

**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, 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:** 16 March 2021

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**TRANSCRIPT OF PROCEEDINGS**

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**INDEX**

**GERALD FRANCIS WALKER**

Questioning by Ms Janes continued	79
Further questioning by Ms Stevens	115
Questioning by Commissioners	116

**MURRAY HOUSTON**

Questioning by Ms Stevens	125
Questioning by Ms Janes	143

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

(10.00 am)

**CHAIR:** Tēnā tātou katoa. Ngā mihi mahana o te rā ki a koutou katoa. Morning Ms Janes.

**MS JANES:** Tēnā koutou Commissioners.

**QUESTIONING BY MS JANES CONTINUED:** And good morning to you Colonel.

A. Good morning.

**Q.** Yesterday afternoon we concluded on talking about that if people were not aware of redress processes being available, that could be a gap in The Salvation Army system and you said "I can see that most definitely yes, that could be the case."

Carrying on with that topic, on The Salvation Army website it talks about no tolerance for abuse of positions of power and The Salvation Army has a very strong presentation in the social services sector; correct?

A. Yes.

**Q.** And would you also agree that by virtue of those social services being offered and delivered, that you are dealing with some of the most vulnerable people in the community?

A. Yes.

**Q.** And so there is a special duty of care owed to them because of those vulnerabilities as either children, young adults or adults?

A. There is.

**Q.** And just noting your 2020 annual report when it talks about those social services it says "The Salvation Army is known for its work with vulnerable people." And it also goes into the range of services that are offered by The Salvation Army.

So in your evidence you talk only about claims that have been received from within the corps, this is at paragraph 4.1 just to orientate people. So you talk about abuse claims that have occurred within the corps or congregational setting and within your Bridge Programme. And you talk about the fact that there have been 36 claims that pre-dated 2000, ten of those with financial settlements; correct?

A. Yes.

**Q.** So it doesn't talk about contemporary claims since 2000. Just very quickly looking at the range of programmes, looking at that imbalance of power and the vulnerability aspect we know that, human nature being what it is, abuse can occur in any setting; would you agree with that?

A. I do.

**Q.** And so the range of social services, and you will know that much better than myself, but we

- 1 certainly have the Bridge Programme which is drug and alcohol addiction services, we have  
2 the community ministries working with families; correct?
- 3 A. Yes.
- 4 Q. We have welfare assistance through food parcels which again is interacting with vulnerable  
5 people; correct?
- 6 A. Correct.
- 7 Q. Budgeting advice, people under stress, vulnerable?
- 8 A. Yes.
- 9 Q. Life skills, parenting courses?
- 10 A. Yes.
- 11 Q. Youth development?
- 12 A. Yes.
- 13 Q. Transitional housing and rough sleepers?
- 14 A. Yes.
- 15 Q. And so in any of those environments, abuse could occur?
- 16 A. Yes.
- 17 Q. Overnight – you've talked about that on the website there is information about contacting  
18 The Salvation Army and I and my right-hand man have run some searches. We were able  
19 to find under "Contact" that if there were complaints or feedback to contact The Salvation  
20 Army; correct?
- 21 A. Yes.
- 22 Q. But we also ran other searches putting ourselves in the shoes of somebody who had had an  
23 experience that they felt harmed by, how would they find out whether there was any way  
24 they could interact with The Salvation Army on a healing journey. And we couldn't find  
25 anything under "redress", apart from references to the Royal Commission, would you  
26 accept that as correct?
- 27 A. Yes, I do.
- 28 Q. We ran searches on "compensation", again could not find any information that would give  
29 guidance; correct?
- 30 A. I take your word at that, but that would be my interpretation.
- 31 Q. And given that we're relatively sophisticated in terms of this is our daily bread, if you like,  
32 using technology, again, putting yourself in the shoes of a vulnerable person, assuming they  
33 do have access to technology, would you accept that it's actually very difficult for  
34 somebody to understand that A, there was a process available to them for redress?

1 A. I accept that that could well be the case. We do have in a number of our areas, and you  
2 touched on the work we do in addiction space, we have consumer representation around  
3 our – in our centres. In fact on our nationally-managed programme management board we  
4 have a consumer representative who represents the interests of consumers, but that isn't  
5 right across the whole organisation. That is an example of where The Salvation Army is  
6 endeavouring to engage and be more client-centred in terms of how we deliver our services,  
7 how we engage with our – the people we serve, as I like to describe it, versus clients, and  
8 how they have an avenue of speaking into our service delivery. In terms of what you're  
9 specifically talking about, no, we do not presently.

10 Q. Would you accept that because you've said that there's no written policy, there is nothing on  
11 the website, it's in the minds of probably yourself and Murray Houston primarily, would  
12 you accept that the consumer representatives actually are not aware that this is something  
13 they could be talking to the people they serve about?

14 A. You're talking consumers in the context of those that have been abused, survivors?

15 Q. If somebody says, "While accessing these services I have been harmed, somebody has  
16 abused me, there's been this imbalance of power, what can I do about it?" How do they  
17 know that there is actually a process that is available to them and should they engage with  
18 it, what it would look like. There seems to be this complete absence of any information,  
19 except in the children's home context perhaps?

20 A. If a person has engaged with, say, our community ministries, one of our centres or through  
21 one of our Bridge Programmes, we do have information that is actually printed on the wall  
22 to say what client's rights are and their opportunities to, which include a complaints  
23 process. So that is available, it is not just located on the website. So if a person has  
24 engaged with the Salvation Army already, and that would include in a corps setting, but  
25 predominantly I would think in this case through one of our social services, we do have  
26 information and it is publicly displayed explaining what the rights are of a client in terms of  
27 accessing our services and the ability to complain if they have a complaint to make. So it is  
28 not just located on the website.

29 So if you went to one of our centres I would expect that you would see that  
30 information publicly displayed and available, and is included in our material when people  
31 come into our Bridge Programmes, our material is provided to them and, as I said, we have  
32 consumer representatives in each of our bridge centres.

33 **CHAIR:** Slowly. I appreciate you're anxious to explain but we must keep it slow.

1 A. Sorry, I'll slow down. Who are there to also support the clients as they journey through our  
2 programmes.

3 **QUESTIONING BY MS JANES CONTINUED:** Would you acknowledge, though, that the  
4 ability to complain, which I accept on your evidence that that is information available, but  
5 the ability to make a complaint is a very different process or different information to know  
6 that the next step following a complaint there is a journey that you can travel with Salvation  
7 Army on to healing, which is your redress process. Do you accept that it's one thing to be  
8 able to complain, but in the absence of any information about what that may look like, what  
9 the outcomes may be, that you don't know what you don't know until, you know, it's made  
10 evident to you?

11 A. My personal experience, because I've dealt with complaints over my 18 years, and my  
12 knowledge of our processes is that if a person has a complaint to make and they make that  
13 complaint to, say, the manager of the particular centre, that that manager would then  
14 engage in a conversation which would cover off what you've just outlined as being a gap.

15 So I don't accept that it is a gap in our system, it would be part of the journey of  
16 saying okay, this is what we're going to do, we're going to undertake an investigation into  
17 your complaint. This is how it's going to operate, someone's going to talk to you. And we  
18 will then sit down, consider the outcome of that investigation, and then work to a point  
19 where we're mutually agreeable about the outcome.

20 **Q.** Would it not be more helpful, as the Australian Salvation Army has done in its Centre for  
21 Restoration, to have very transparent, easily available, doesn't take a lot of searching, why  
22 has New Zealand resisted taking that step?

23 A. I don't believe we have resisted. We take the learnings, and this is a learning so I will  
24 certainly go away and pick up on what we just talked about. Because we are very much  
25 focused on being client-centred and we are all aware, I mean I dread having to approach a  
26 Government agency like IRD and start pushing buttons on a phone hoping at some point I'll  
27 get a human voice. So I think we can all attest to that kind of experience.

28 Now for someone who's experienced trauma in their life, that just compounds it  
29 immeasurably, I can't even comprehend that personally. So we do want to make this as  
30 transparent and as easy for people to access, so I will certainly go away and look at where  
31 we have any gaps in our system and fill those gaps and continue our journey of being  
32 client-centred in our approach.

33 **Q.** I hear you acknowledging, and correct me if I'm wrong, that you understand that lack of  
34 information is a barrier to access to the redress system?

1 A. I do agree with that.

2 **Q.** And overnight I have the consent of Ann-Marie Shelley who was listening to the live  
3 stream yesterday and said "I had no idea that there was a redress process that I could  
4 engage with with The Salvation Army." And private sessions without any privacy  
5 breaches, there have been a number from the Bethany homes that have come to the Royal  
6 Commission and they may well be had a similar position to Ann-Marie Shelley in just not  
7 being aware.

8 So again, do you accept that because of that higher duty of care and the ethical and  
9 moral responsibility to the people who come within the care of the Salvation Army,  
10 transparency and removing barriers to access is really important and needs to be a first  
11 priority?

