not have happened, that person was driving a truck in a Santa parade, as you say,  
2 they should not have been doing that, they had been stood down from involvement in  
3 leadership within the corps pending this investigation. Upon receiving the complaint, we,  
4 the then Secretary for Personnel -- and this was in the lead up to Christmas -- asked the  
5 corps officers at the time to come up with a safety plan to ensure that that did not happen  
6 again and that safety plan was provided on 24 December and followed through. It should  
7 not have happened.
- 8 Q. And this person was wearing a Salvation Army uniform as I understand it?
- 9 A. I'm not 100% sure but --
- 10 Q. I think the letter indicated they were.
- 11 A. Okay.
- 12 Q. In those terms, with that public interaction, are there restrictions on when people should  
13 wear a Salvation Army uniform? Would he have been representing The Salvation Army in  
14 any way?
- 15 A. At that time the person was stood down from leadership, they had not been stood down as a  
16 soldier, that happened later. So we were in that interim period. Having said that, if it had  
17 been me I would not have allowed that person to drive that truck wearing uniform or  
18 otherwise and I apologised at the time to the survivor who raised that with us, because that's  
19 one of the people we met.
- 20 Q. And you've spoken about the independent investigation, and I will return to that topic when  
21 we sort of talk about independence generally, but in this particular context the point I just  
22 wanted to raise with you is that you've explained that it was suspended so as not to  
23 compromise the Police investigation, and my understanding is that that concluded around  
24 mid-2016, the Police?
- 25 A. December of 2016 the court made their determination.
- 26 Q. But he was arrested and charged?
- 27 A. In 2014.
- 28 Q. Yes, and you concluded your investigation I think July 2017?
- 29 A. That's correct.
- 30 Q. So the question really is, from the point of the Police charging in 2014 to July 2017, given  
31 that at that point there were only three of the five complainants who were wanting to be  
32 involved, one had died, one didn't want to be involved, how reasonable is it that that took  
33 three years?
- 34 A. The matter was before the courts and we'd been asked by the Police, I had the phone call,

1 conversation with the police officer in 2014 and said "Look, our policy says clearly that we  
2 must investigate immediately allegations of this nature", he said "Look, we're investigating,  
3 please don't because you could compromise our case." We postponed our own  
4 investigation at the bequest of the Police and it was before the courts right through until  
5 December of 2016, hence we continued to postpone the internal investigation.

6 The day after the -- actually on the day of the decision being made, which I know  
7 to be a Friday in December of 2016, I rang the gentleman concerned, he rang me back the  
8 next day, I left a message, he rang me back on the Saturday morning, and I said "Look,  
9 I appreciate the outcome of the court case, however I'm advising you that we are now  
10 reinstating the internal investigation and you are not welcome in The Salvation Army  
11 pending the outcome of the investigation."

12 **Q.** I can understand the explanation for not proceeding with the investigation until the Police  
13 actually laid charges, so allowing them to formalise what action they were going to take,  
14 but would you accept that every day concurrent investigations, so for example an employee  
15 is accused of fraud and then charged with fraud but there are employment investigations  
16 that can be ongoing, so looking at the purpose of The Salvation Army investigation, and  
17 correct me if I'm wrong, but was that not about the claims that you had received in relation  
18 to this person, once the charges had been laid the court process could naturally take its  
19 course, but should that really have stopped the claims being actioned for the survivors and  
20 victims for that period of time?

21 **A.** At that time the survivors were not making any claims, they laid complaints, and the  
22 complaints had also been laid with the Police, and the decision we made, and I think at the  
23 time we took some legal advice on this around do we need to postpone the internal  
24 investigation until the outcome of the court case, and the information we received was yes,  
25 that would be advisable. And that was in line with the conversation I personally had with  
26 the detective sergeant back in early 2014.