12 A. Definitely.

13 **Q.** Very quickly going backwards, it's a tangential topic, we talked yesterday about some of  
14 our high flyers in terms of perpetrators. There were two instances that we spoke about, one  
15 was John Gainsford and one was GRO-C-130. Just going to a topic related to those. In  
16 terms of your evidence at paragraph 5.5 in your supplementary brief, you did say that there  
17 was no existence or policy or practice to destroy records relating to complaints or  
18 allegations of abuse. You recall that being in your evidence?

19 A. Correct.

20 **Q.** If we can go to document NZP ending in 6979, and just as that's coming up I'll orientate our  
21 operator to page 2 paragraph 2.3. If we can go to page 1 just so that we can see the date  
22 and the nature of the document. They are Advisory Board minutes, just to orientate you  
23 before it comes up. Perhaps I can paraphrase then you can confirm once it hits. But  
24 effectively it talks about, and you'll remember it was in the media at the time in the Timaru  
25 Herald and it talks –

26 **CHAIR:** It's come up now.

27 **QUESTIONING BY CONTINUED:** This is the New Zealand Police report, yeah. And there is a  
28 Timaru Herald article as well. So just if we can call out the highlighted.

29 **CHAIR:** For the record this is a Police summary, is that right?

30 **MS JANES:** Can you quickly go back, Felix – so it's a Police interview summary and do we  
31 have a date? It was at the time of the Gainsford – prior to the Gainsford trial which  
32 concluded in 2006, so –

33 **CHAIR:** So it's sometime between 5 October 2005 when he was arrested and 2006 when the trial

1 was over?

2 **MS JANES:** Exactly, and the point is, so in this document and also in the Timaru Herald it reports  
3 on information that the Police provided during the John Gainsford trial.

4 **CHAIR:** There we have the date.

5 **MS JANES:** TA Miron is a police officer who has taken this statement of this interview and also  
6 provided an affidavit to the court.

7 **MS STEVENS:** Sorry, can we just be clear as to the nature of the document? My understanding  
8 is this is an internal Police memorandum setting out the evidence that they may or may not  
9 call at trial. So it's not an interview transcript, it's just collating that information ahead of  
10 trial.

11 **MS JANES:** Just to establish that that was the Police view and then we're going to go to the  
12 Timaru Herald which is what was reported. I think that might be the simpler way forward.

13 **CHAIR:** Right.

14 **MS JANES:** This was the view of the Police that they had found information about the records  
15 that they provided to the court.

16 **CHAIR:** The point of this question is about the retention or otherwise of records, okay, so we'll  
17 move then to —

18 **MS JANES:** Correct, we'll move on.

19 **CHAIR:** — go to 2.3, are we going to call out 2.3 so we can read what it says.

20 **QUESTIONING BY MS JANES CONTINUED:** So that just talks about "It may also be  
21 deemed necessary to produce some Salvation Army records such as the Advisory Board  
22 committee meeting minutes, which will show that entries have been removed from this  
23 book for the relevant time period."

24 Then if we can go to NZP0007287 page 1 paragraphs 1 to 6 and, Colonel Walker,  
25 that's just clearly the Police did produce that evidence to the court, the court found that  
26 evidence to be reliable and it's then reported in the media after the trial.

27 **CHAIR:** The question, Colonel Walker, is do you accept that all of that happened?

28 A. I do.

29 Q. Thank you. Let's get this ship back on the course.

30 **QUESTIONING BY MS JANES CONTINUED:** Exactly, thank you. So the question arises,  
31 accepting that that did occur and then looking quickly at the GROC-130 case where the  
32 private investigator in their report mentioned that a similar matter had been discovered in  
33 terms of removal of relevant records, do you recall that or do you need to see —

- 1 A. I prefer to see it.
- 2 Q. That's absolutely fine. So if we can go to, I think it is SAL0000854. Sorry, it's  
3 SAL0000854. So looking at this, this is the interim investigation report and the date is  
4 2013, can you see that up the top?
- 5 A. Yes.
- 6 Q. And then if we can go to page 2 bullet point 6, so details of meetings have neither not been  
7 recorded and when they have been documented pages have been removed from official  
8 records. Do you accept that was the information that he found and provided to The  
9 Salvation Army?
- 10 A. I'm very familiar with this report and Mr Veale who wrote it and I have no doubt that if  
11 that, after his investigation, is what he found, that this is accurate.
- 12 Q. So we have two examples of where there have been serious allegations about two Salvation  
13 Army officers, two occasions where it has been found that The Salvation Army has  
14 removed known records, accept that's the evidence that we have from Gainsford and  
15 GRO-130?
- 16 A. I do accept that back then the level of record-keeping was not as good as it is now. We do  
17 have policies around retention of records within The Salvation Army. I wasn't involved  
18 back in the 70s, 80, even early 90s, so I can't speak about what retention policies may have  
19 existed, so I can't comment any further other than, as I said, if Mr Veale in his  
20 investigation, which would have been very thorough, has found this, then I accepted it at  
21 the time and I accept it today.
- 22 Q. But it's not a matter of bad record-keeping, it is deliberate removal of records?
- 23 A. That's what Mr Veale has found in that first point, I accept that.
- 24 Q. So was there an investigation at that time about how that occurred and what was done to  
25 make sure about the integrity of records going forward?
- 26 A. Just to clarify, you're referring to when Mr Veale wrote this report in December 2013 and  
27 any subsequent conversations about this?
- 28 Q. We've got two periods of time, we've got 2006 when it became very public in the Gainsford  
29 trial that that had occurred. At that time did The Salvation Army stand back and look at  
30 itself and its practises and ascertain what circumstances that had occurred under?
- 31 A. I don't know because I was not involved in 2006. I can comment on the subsequent to this  
32 2013 report because I was actually then, shortly after that, became the Secretary for  
33 Personnel and was involved in this particular case.
- 34 Q. I suppose taking a step back, was it of concern to The Salvation Army to learn that this had

1 happened on at least two occasions?

2 A. I would surmise that yes, it was. But again, I wasn't involved, so I do make that  
3 assumption.

4 Q. So what comment can you make from your personal knowledge and also representing The  
5 Salvation Army leadership, that this is not something that could happen now or in the  
6 future?

7 A. Some of the records that are being referred to in Mr Veale's report going back to the 70s are  
8 our local corps church books, some of them are called census books where records of  
9 meetings like leadership meetings are documented. Those books are archived and are held  
10 at our facility in Wellington here and – but in terms of the degree of accuracy and whether  
11 they cover the whole period, that's really something we haven't been able to control, that's  
12 historic, we take the books and we store them. The level of record-keeping varies from  
13 place to place and it depends on – we had people who were corps secretaries who it was  
14 their responsibility generally to take the minutes and document. And I think we can all  
15 appreciate that the degree of quality and detail would vary potentially from person to  
16 person, so there are those vagaries that need to feature in the capture of any information.

17 Today, and of recent years, investigations are taken out of that space and are  
18 managed, as I've already shared, at a Territorial Headquarters level and very comprehensive  
19 records are kept and retained at Territorial Headquarters.

20 Q. And so has the message also gone out that The Salvation Army, while concerned for the  
21 souls of officers, soldiers, adherents, that loyalty to the organisation should not protect bad  
22 apples and removal of records to protect reputation is not acceptable practice?

23 A. It is not acceptable practice and never has been acceptable practice. What we have now in  
24 more recent years, certainly from 2000 onwards, as is documented in the evidence, we now  
25 have policies and procedures that actually direct and instruct very clearly what needs to be  
26 done and the process to be accurately followed.

27 Q. And that segues us into our next topic, which is independence. Because when you look, as  
28 we have over the last day, and we will look at disparities of outcomes and other matters  
29 relating to the actual processes very briefly with you but more fulsomely with Murray  
30 Houston, but I take it you will accept that survivors have had very mixed experiences with  
31 The Salvation Army, acknowledging that there have been some very good outcomes, and  
32 we did hear from Gloria White who was very grateful for the way that The Salvation Army  
33 had dealt with her and continues to support and contact her. But far more weighing on the

1 other side of the scale is evidence that it has not met survivors' needs and I take it you  
2 wouldn't disagree that that is what we have heard?

3 A. I agree that hearing the evidence of survivors and hearing them firsthand when I sat here  
4 last year that we have — for some we could have done better and we've taken those  
5 learnings and applied those going forward. So many of those situations occurred in the  
6 earlier days of our redress process. But we have been intentional about learning from those  
7 and taking it forward so that today how we engage with survivors and navigate through the  
8 redress process and come to an agreement looks different and is greatly improved over the  
9 years of taking the learnings, and I give credit to Murray for having taken those learnings  
10 and applied those going forward. And that would be the expectation of The Salvation  
11 Army that that would have been the case and Murray has done that well.

12 Q. Interestingly when you had this surge of claims in 2003 which arose from the documentary  
13 and clearly raised awareness about abuse in children's homes, and The Salvation Army  
14 publicly stated that there was a redress process and what it would look like, do you recall, I  
15 think it was Clifton Shaw at that stage who set out some really cornerstones for the redress  
16 process that remain today about face-to-face interviews and investigation?

17 A. Yes, Shaw Clifton did do that and I recall at the time, I just started with the Salvation  
18 Army, seeing that on television.

19 Q. And at that time an appointment was made of The Honourable Roger McClay as an  
20 independent monitor and observer. Do you know why that was put in place and what the  
21 thinking was, because it was a very good idea?

22 A. We thought so at the time and it was to help us to better engage with survivors and to  
23 journey with them and to seek some external expertise which Mr McClay, we believe, had  
24 at the time. Again, I wasn't involved in that, but based on the information that I've read and  
25 has been submitted to the Commission, that would be my assessment of it. As you say, a  
26 very good idea.

27 Q. And I understand from the evidence of Janet Lowe that there were concerns from the abuse  
28 survivor group, but would you accept that maybe because it was an imposed process rather  
29 than a — so the lack of communication being the short point, had that been better  
30 communicated as to what his role was, what he was going to be doing, that it was  
31 independent, it might have been a more acceptable process for survivors to understand what  
32 was happening and why?

33 A. That may well have been the case. I, again, wasn't privy to conversations that led to

1 Mr McClay's appointment, so I can't comment any further.

2 **Q.** And it only lasted for three months as I understand it?

3 **A.** That's my understanding, yes.

4 **Q.** Are you aware of the position that the insurers and/or legal advisors took at that time in  
5 relation to that appointment, were they in favour or did they have concerns about the  
6 independent monitor?

7 **A.** In terms of Mr McClay's appointment?

8 **Q.** Yes?

9 **A.** I don't know what the opinion of either our legal advisors or our insurer was.

10 **Q.** If we can look at SAL0000044, this is the first monitoring report from the Honourable  
11 Roger McClay, November 2003, and if we can look at paragraph 3, so clearly he was able  
12 to meet with the task force and also to hear from the lawyers and the insurers. Actually,  
13 perhaps if we can just pull out from there to the end of the highlighting, that might be  
14 simpler. He talks about sorry that the original letter of introduction was not sent out as it  
15 was aimed at enhancing lines of communication.

16 But the point now is, "I do not agree with the insurers on this issue. They have a  
17 somewhat different set of criteria than does The Salvation Army with these matters.  
18 Insurers will only pay what the policy prescribes for them to pay. The Salvation Army has,  
19 it seems, to bear the brunt of the odium which occurs when insurers will not meet the  
20 expectations of those who have made allegations. Tough attitudes of insurers and their  
21 legal advisors has been affecting attitudes toward The Salvation Army."

22 Given that that was probably the first and only advice received from this  
23 independent person, what did The Salvation Army do in terms of taking on board those  
24 concerns and what happened next?

25 **A.** The Salvation Army, subsequent to this, did move away from relying on our insurers and,  
26 as Mr McClay captures in these paragraphs, some of what he's shared here was some of the  
27 rationale for that. That there was, I accept, some tension between the requirements of our  
28 insurance and our insurer and the parameters set around that. And our moral and ethical  
29 and Christian perspective that we applied, we applied a broader lens and that was so that –  
30 that was driven by our desire to better meet the needs and recognise the abuse and hurt and  
31 pain that we had caused to survivors.

32 So this was, I can't say for sure, but it would have been the early days of beginning  
33 to have the conversations around is it appropriate for us as The Salvation Army to continue  
34 to use the vehicle of insurance to get to a point of redress and agreement, or should we, as

1 we subsequently did, step out of that space, move away from the legal requirements of  
2 statutes of limitation and everything else, including what's referenced here, and actually do  
3 the right thing for abusers, which we did.

4 **Q.** And touching exactly on that point, would you accept that doing the right thing within the  
5 organisation that has responsibility for the abuse, there are a myriad of competing  
6 objectives, one of them or two of them being insurers and lawyers, and stakeholders. So  
7 accepting that there are conflicts of interest or competing objectives that can get very  
8 complex, that removing redress processes to an independent body that is not exercised by  
9 those competing interests would actually be a good thing for survivors to be able to access?

10 **A.** As I've already referenced in my evidence, The Salvation Army is very open to particularly  
11 hearing from the Commission in terms of their findings and I'm conscious that the  
12 Commissioners are very aware of this particular point that you raised, and my  
13 understanding are wanting to address that as quickly as practicably possible, and we,  
14 speaking on behalf of the Salvation Army, would take that on board and are not opposed to  
15 that concept.

16 **Q.** Would you acknowledge also that the Roger McClay appointment was the first and last  
17 time that there was an independent external look at complaints about the process itself,  
18 apart from the Mr Veale investigation?

19 **A.** That would be my understanding, aside of advice we receive from others, but that was  
20 generally in the legal space, as is documented.

21 **Q.** And we looked very briefly yesterday about the inadvisability and barriers to access for  
22 survivors when they have to deal with somebody within the same organisation, whether it  
23 be Hugh McCready or a relative, that that could preclude a lot of people coming forward.  
24 So would you accept that if there is an independent person not associated in any way,  
25 employee or otherwise with the organisation, that would remove barriers for survivors to  
26 come forward for redress?

27 **A.** I acknowledge that, yes.

28 **Q.** And the Colonel hasn't had the opportunity to look at the full statement of the Most  
29 Reverend Richardson from the Anglican Church, but because we're coming out of order I  
30 have provided Colonel Walker with just the paragraphs that relate to his views on  
31 independence and it would be useful for us to just very quickly look at WITN0265001.  
32 You've had the opportunity to read it?

33 **A.** Yes.

34 **Q.** And you have a copy in front, and I'm sure the Commissioners also are aware of it, but I

1 will put it on the screen. We're looking at paragraphs 128 really through to 136. And the  
2 Most Reverend Richardson talks with some favour about an entirely independent process as  
3 you will see:

4 "An ideal process — he says at paragraph 128 — for providing fair and  
5 survivor-focused redress will need to be independent from the institutions where the abuse  
6 occurred. It is entirely understandable that survivors will not want the institutions where  
7 they were abused to be responsible for overseeing the process for providing redress and in  
8 particular they do not want that institution to investigate. I can understand why survivors  
9 would not trust us to investigate ourselves when it comes to their claims."

10 And he goes on in similar vein, he does raise some particular clerical issues that  
11 are specific to the Anglican Church. But just on that general proposition, what would be  
12 your comments?

13 A. I reiterate that our stance that has applied from the very beginning, that we are open minded  
14 on this and are looking to firstly recommendations from the Commission and we would be  
15 very open to what the Most Reverend Richardson is referring to, and we'd certainly be open  
16 to considering that and exploring that in more detail.

17 Q. And we talked briefly yesterday about the Australian Royal Commission and you  
18 mentioned that you had kept a very close eye on that in New Zealand, was I —

19 A. We've kept a close eye, I wouldn't say a very close eye.

20 Q. And you will be aware that the recommendation was for a unitary independent redress  
21 scheme that encompassed both State and faith-based institutions?

22 A. Yes.

23 Q. And that came into existence in I think it was June 2015, you're aware that it was 2015?

24 A. I don't know the date, no, I don't know the date.

25 Q. So six years ago that was the implementation arising from the Australian Commission.  
26 What stopped the New Zealand Salvation Army saying that reflects international learning  
27 and best practice as has been found by independent inquiries and following a similar path  
28 rather than waiting six years to still be in this position?

29 A. That's a question for us to consider. We at the time, and it's reflective of the number of  
30 complaints that we're receiving from survivors over that last six years, and we, I reiterate,  
31 we were very happy with the work that Murray was doing. Some of the learnings that we  
32 had applied by that stage were to look broader in terms of what other support we could  
33 wrap around survivors that we potentially did not consider in the earlier days.

1                   So we felt, and that, from 2015 onwards, that our processes and the work that  
2 Murray was doing and the way he was engaging with people in an empathetic and caring  
3 manner, taking along the appropriate person to be with him as he engaged with survivors  
4 and based on the outcomes of the agreements that were reached there, there wasn't,  
5 certainly in the last five or six years, I don't recall there being instances of where the  
6 survivor had an issue with the process that I can recall immediately. Certainly, you know,  
7 under this Commission we've heard of earlier situations, and I acknowledge those,  
8 I acknowledge that we could have done better and I apologise that, but we have taken those  
9 learnings and applied them going forward.

10 **Q.** Because would you accept that it may well be that the claims relating to the children's  
11 homes is starting to slow down, there have been 20 years of knowledge about a redress  
12 process relating to children's homes, but you, in our discussion at the start of this session,  
13 are providing social services to a wide range of very vulnerable people, there are likely to  
14 be contemporary claims since those historical periods and going forward into the future.  
15 Would you accept it is equally important that the redress processes are well-established,  
16 well-structured, and well-known for people who may want to make contemporary claims?

17 **A.** I would accept that, yes.

18 **COMMISSIONER ERUETI:** Can I just make a comment on that please, counsel. My  
19 understanding is the last home closed in 1999; is that correct?