27 Now we kept in touch with those survivors that wanted to stay in touch with us,  
28 and when the internal investigation recommenced, with an external investigator, those that  
29 wanted were willing to be interviewed, and I'm mindful one had unfortunately passed away,  
30 that was done and there were ten recommendations, all of which we accepted, and that  
31 included a personal apology by the then Territorial Commander and myself as Secretary for  
32 Personnel. And in the case of the survivor who had unfortunately passed away, we went  
33 and met with her husband and we also, as one of the recommendations, stated and we  
34 agreed, is that we shared our policies and procedures and gave each of the survivors an

1 opportunity to speak into, from their perspective, how we could improve our processes and  
2 we took their feedback on board and reflected that in reviews of our policies and  
3 procedures going forward.

4 **Q.** Just quickly exploring, if the sense within The Salvation Army was that it must halt its  
5 procedure until the Police had concluded theirs, can you accept that that information  
6 conveyed to -- because you've talked about the claimants not pursuing their claims --

7 **A.** I would have not said they were claimants, I would have said they, you know, they were  
8 making complaints, they were complainants, not claimants. Can we just clarify the use of  
9 that term.

10 **Q.** And did any of them go on to be claimants rather than complainants?

11 **A.** No, they didn't. When we met with each of them, and the husband of the deceased  
12 survivor, none of them asked for any financial recompense. In the case of one survivor, at  
13 our behest we felt it was the right thing to do to offer to support them because they had  
14 undertaken some significant counselling and incurred some significant cost and we made a  
15 payment to that particular survivor. But in the case of the others, none of them, aside of  
16 accepting and -- they were very gracious and they accepted our verbal and our written  
17 apology. They did not ask for anything else.

18 **Q.** And you very quickly said that part of that process was that you actually got feedback and  
19 at paragraph 414 of your brief you talk about lessons learned. Can you just summarise very  
20 briefly what particular lessons you learned and have been implemented from that particular  
21 event?

22 **A.** My recollection is that with all of the survivors, and it was to varying degrees as to how  
23 much they engaged, because we just made this offer, we made available our policies and  
24 procedures, we said "Look, if you've got any feedback, we'd love to hear from you." And  
25 my recollection is, because it's now four or five years ago, is that the feedback we got was  
26 "Wow this is great, well done The Salvation Army for what you're doing and if these  
27 policies and procedures had been in place in the case of most of the survivors back in the  
28 1970s, and there was one in 1995, then the likelihood of this happening would have been  
29 significantly reduced", and they were appreciative, because they all said to us "I just don't  
30 want anyone else experiencing what I went through", and we heard that very clearly.

31 **MS JANES:** We've got 15 minutes --

32 **CHAIR:** Are you moving from that because I've got one short question to ask Colonel Walker,  
33 just on this point.