20 **A.** It would be earlier than that. 1999. Many of our children's homes closed around the time  
21 of the Child Youth and Family Act of 1989, so probably earlier than that.

22 **Q.** Your evidence is that prior to the closure of the last children's homes in 1999, it's in your  
23 brief of evidence.

24 **A.** That might have been the operation we ran at The Nest in Hamilton which was more of a  
25 family home than a children's dedicated home I would think, yes.

26 **Q.** But still, would accommodate children?

27 **A.** Yes, definitely, and we still accommodate children and their parent or parents to this day in  
28 similar facilities.

29 **Q.** Yes. My observation is that we understand it can be 20 years on average for people to  
30 make disclosure, so the point about the contemporary possible, you know, instances of  
31 abuse in this contemporary age, but also it could be now that we're starting to see people  
32 actually wanting to approach The Army. So it does puzzle me that the numbers who have  
33 approached The Army in recent years, say in the last five years, are relatively low?

34 **A.** I have had a couple of conversations with our leadership team and we — and it's in the

1 context of this Royal Commission – that we anticipated and were pleased with what we  
2 thought might happen, and that is that we would see an increase in claims to us, either to us  
3 or to the Police, or indeed to this Commission, and we would, as we do to this day,  
4 welcome that. We encourage people to come forward. That really hasn't, to this day,  
5 happened.

6 **Q.** That's right.

7 **A.** And that is a surprise to me personally, because I would have hoped that with the profile  
8 and this that that would encourage survivors to come forward. But I also appreciate and  
9 respect that that is a hugely difficult thing to do at any time for a whole range of reasons.

10 **Q.** Yes, I mean it does raise the questions about profile, publicity of your process, and actually  
11 what the content of your process is. But I just wanted to make that comment about it's not  
12 just contemporary but also we still have this lag it seems from historical claims. Thank  
13 you.

14 **QUESTIONING BY MS JANES CONTINUED:** No, very important point, because there may  
15 still be that cohort making its way through that 20-year period and going forward.

16 **A.** And for anyone here today or watching through the live stream, I encourage them to come  
17 forward, whether it's to us direct, to the Royal Commission, to the Police, whatever, we  
18 really do want to hear from people.

19 **Q.** And my next topic really thinks further about those access issues and the flexibility of the  
20 process. We spoke yesterday about one size not fitting all, and I acknowledge that there are  
21 challenges in getting it right for each individual claimant. But just on that, would it be a  
22 simple and expedient step at the start of each part of the redress journey to find out what  
23 that particular claimant needs for their healing journey? So for example, if it's a Māori, do  
24 they need a translator, do they want their whānau, do they need some – Murray talks about  
25 connecting with heritage, but really asking them in a very open and responsive way "What  
26 do you need from us?" Because the challenge for redress processes is many vulnerable  
27 people do not ask, so taking Pacific people as an example, very hesitant to ask for  
28 something and likely the same for many cultures. So how do you adapt your process to  
29 make sure that it is flexible for that individual person and is responsive to their needs?

30 **A.** That is an area of priority for us right across all of our service provision within The  
31 Salvation Army, how we can be culturally appropriate and relevant and navigate through  
32 and hopefully break down barriers. And so we continue to do significant work in the space,  
33 and similarly in the redress area, and that should be no different. And Murray will be able

1 to explain in more detail the conversation that takes place when he meets with a survivor.

2 But over all the years that Murray has been involved, that's been one of the reasons  
3 why we have gone to the survivor, we haven't expected them to travel at their own expense  
4 to come to Wellington to see Murray, for instance, or engage in The Salvation Army. He  
5 has gone to all parts of the country and indeed overseas to meet with people and has taken  
6 along a person that, you know, we believe would be able to support both Murray but also  
7 be there as a support for the survivor.

8 And as Murray has shared in his testimony, there are examples of how we have  
9 tailored our engagement and our ultimate response, taking into account cultural values and  
10 the individual needs of the survivor. And we have learned that over the years, we  
11 acknowledge that, but we have learned and we have applied it going forward, and continue  
12 to apply that and new learnings that will come out of this Commission as well, as we  
13 journey forward, whether it's in a new space of these investigations and complaints being  
14 dealt with external to The Salvation Army, or internal to The Salvation Army. We commit  
15 to that.

16 **Q.** And I'll cover the actual inflexibility perceptions from survivors with Murray in more  
17 detail, but because Salvation Army leadership both sets the tone and the framework which  
18 Murray then administers and implements, one particular area of concern for survivors has  
19 been the insistence on face-to-face interviews and there has been an inflexible approach to  
20 that. Does The Salvation Army leadership, is that a direction from there, or is it something  
21 that Murray has determined is a point of no negotiation?

22 **A.** Representing leadership, of which I'm part, we are supportive of and encourage a  
23 face-to-face interview. Whilst acknowledging it's a very difficult conversation to be had on  
24 behalf of the survivor, but it is also about being respectful of the survivor and showing  
25 them in a very tangible way this is important to us, and Murray and somebody else will  
26 travel wherever that the survivor wishes to meet in a space, and Murray puts a lot of  
27 thought into where the meeting will take place, engages in conversation with the survivor  
28 around what's an appropriate place and space and time to have that conversation. So in that  
29 respect, I personally, and I speak on behalf of leadership, are supportive of that.

30 Now should that be the only way that a survivor can engage? Not necessarily.  
31 But to answer your question, I believe it is showing respect and value to the survivor and I  
32 believe it helps in terms of developing a relationship. Now to what degree that relationship  
33 is developed depends on each survivor and we've heard varying accounts of that. Let's be  
34 real; for many survivors the last people they actually want to see is The Salvation Army,

1 I accept that and I understand that, we all can.

2 We also do want to show respect to the survivors by not just doing this  
3 electronically or via letter in a way that is, I don't believe, as respectful as, say, "Well how  
4 about we sit down and we want to hear from you." And when Murray meets with people,  
5 yes, he has some questions to prompt the conversation, but in essence from my — the  
6 number that I've sat in with Murray on over the years, it's an opportunity for the survivor to  
7 share in their own way, in their own time, their story of abuse.

8 **Q.** Would you accept that for some there is that deeply felt hurt, antipathy that it is a barrier to  
9 be required to attend a face-to-face interview, would respect not be making the offer and  
10 then leaving it for the survivor to say "That is a step beyond what I can do, I would reduce  
11 my experience to writing", which would allow The Salvation Army to have the detail and  
12 apply its process of verification, and without any discourtesy to your answer, because it is  
13 clearly heartfelt and well-meant, would you agree that respect really is about saying "I'm  
14 not imposing my process on you, I'm open to working with you to ensure that we both can  
15 manage this process?"

16 **A.** The process and journey needs to be mutually agreed and I can't answer this next point that  
17 I'm going to mention, it might be one for Murray because he's had first-hand experience,  
18 and I guess the question is, I don't know how many situations that Murray has engaged with  
19 survivors where, from the outset, they've said "Well, actually I don't want to meet with  
20 you —

21 **Q.** There are quite a number.

22 **A.** — what's the other alternative?" And I don't have that information to hand. But again, our  
23 attempts have always been to acknowledge the hurt and pain that we caused, or contributed  
24 to, and to identify a mutually agreeable way of working through this very, very painful  
25 period in their life, which I accept for many is continuing to this very day. And all I can  
26 say is we apologise for that and we certainly do not want to add to that pain in any, albeit  
27 inadvertent way, by virtue of any of our processes or practises. And I believe strongly,  
28 I know Murray well enough to know that that is at the heart of how he engages, and also  
29 why he has continued to do this work for nearly 20 years on our behalf.

30 **Q.** So I'm hearing from you that there would be no resistance from the directions of the  
31 Salvation Army leadership if there were requests for flexibility that could and should be  
32 accommodated?

33 **A.** There would be no resistance.

1 **Q.** I'm just going to quickly talk about really support and resourcing for Murray, as you've just  
2 mentioned he has done this for some 20 years, and there have been — he mentions in his  
3 evidence that there was no training given, he came in as a commercial manager, clearly not  
4 his area of expertise, not a group of people he was used to dealing with, not understanding  
5 best practice in terms of trauma-informed approaches or redress approaches. Would you  
6 accept that that put him in a very difficult position to move into that role without that  
7 support?

8 **A.** Murray has done a sterling job for The Salvation Army over nearly 20 years and that's a  
9 credit to him. I acknowledge that we could have provided him with some of the training  
10 that you've just outlined and what we have endeavoured to do is, and have done, in more  
11 recent years, is have the person who goes alongside him often having some of those skills  
12 and expertise that you outline and reflected in our agreements that are negotiated, it's  
13 broader in many instances to a financial compensation and reflects some of the specific  
14 needs, particularly in terms of, say, trauma counselling and acknowledging the cost of that,  
15 reflecting that in settlements, and other situations of other support in a more tangible way  
16 that The Salvation Army has been able to provide to the survivor.