34 During this time between the Police charges and your investigation at the end of the

- 1 Police proceedings, what was happening to the officer? Was it a he or she I don't know?
- 2 A. It was a he and he was a soldier. He was stood down, so he was never an officer, Judge,  
3 but once he was charged we immediately stood him down from all involvement with The  
4 Salvation Army. We didn't do it earlier because the Police had asked us, well, that would  
5 sort of alert him to the fact that there's a Police investigation, he knew there was an internal  
6 investigation, but not a Police investigation.
- 7 Q. So he wasn't near any children or vulnerable people over that period of time?
- 8 A. That's my understanding, that he did not attend the corps at all, and actually subsequent to  
9 the court decision in December 2016 he has not attended the Salvation Army since.
- 10 Q. Thank you.
- 11 **COMMISSIONER ERUETI:** May I also ask on this case, I wasn't sure; in paragraph 4.12 you  
12 note how one survivor received compensation, a contribution towards travel costs and loss  
13 of time, the others did not seek monetary compensation. I wondered why monetary  
14 compensation wasn't offered to all three, or was it offered to all three?
- 15 A. It wasn't specifically offered to any of them, including the person who we did make a  
16 payment to. In her situation, as part of the conversation she referenced the fact that she'd  
17 incurred significant cost with travel between where she was living at that time and  
18 counselling, and the then TC and I, as we were driving away, thought this is a situation we  
19 can do something about. The other survivors never mentioned anything in the way of  
20 compensation, but then conversely with that particular person, we didn't initiate that, or she  
21 didn't initiate that, rather, in the first instance, we felt afterwards that it was the right and  
22 proper thing to do to make a contribution towards those travel costs that she specifically  
23 referenced.
- 24 Q. But the apology is made on the basis of some wrong being done, is that right, to all three?
- 25 A. All of the survivors in this case were given a written apology, hand-delivered to their home,  
26 we met with them, we listened, we did a lot of listening, most of the interview -- most of  
27 the conversations were in the vicinity of an hour and a half to two hours each. We travelled  
28 to their homes, and they could have -- we said "Look, whoever you would like there, please  
29 have them present", we were open to any questions that they might have.
- 30 Q. But for me it's why don't you offer monetary compensation, is the distinction between a  
31 complainant case and a claim, is that where the -- and why would there be a distinction?
- 32 A. I don't make a distinction in respect of the conversation around financial payment. If the  
33 survivors -- I'm calling them survivors in this context, because they were, they've made  
34 complaints -- they did not indicate, they never asked.

1           Now conversely I take your point, we could have initiated those conversations and  
2 said how could we -- and we did ask the question, "How can we help you?" And my  
3 recollection is that they all said "Look, you're coming here today, you're acknowledging  
4 that you were wrong, your apology and handing over a written apology is what we need"  
5 and that's very helpful for each of them. In the one case we, when we left, we thought,  
6 well, we can help with this particular case because the lady referenced it, not with an  
7 expectation that we would make any payment to her, because she was actually very  
8 surprised when I then approached her afterwards and said sincerely, "We're not trying to  
9 force you here, but we feel this would be appropriate in your situation."

10 **Q.** Monetary conversation was an option in all three cases but really only you were aware of  
11 that, not the survivors?

12 **A.** If they had raised it then we would have been very open and we would have approached it.

13 **COMMISSIONER ALOFIVAE:** Colonel, just further on from Commissioner's Erueti's question  
14 there, is it fair for us to assume then that actually you were just reacting emotionally as  
15 opposed to with a redress framework, as how we understand redress now, because The  
16 Salvation Army actually didn't have an actual redress policy at the time?

17 **A.** Yeah, we certainly didn't have a redress policy and it is fair to say that the Territorial  
18 Commander and myself visited each of the survivors and the husband of one of the  
19 survivor's who'd passed away to share the recommendations of the investigation and to  
20 deliver an apology and in that context to have as in-depth a conversation, and we didn't  
21 have any specific questions we wanted to ask. So you're correct in saying we did not apply  
22 a redress approach to that.

23 **Q.** Was that because the Police were involved?

24 **A.** No, I don't believe that was the case at all. We went with the recommendations of the  
25 investigator, and we accepted all ten of the recommendations. And then we had a  
26 conversation with each of the survivors and their families, those that were present, and had  
27 they mentioned "Well okay, this has caused me a lot of harm and I -- it would be helpful to  
28 have some financial compensation", we would have willingly engaged in that. It did not  
29 come up in the conversation. If afterwards, and now I'm conscious some four or five years  
30 have transpired, but if they came forward now, we would be open to that conversation.

31 **Q.** Even if there's a pattern in the past, The Army still weren't connecting all of the dots in  
32 terms of a systems approach for redress?

33 **A.** We didn't apply the same process that Murray was applying at the time and still is today,  
34 that is correct.

1 Q. Thank you.

2 **QUESTIONING BY MS JANES CONTINUED:** Just if I may pick up on that point, I think it  
3 does neatly distinguish that this was in the corps setting not in the children's home setting  
4 so it was dealt with not by Murray, the Murray process, if I can call it that.