17 **Q.** If we can have a look at SAL000028 and just as that's coming up they are the Territorial  
18 Coordination Council minutes from 27 August 2003, I'll just show the front page to orient  
19 us but then jump down to children's homes which is pages 4 and 5 and just call that out.  
20 Just a few matters in this particular section of this document. So again, we note that there's  
21 appreciation for the excellent work of Murray, I assume "Cabinet" is Salvation Army  
22 Cabinet and not Government Cabinet?

23 **A.** That's correct, at the time that was the senior leadership team.

24 **Q.** And it talks about 28 informal claims that, if they are to come in to proceed to  
25 compensation, The Army would be liable for 30,000 excess for each successful claim.  
26 I assume that's referring to the insurance policy and the excess The Salvation Army would  
27 have to pay for any compensation before the insurer contributed?

28 **A.** That's my understanding.

29 **Q.** Just going to the next page, and again calling it out. So again, just looking at the context,  
30 we're in 2003, there's been the documentary, there have been 60 claims that have come, 28  
31 at this point, but we saw yesterday that in 2003 there were 60 claims filed in that year, and  
32 this talks, even with 28, that the workload of Murray be checked and carefully monitored,  
33 that an appointment be made for Murray to have some supervision. What steps were put in  
34 place at that point to check and monitor the workload and also to provide the supervision?

1 A. I can't speak with accuracy, I was not involved in that space at the time back then. But the  
2 intent there was that we were conscious that this was additional work that Murray was  
3 taking on, it had a whole lot of emotion wrapped around it, and that we wanted to be careful  
4 about protecting Murray in this space mindful that he had the ongoing role of our  
5 Commercial Manager. So the intent of this was to support Murray, which we have  
6 continued to do over the subsequent years.

7 Q. And given we've seen big claims, 60 in 2003 and, there were about 50, I think, in 2004, and  
8 you've said he's continuing with his commercial role — yes 50; was there consideration  
9 given to training and providing additional resource not only to assist with the workload but  
10 Murray clearly must take holidays, he might be sick, he might move into other  
11 employment. In terms of safeguarding consistency of the process, why was he the only  
12 person doing this, particularly at that point in time?

13 A. This is an assumption I'm making because I was not part of conversations that lead to being  
14 appointed in this space, and my engagement was particularly from 2014 onwards and I've  
15 worked closely with Murray since then. But at that time, an assumption I make is that, you  
16 know, we were conscious, as is outlined here, of monitoring and checking on Murray, and  
17 as to what conversations were had, particularly with Murray or his manager around what  
18 other supports would be required, I can't comment on those, they're not, to my knowledge,  
19 documented anywhere that I've seen.

20 Q. So no regular reports in writing back to leadership, were they all oral?

21 A. I — certainly in my time being on the Territorial Governance Board, which was the  
22 successor to the Cabinet, that since 2014 there were regular reports from Murray to the  
23 Governance Board from 2014, and I have no reason to — my assumption was that they were  
24 occurring periodically prior to that, but that would be a question possibly Murray can  
25 answer, I can only speak from 2014 onwards. And that is about the Governance Board in  
26 particular being appraised of the work that Murray is involved in, the number of cases, the  
27 learnings from this, and what support we can continue to provide Murray in more —  
28 certainly for the last couple of years we have appointed another person who has been able  
29 to take on some of the work that Murray was doing as Commercial Manager, which has  
30 freed up space, particularly to engage with the Commission, and hope the Commission  
31 agree, that we have been extremely cooperative and diligent in meeting all the deadlines  
32 that the Commission has set and provided all the material that we had available and have  
33 done that in a timely manner. And that's been predominantly the work of Murray, and I just

1 want to acknowledge that. But we have in the last couple of years had in place an  
2 additional person who's been able to take some of that workload away from Murray.  
3 Certainly prior to 2014, I personally can't comment on what conversations were possibly  
4 had around that particular question.

5 **Q.** So it may well be something that was considered but not implemented and we can check  
6 with Murray.

7 **A.** Yes, I don't know.

8 **CHAIR:** Excuse me, do you mind if I just clarify this. You've appointed an additional person,  
9 you said as business manager. I think the question was, had there been given thought to  
10 appointing somebody to assist Murray with the claims work, but are you saying you've  
11 appointed somebody to relieve him of other duties so he can get on with claims work?

12 **A.** It's two-fold, Judge. We have appointed someone to take on some of Murray's Commercial  
13 Manager role, we also have appointed, and I'll call her an administration person, who has  
14 helped in terms of sourcing documentation and preparing that, providing that to Murray  
15 who in turn has supplied that to the Commission.

16 **Q.** That's responding to requests for information from the Commission?

17 **A.** From the Commission and anticipating what might be, because we wanted to cooperate  
18 from day one, so we started to try and anticipate what the Commission may be looking for  
19 and started searching for that immediately.

20 **Q.** I understand that, so you're providing back room, if you like, support for Murray?

21 **A.** Yes.

22 **Q.** Also in his commercial management role, but have you thought or contemplated having  
23 somebody else who is able to step in for Murray should something go wrong in terms of his  
24 interaction with survivors?

25 **A.** We have other people that, if Murray was not available, who are extremely capable to the  
26 degree Murray is of doing that work and we have those people both at our Territorial  
27 Headquarters level but also across the country and we could call on them at any time.

28 **Q.** Thank you.

29 **QUESTIONING BY MS JANES CONTINUED:** Just picking up on that point, though, you've  
30 said that there's no formal policy, there's no written policy, clearly there is a lot of  
31 institutional knowledge in Murray's head that nobody else is privy to. Given the need to  
32 future-proof the redress process, both for Murray's well-being and the organisation's, why is  
33 that not being captured now so that there can be consistency if it remains within The  
34 Salvation Army ambit?

- 1 A. Murray is a very meticulous person, that's my assessment, and Murray has captured all the  
2 information and it is clearly documented, we know exactly where it is, we know exactly  
3 how to source it. We also would have access to the questions that he asks when he goes  
4 and meets with abusers. So I do not accept that we don't have procedures that are  
5 accessible. Are they written in a policy? No, they're not. Should they be? I accept they  
6 should be.
- 7 Q. Because he does say in his evidence, in his head he knows how all the settlement amounts  
8 came to be, but that is not going to help where there is an objective of parity, consistency  
9 and fairness, that if we come back to the discussion of a matrix and discretion, so there at  
10 least is a starting point or benchmark. Would you accept that for the longevity of any  
11 redress process that type of institutional benchmark information should be available to  
12 more than just one person having it in their mind?
- 13 A. The information is held by Murray and it's held in a secure place because it is very  
14 confidential information and we respect that it needs to be held tightly and is held currently  
15 by Murray. We also know within that information, and it's not all in his head, everything's  
16 in his head, but in addition we have things documented, and should something suddenly  
17 happen to Murray we would, I'm feeling confident, be able to search through his meticulous  
18 record-keeping and be able to, albeit might take a little bit of time for another person to be  
19 able to begin to capture the critical information and read through files and cases to be able  
20 to determine the settlements and some of the rationale around that, because Murray does  
21 keep meticulous records, I accept, as I shared in my evidence, that we do need to  
22 future-proof whatever process applies going forward, whether that's an internal one or  
23 conversely external to The Salvation Army, we would still need someone or some people  
24 who would represent The Army in terms of engaging with the, in a constructive, positive,  
25 cooperative, collaborative way, with whatever is set up going forward.
- 26 Q. Because the point you correctly make is, even with an independent external agency, much  
27 like the Royal Commission, there is still the need to feed information into the investigation  
28 that they would conduct on particular claims. You talk, and I think we would all accept,  
29 that working in this particular environment, hearing the very painful, hard grief experiences  
30 can be a real burden on a person's soul over 20 years or shorter, would you agree with that?
- 31 A. I do agree, yes.
- 32 Q. And there have been occasions where, and not wanting in any way to cause embarrassment  
33 to Murray, but there have been occasions over the years where external parties, particularly  
34 Cooper Legal, have raised concerns about Murray not just in terms of process issues, but

1 also for his personal welfare. And I won't put the document on because it is personal, but if  
2 I can just go through that at SAL0001746, which is a letter from 21 January 2005, a letter  
3 from Sonja Cooper to The Salvation Army Commissioner. In that particular document it is  
4 about –

5 **MS STEVENS:** Excuse me, the Colonel will be able to see the document copy there if that's –

6 **WITNESS:** Or you can give me the page number in the – **[Copy provided]**

7 **MS JANES:** Thank you Madam Registrar, that would be the better way to do it.

8 **QUESTIONING BY MS JANES CONTINUED:** Just at page 1 paragraphs 3 to 5, just quickly  
9 orientate yourself to the document. Just while Colonel Walker is doing that for the benefit  
10 of the Commissioners, the points that I will just be highlighting are that there are concerns  
11 raised about Murray Houston negotiating directly with Cooper Legal clients to outcomes  
12 that they believe were not advantageous for the clients. There are other issues raised about  
13 vulnerability of the clients generally. There are specific issues related in relation to Roy  
14 Takiaho who the Commission heard evidence from. It raises disparity of treatment of  
15 victims of Hugh McCready and the outcomes of those. And then it raises at page 3  
16 paragraphs 4 to 5 and page 4 paragraphs 1 to 4 concerns that they have about Murray's  
17 welfare, that he has communicated to them about workloads, stress, stress of the job and  
18 some other issues.

19 So this is in 2005 when we know that there have been this huge wave and so  
20 understandably by 2005 it's possibly a bit much. And that's not the only letter, but let's just  
21 look at that one because that's the first time these issues have been raised. As the employer,  
22 The Salvation Army again has a duty of care to Murray. Receiving information like this  
23 from an external source, both about your processes and the person who is administering  
24 those processes, what action did The Salvation Army take for the welfare both of Murray  
25 and also to ensure the integrity of its processes?

26 A. The first thing I'd like to say is that, as you outlined before, this is a very difficult stressful,  
27 emotional space to be operating in for anyone, and that includes Murray and that's  
28 testament to him that he did not approach each case in a clinical way and that, like any of us  
29 would be, there would be occasions when things were shared that would impact him as they  
30 would impact anybody in this room or watching on the live stream, certainly survivors  
31 hearing this would fully understand what that means. The supports we put in place  
32 specifically for Murray back then, I can't comment on those, but as was outlined in the  
33 earlier Cabinet minutes, we were conscious that this was additional work for Murray.

1 Maybe we didn't at that point necessarily appreciate the emotional aspect to that, but we  
2 certainly are well aware of it today and have been over successive years, and have provided  
3 Murray with whatever support he has needed to continue to serve in this space and serve so  
4 well, The Salvation Army and do the best we can to meet the needs of survivors, both now  
5 and going forward.

6 **Q.** Because we see that the responses sent back seven days later, and we won't go to the  
7 document, but it's SAL0001749. Given the very serious and comprehensive nature of the  
8 concerns raised both about the process and about the person that there was responsibility  
9 for their well-being, do you think it's actually acceptable that in seven days The Salvation  
10 Army turns around and says that the concerns were taken seriously but they don't have any  
11 concerns?

12 **A.** It does state in that document of 28 January that you're not putting up from Commissioner  
13 Garth McKenzie that Mr Murray Houston has a different account of his dealings with  
14 Mr GRO-B including that Mr GRO-B initiated the relevant contacts. So the response from  
15 Commissioner McKenzie, it was very prompt, there would have been a conversation  
16 between he and Murray following the receipt of the letter on 21 January and on 28 January  
17 one week later Commissioner Garth, who was renowned for his promptness and efficiency,  
18 responded as I've just outlined.

19 **Q.** And so that was the first letter of concern, for time reasons I will just summarise, but there  
20 was a letter in 2007 which is SAL0000756, 2008, SAL0001489, and again in 2011  
21 SAL0001748, where Cooper Legal took the step of actually writing to London. But the  
22 quick question really is, that given the pressure of the work, the responsibility of the work,  
23 the concerns from external parties that Salvation Army was engaging with, would it not  
24 have been advisable to ensure that there was more than one person available for the redress  
25 process so that both for Murray and for external parties such as Cooper Legal there was not  
26 just one avenue for accessing the redress process?

27 **A.** At the time in 2005 there were a lot of claims, as has been documented, that meant a lot of  
28 extra work and tension for Cooper Legal as well, and so there were some tensions. I am  
29 well aware that the relationship subsequent to these dates and to this very day is very  
30 positive between Murray representing The Salvation Army and not just Cooper Legal but  
31 other law firms and survivors. So this is a period in time that was very — there were a lot  
32 of claims, as we're aware, and right through the last 20 years, as I outlined in my evidence,  
33 we have supported Murray in any way that we can. I don't recall that any request from  
34 Murray has been declined, denied. Whatever resource Murray has needed to undertake this

1 very challenging work, has been provided to him. We have not put any limits on the  
2 expenses he's incurred, nor have we put any limits on the level of redress.

3 **Q.** Would you accept, though, that as a loyal employee it's very hard, most of us don't wish to  
4 complain or to say that we're not up for the job, and so would you accept that in terms of  
5 the redress process and the integrity of the process, that there needs to be that oversight and  
6 that monitoring independent of the individual doing the job to make sure it is proper sized  
7 and well-resourced?

8 **A.** We do that now, we have done that right through. I am part of the Royal Commission  
9 Working Group and one of our objectives is to be there as a support to Murray and that  
10 includes whatever resourcing he needs and, as I just shared, at no point have we ever said  
11 no to Murray when he has asked for any resource of any nature, and that commitment still  
12 stands today.

13 **MS JANES:** I'm going to change topic so I wonder if we take the break?

14 **CHAIR:** Yes, we will. We'll take 15 minutes and my usual caution to you, Colonel, which  
15 I know you understand. Thank you.

16 **Adjournment from 11.29 am to 11.48 am**

17 **MS JANES:** Colonel, just turning to the litigation strategy and decision-makers and how those  
18 decisions were made, Mr Houston in his evidence at paragraph 4.3 talks about Salvation  
19 Army leadership being involved in the early Janet Lowe and survivor advising abuse group,  
20 and I understand that to have included the Territorial Commander and the Chief Secretary.  
21 Are you able to confirm who would have been involved in those early days of  
22 decision-making?

23 **A.** It was – at the beginning it would have been the Territorial Commander Shaw Clifton, the  
24 Chief Secretary was then Lieutenant Garth McKenzie.

25 **Q.** And that's consistent with the names that we've seen in documents. In your evidence at  
26 paragraph 3.3 you talk about initially being responsive insurance with some reliance on  
27 available legal defence as being the Limitation Act and ACC. When from your  
28 understanding was that move away from reliance on the insurers, on the Limitation Act and  
29 other legal defences, when did that occur?

30 **A.** I don't have the precise date as to when that occurred, but if I was guessing it would be sort  
31 of in that 2004 onward period, but I don't precisely know when that decision was  
32 definitively executed.

33 **Q.** And when that decision was made, would that decision have been made, again, at the  
34 Territorial Commander Chief Secretary-type level?

1 A. I would have expected that to be the case, yes.

2 **Q.** So if there were letters indicating that they were still being relied on sent to survivors or  
3 their legal representatives, would Salvation Army leadership have been approving those  
4 letters, or where would consent to that framing of still relying on legal defences come  
5 from?

6 A. So just to clarify, you're talking post the decision of leadership to move away from our  
7 insurer?

8 **Q.** That's really why I'm checking when you think that occurred. So when do you think you  
9 moved away from your insurer?

10 A. I don't know the precise date as I shared, I was surmising.

11 **Q.** Again, because we're on tight time I won't belabour it, but just quickly highlighting that  
12 there are documents 2001, 2003, 2004, 2007 that go out, and I think we will look at some,  
13 just again in fairness to you and the organisation, but certainly around 2007 it is still a  
14 feature of communications from The Salvation Army about not accepting liability, that  
15 there are legal defences but then there is the out of court settlement.

16 So let's just reflect on that, we'll quickly look at a couple of documents because I  
17 think it needs to be explored; if the sense from you is that it stopped early, if these were  
18 outliers, why were they still being communicated, which again is a barrier to survivors. So  
19 we've looked at the Janet Lowe letter, that is WITN0066017, don't necessarily need to go to  
20 it unless it would be helpful. But the nub of it is that she is told that The Salvation Army  
21 doesn't believe her claim would be successful, it could be defeated on a number of fronts,  
22 goes through the statute of limitations analysis, and the belief that it would fail. The  
23 conclusion is that she's invited to discontinue her claim, and if she does, The Salvation  
24 Army would bear its own costs, but with the inference that if she doesn't, they would seek  
25 costs from her. Does that –

26 A. The question I have to you is, what is the date of that letter?

27 **Q.** The date of that letter, it's 29 May 2001, so it is that very early letter.

28 A. Yes.

29 **Q.** So I'm just sort of setting the ground work for what follows later. And I do have a question  
30 about that particular letter, because it was known to The Salvation Army that Janet Lowe  
31 was part of the wider SAAS group, the other cohort of claimants?

32 A. At some point it was, whether it was at the time of that letter I do not know.

33 **Q.** And would it be a fair and accurate expectation that a claimant being given that very  
34 disheartening view of where their claim is perceived by the organisation, would share that

1 information with other impending claimants and that would really be quite a barrier to  
2 access, may stop them proceeding with their claims; would you accept that?

3 A. It was certainly, you know, Janet was free to share that letter with whoever. As I've  
4 referenced in my brief of evidence, we acknowledge that in the earlier days — and 2001  
5 was right back at the beginning — we did not always get it right, particularly in the area of  
6 our correspondence that you've outlined, and we have strived to do better since. That also  
7 was at a time when we had to work within the parameters of our insurer and their advice,  
8 and so that's why I asked just for clarification, I thought it was around 2001 but I think it's  
9 important for people to have the context of when that letter was written and the space that  
10 we were in at the time, and acknowledge the learnings that we've taken from that moving  
11 forward.