5 A. That's correct.

6 Q. And so the recommendations that came out of that independent investigation, was there  
7 consideration given at that point to say look, we actually need to have a consistent process,  
8 it may have distinctions whether it's an in a corps setting or a children's home setting, but to  
9 actually reduce your process to a written process that could be picked up, applied  
10 consistently?

11 A. I don't recall a conversation being had pertaining to this situation and engaging with  
12 Murray or anyone around the parallel redress process.

13 Q. Because Murray says in his evidence that he didn't have a lot of involvement in the corps or  
14 other non-children's home processes, but that they were less structured and so that raised an  
15 issue should they not be structured, should they not be set down on principle criteria,  
16 understandable rationales, would that not be a good time to do that now, particularly having  
17 gone through this experience?

18 A. There was a process that was applied in this case in 2013/14. And so there was, there was a  
19 process in place. We had the, as I've mentioned, the 1999 sexual complaints policies and  
20 procedures. So we had a process in place, but I take your point, that, and as outlined in this  
21 conversation, that we didn't look at it from a purely redress perspective, other than from a  
22 financial point of view. If that had come up in the conversation we would have said -- of  
23 course we would have considered that and retrospectively we would do that now. But they  
24 were two separate processes, one at that time, as is still the case today, the Secretary for  
25 Personnel is responsible for investigating complaints of that nature.

26 Q. So would you accept that now, having gone through all those experiences, it would be  
27 valuable to have a structured policy for the non-children's homes so they recognise it  
28 actually is a redress process which has consistent principles which should be applied to  
29 whomever is harmed in whatever setting, would that now make sense in hindsight?

30 A. I certainly accept that we could take the learnings from the redress process and apply it to  
31 what was then and is still our current process and policy around the investigation of all  
32 complaints, because we do have a policy around that. But I take your point and accept that  
33 there are learnings that we could take from the process that Murray engages with and apply  
34 to this as well going forward.

1 **Q.** Would it be helpful to actually start educating and raising awareness of that redress  
2 framework, that it's not just about abuse in children's homes, that it's something that  
3 happened, as we've seen in the information provided, it happened in Bridge Programmes, it  
4 happens in corps, it happens in other settings. How is awareness about redress and its  
5 principles disseminated in those particular environments?

6 **A.** Currently, as it was in the particular case I've cited, that was part of the conversation where  
7 we said "How can we help you, what can we do to help you? We acknowledge that this  
8 happened while you were in the care of the Salvation Army, we apologise for that, how can  
9 we help you?" And had it come up in conversation around financial compensation, then we  
10 would have taken that on board. It didn't in the cases at that point. Conversely,  
11 I acknowledge we didn't raise it as being an option.

12 **Q.** And if there was that consistency and understanding of redress in the other contexts, is it  
13 possible, it's speculation obviously now, but possible that instead of just being  
14 complainants, they may actually have been claimants because they knew there was a formal  
15 process they could go through?

16 **A.** I concede that most definitely yes, that could be the case, yes.

17 **MS JANES:** I might just stop there.

18 **CHAIR:** I think you might just stop there because you're plainly going to move on to another  
19 issue.

20 **MS JANES:** I am, I was thinking if I could romp through a topic but it probably --

21 **CHAIR:** I think the time for romping is over, Ms Janes, I think we'll take a well-deserved break.

22 Colonel Walker, thank you for the evidence so far, you will have to come back tomorrow if  
23 that's suitable for you.

24 **A.** I'm here for the next two weeks.

25 **Q.** Excellent, I hope you're not going to be questioned for the next two weeks, and again, just as a  
26 formality to remind you not to speak about your evidence except under the circumstances.

27 Thank you Ms Janes. I see we have our kaumātua, our kaiwaiata.

28 **Hearing closes with waiata and karakia mutunga by Ngāti Whātua Ōrākei**

29 **Hearing adjourns at 5.00 pm to Tuesday, 16 March 2021 at 10 am**

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