12 Q. And it is important to look at the chronology. So we will have a look at WITN0250006,  
13 and just as that's being brought up, this is a letter dated 5 November 2003, so after the  
14 documentary has aired, and Territorial Commander Shaw Clifton has outlined the redress  
15 process in the media that would be followed. So this is McElroys just confirming that they  
16 were lawyers for the insurers and also for The Salvation Army, or just for the insurers?

17 A. My understanding is just for the insurers, they weren't our, to my understanding, our legal  
18 representatives.

19 Q. And if we can go to page 1 paragraph 3 and this particular survivor has complained of  
20 physical and emotional abuse while under The Salvation Army care, they are asking for  
21 appropriate compensation, Salvation Army is noted to have insurance for this type of claim.  
22 "As a result, any compensation payment would come from its insurer not from The  
23 Salvation Army itself. So The Salvation Army is required to allow its insurer to handle the  
24 claim. That is what we have been instructed to do." So in 2003, still very much being  
25 managed by the insurer?

26 A. Yes.

27 Q. Would you accept that receiving a letter like this, again it would create the perception that  
28 there are barriers because it is an insurer who's managing it, The Salvation Army is very  
29 much hands off, it's not going to be contributing to the payment, that's actually not  
30 intentionally, but would you accept that is misleading for a claimant to understand that the  
31 only avenue of compensation is an insurer and nothing to be contributed by the  
32 organisation?

33 A. I accept that the survivor receiving that letter would interpret that there are potential

1 barriers in the way. But correspondence of this nature and statements like that were one of  
2 the foundational reasons why we moved away from our insurer because that was not in  
3 keeping with our commitment to redress and our commitment to support survivors and our  
4 values and beliefs.

5 **Q.** And it goes on at paragraph 5 of that to talk about while there is no reason to disbelieve the  
6 claimant, even if an investigation proved that the incidents occurred, The Salvation Army  
7 would have the legal defence because it was out of time, meaning the Limitation Act. So  
8 accept that even in 2003 that was still via the insurers being the barrier created for  
9 claimants?

10 **A.** That's certainly, as you outline, the stance of the insurers who were looking at it, I would  
11 take from the tone and words contained in this letter, very clinically and as per the policy.  
12 We, The Salvation Army, determined that that was not in keeping with our values and  
13 beliefs and our respect and wanting to do the right thing for survivors who were in our care  
14 and were abused. And as I said, conversations or e-mails and letters like this contributed to  
15 our making the decision to move, step out and not impose a statute of limitations at all.  
16 And I think it's reflective of the conversation we had earlier that was raised by the  
17 Commissioners around some people, quite understandably, take 20 years plus to get to a  
18 point where they feel they can share what is very sensitive and painful information with  
19 anybody, and we acknowledged that at the time, hence we made the decision that we would  
20 step outside of both our legal, or legal parameters and particularly around insurance. This  
21 was not about money.

22 **Q.** And we've looked at the insurer writing to the claimant, but in this particular claimant The  
23 Salvation Army itself wrote in 2004, if we look at WITN0250008 and this is a letter from  
24 Territorial Commander Shaw Clifton to the same survivor dated 26 February 2004 at  
25 page 1 paragraph 3. The Salvation Army itself reinforces the insurer's view about no legal  
26 liability but nonetheless they were prepared to take a non-legalistic approach and offered a  
27 settlement. But again, you would accept that the mention, which could be perceived as a  
28 very threatening obstacle to overcome, is still being used in 2003/2004 in terms of that  
29 obstacle of legal liability?

30 **A.** This letter from Commissioner Shaw Clifton reflects that journey that I've spoken about, in  
31 that we were beginning to move away or consider moving away from the purely legalistic  
32 and insurance policy requirements to one of stepping outside of that and considering each  
33 case and negotiating a settlement. Now I appreciate in this place the statement here is a  
34 letter, it's an offer, but it illustrates that journey.

- 1 **Q.** Just putting yourself in the shoes of the survivor who has taken the enormously courageous  
2 step of coming forward and telling about the abuse, how do you think they feel when they  
3 get a letter that talks about we have no legal liability to you. Can you understand that that  
4 is quite dismissive. So even though it offers money, it's really — the perception is that  
5 there is no accountability being taken, no acknowledgment, but "we'll pay you some money  
6 to go away"?
- 7 **A.** As it says here, it goes on to say that we are prepared to take a non-legalistic approach and  
8 that's the tone of this. So I think Commissioner Shaw was outlining the statement of fact  
9 that as we were operating under our insurance policy there was no legal liability. However,  
10 he on behalf of the Salvation Army, was stepping outside of that and that's reflected in this  
11 letter.
- 12 **Q.** And in 2007 it appears that the insurers were still involved because their lawyers are still  
13 writing to survivors, so if we can have a quick look at SAL0000757, this is a McElroys  
14 letter to Cooper Legal. It refers to a claimant who has provided written statements, Scott  
15 Munro, and another individual who is not identified, and it's 30 March 2007. Just skipping  
16 over it talks about The Salvation Army seeing Murray Houston's role as pivotal, but the  
17 paragraph I do want to look at is page 1 paragraph 5, and again remembering this is 2007.  
18 It says:
- 19 "If your firm and/or clients are not prepared to accept Mr Houston's role in the  
20 settlement process, it will not occur. Litigation will be the only avenue by which your  
21 clients will obtain any resolution."
- 22 It goes on to say that the preferred position for Salvation Army is a negotiated  
23 resolution. But two things arise from that, one again, would you accept that it just shows a  
24 lack of flexibility in the process to meet the needs of individual claimants?
- 25 **A.** I would accept that taking this at face value as it is written here where it says it's not  
26 prepared to accept Mr Houston's role and the settlement would not occur, I accept there is  
27 an element of inflexibility there. What I don't know specifically is with McElroys letter  
28 there, whether they were acting on behalf of the insurer or outside of that, I don't know the  
29 answer to that, in terms of when we disengaged, as I said earlier, I don't know precisely  
30 when we disengaged with our insurer in respect of redress claims.
- 31 **Q.** If I can put it colloquially, if I put myself in the shoes of the survivor, it very much says  
32 take it or leave it or we'll see you in court. And they already know that there are legal  
33 hurdles with Limitations Act and ACC. So accept that's a pretty chilling message for a  
34 survivor to receive?

- 1 A. I agree.
- 2 **Q.** Does any of the communication that you're aware of, would the insurers have checked these  
3 letters with Salvation Army leadership or as insurers do they just say this is what we are  
4 saying?
- 5 A. I wasn't involved back at the time of the writing of this letter so I do not know whether  
6 McElroys engaged directly with leadership on the drafting of these responses.
- 7 **Q.** Are you able to put a year on when McElroys were no longer involved?
- 8 A. No, not a precise year, I don't recall that from the vast amount of documentation I've read in  
9 the preparation for this.
- 10 **Q.** That's perhaps something we can follow-up outside of the hearing or Murray may well be  
11 able to answer that tomorrow.
- 12 **CHAIR:** I think it's something I think we would like to know and maybe if Mr Houston can be  
13 briefed on that it would be useful, something for us to understand the context that you're  
14 talking about.
- 15 **MS JANES:** I think that would be useful.
- 16 **QUESTIONING BY MS JANES CONTINUED:** Going then to determination of quantum,  
17 I assume Murray didn't have an open cheque, that there were some criteria and guidelines  
18 set down for the, at least initially, the early stages of compensation discussions?
- 19 A. In that period you're talking about the early stages, I am not aware of what conversations  
20 might have been had around setting parameters around settlement.
- 21 **Q.** So in terms of establishing benchmarks, are you able to confirm or not whether advice was  
22 taken about what court awards had been made in similar cases?
- 23 A. What I'm aware of is in the documentation that has been furnished to the Commission that  
24 there is reference to meetings, conversations had around setting up some kind of matrix and  
25 being able to quantify as best you can, mindful that's an impossible task really to try and  
26 capture in a dollar value the hurt and pain that a survivor has experienced. Yet I read from  
27 the information that there were attempts to try and quantify that. In terms of reflecting the  
28 level of abuse and pain and suffering that has occurred for the survivors. But at the same  
29 time also endeavouring to apply some consistency. So there is a level of consistency  
30 applied to that as well.
- 31 **Q.** Do you know whether The Salvation Army conducted research or sought advice or  
32 consulted with other organisations such as the Crown, other faith-based organisations to  
33 provide guidance to Murray about starting points and end points?
- 34 A. Aside of what I've read in terms of engaging with the insurers and legal team, I don't know

1 of any other external conversations that may or may not have been had, including with the  
2 likes of other faith-based organisations or other cases, I don't know the answer to that.

3 **Q.** Because you talk in your evidence about being a sounding board for Murray about  
4 discussions on quantum. I'm just trying to get a sense of what the level of expertise that he  
5 had available within The Salvation Army to guide him and to provide a reasoned basis for  
6 being that sounding board. So talking from your personal experience, what were you  
7 drawing on to provide that guidance and advice?

8 **A.** So my involvement with working with Murray more closely has been over the last two or  
9 three years as part of the Royal Commission Working Group which is a group of senior  
10 leaders that our role is to support Murray, particularly in preparation for these hearings, and  
11 since I've become Chief Secretary last year I'm also involved in authorising payments and  
12 Murray will come and sit down with me and he'll walk through the particular case relating  
13 to the abused person, he will explain the rationale and he will say "This is what I'm  
14 proposing", and I will – we'll have the conversation, he'll answer any questions I have, and  
15 when we've completed that I do not – there has not been an instance where I've not  
16 authorised the payment that he has recommended or the course of action that he has  
17 recommended, which is outside of, but inclusive of, a financial redress.

18 **Q.** So there've been no occasions where you have disagreed on the quantum that has –

19 **A.** No, there has not.

20 **Q.** Do you have a process that would accommodate – The Salvation Army itself obviously  
21 would have the final say, it is writing the cheque, so where would responsibility for that  
22 decision lie?

23 **A.** I'm the, as Chief Secretary, the person who authorises the payments, so that rests ultimately  
24 be me.

25 **Q.** You may be able to – there's a document which I'm, again, not quite sure about the date of,  
26 you may be able to assist us on that, it's SAL0000141, just bringing that up. Under bullet  
27 point 6 on page 1 it talks about process and it sets out – perhaps if we can pull out those  
28 seven bullet points just down the bottom. So this is what I understand, and correct me if  
29 I'm wrong, that is effectively the process after an interview and moving towards the  
30 determination of the quantum. So these are seven elements that The Salvation Army takes  
31 into account when settling on the figure?

32 **A.** Correct.

33 **Q.** That's correct?

1 A. Yes.

2 Q. And are you able to put a date on that document? I've sort of got query 2018 but I'm not –

3 A. I would think that it is a more recent document and it is in preparation for the Royal  
4 Commission, I would think, in terms of capturing the process that Murray has followed  
5 over many years, that would be my guess in the absence of a confirmed date.

6 Q. And at the final bullet point of that particular document it confirms that the level of any  
7 compensation is based on the seven elements and commensurate with other settlements of  
8 like nature. That's your understanding also of the process?

9 A. Yes, it is.

10 Q. And then page 2, the first and last bullet points, just very briefly going back to the setting of  
11 the annual budget, it talks about each year a budget is decided to allow for potential future  
12 claims. Understanding from Murray's evidence is that he puts together an estimate, that  
13 comes through to Salvation Army leadership, finds its way into a line item in the budget I'm  
14 assuming. Curious yesterday that you mentioned you had only recently become aware of  
15 the amount that the redress was costing The Salvation Army.

16 So can you just talk us through that process? I mean is there a specific  
17 contingency liability allocated fund, where does Murray draw from, or The Salvation Army  
18 draw from both for financial settlements but also for the collateral counselling and all the  
19 other things?

20 A. As documented in point 4 here, we do a best guess estimate and that is for accounting  
21 practises and factoring into the budget. I in turn, within my budget, have a line relating to  
22 expenses incurred with responding to the Royal Commission, and that is at best a best  
23 guess. And not one that we – we do monitor it obviously, but at the end of the day it will  
24 be what it will be, and in terms of the redress process and the work that Murray does, that is  
25 the same principle that we apply, we do not set a ceiling and say right, for the rest of  
26 this year we're not going to settle anymore claims, that has never been our practice and  
27 never will be our practice, that is abhorrent to me. And why do I not know the amount  
28 that's been paid? Because actually that is irrelevant.

29 Q. And you've given your evidence about the cost of redress which you now know. We did  
30 that very quick calculation, the Inquiry has received a range of information. If we very  
31 quickly look at our tabulation at MSC0002219 and this will probably be a good time to  
32 actually formally produce this as an exhibit which is number 6. This is the collation  
33 document, but if we can go to the page where you'll find that there's a summary at the

1 bottom?

2 **CHAIR:** Just for the record, Ms Janes, this document I believe has been shared with counsel; is  
3 that correct?

4 **MS STEVENS:** Yes, it was shared with us on Friday, so it's produced on the basis that we haven't  
5 had an opportunity to verify it against the information that we provided.

6 **CHAIR:** Yes, I think that's important that we record that. So these are figures, as you've said  
7 Ms Janes, based on what you know to date or what you've learned to date.

8 **MS JANES:** Yes.

9 **CHAIR:** But maybe subject to verification by The Salvation Army at a later stage, would that be  
10 right?

11 **MS STEVENS:** Yes, that's right, we would like the opportunity. I understand it is based on the  
12 data we've provided under the section 20 notices last year, so it's an assumption that's been  
13 appropriately tabulated but we would want to check that.

14 **CHAIR:** So we'll take the document and the contents based on that sort of condition, they're  
15 probably fine.

16 **MS JANES:** In fairness to The Salvation Army, because they have provided information over  
17 quite a period of time, 2019, 2020, now 2021, it's not in any way saying anything about the  
18 earlier figures, it's just we think these are probably the most recent figures, but subject to  
19 verification.

20 **CHAIR:** Okay, thank you.

21 **QUESTIONING BY MS JANES CONTINUED:** So if we can just call out the numbers at the  
22 bottom of that particular section, they're all pretty much in the same ballpark, Colonel  
23 Walker. This seems to indicate there's been a total settlement amount of just over 5 million  
24 and it talks about the average settlement being 29,268, legal contributions 91,841,  
25 counselling costs 54,350 and other costs 36,802.91.

26 I understand from other evidence that Salvation Army has given to the Commission  
27 that may not include direct legal costs that were paid by the insurer, so the sum may  
28 actually be a higher amount. Is that your understanding or —

29 A. Well, I first saw this over the weekend so I don't know, as has already been shared, how  
30 this has been calculated so I can't answer your question.

31 **Q.** Just from the indication we were given from your counsel in July 20, the payments looked  
32 to be 4,868,000 so that's why I'm giving this figure which, from your spreadsheets, seems to  
33 be updated?

34 A. Your question around any other legal costs that are outside of this, what's stated here, I

- 1 don't know.
- 2 **Q.** Just in terms of quantum, again while we're on this document, if we can quickly look at  
3 page 6 and again putting into evidence that one absolutely accepts the limitations of  
4 averages, that there is a wealth of data that lies behind averages, a lot of factors that could  
5 influence them, so to be taken with some caution. But as sort of a best graphical just  
6 looking at maybe trends and patterns that you can clarify and provide further information  
7 for us, this shows us the average settlement amount over time, 2003 to 2020. Not quite sure  
8 what happened in 2013, but — no settlements, exactly, yes, so not sure why.
- 9 **A.** It's probable I presume.
- 10 **Q.** But just looking at the averages over time and exploring the objective of parity and  
11 consistency and fairness, do you accept that those are values and objectives from Salvation  
12 Army in terms of its redress compensation?
- 13 **A.** As I've shared already, we would expect to look at fairness and as best you can, whilst also  
14 looking at each person's individual circumstances, that we certainly don't ever want to lose  
15 in this journey of redress.
- 16 **Q.** And there seems to have been quite an upward trend 2018 onwards. Has there been a  
17 reconsideration of quantum in line with the establishment of the Royal Commission?
- 18 **A.** I've been Chief Secretary since August of last year, I've been on the Working Group for  
19 Royal Commission since 2018 and I was never part of any conversation in which that was  
20 discussed.
- 21 **Q.** And we know that this is probably a topic better for Murray because he's closer to the  
22 detail, so really looking at the overarching principle and accountability and guidance for the  
23 process. If we look at the evidence with Murray and it appears that there is disparity in  
24 outcomes when taking into account that severity and nature of abuse, settings, perpetrators,  
25 would The Salvation Army be open to a full review of claims or people being able to come  
26 back to The Salvation Army so that those values of consistency and parity can be seen to be  
27 complied with and exercised?
- 28 **A.** You started by saying that these are averages, so high level, it's high level information and  
29 if we were to drill down on each one of these, and if we look at 2020 there's been a couple  
30 of cases we need to say okay, how do they compare to the cases from 2015. We don't have  
31 that information, it was supplied on Friday night to us, so we haven't had a chance to  
32 analyse this information.
- 33 But what I'd say is that in answer to your question, just to preface it with this, that  
34 I've, certainly in the lead-up to this Royal Commission, anticipated some scenarios and that

1 is a scenario that I thought may well apply going forward that there might be a review.  
2 And to answer your question, The Salvation Army, as we've already stated, would  
3 cooperate fully with the Commission, and our desire is to be there to support survivors as  
4 best we can, and if that involved a review of historic cases, we would be open to exploring  
5 that.

6 **Q.** And has there been consideration of including an inflationary component in the  
7 compensation settlements, or is that a topic for Murray as to how he's gone about them?

8 **A.** In terms of the historic assessment that would be a question for Murray. From a leadership  
9 point of view we have not had those conversations. I've certainly not been part of those.

10 **Q.** Is that something that, taking a step back and saying because they are historical claims and  
11 they have been settled over a very long period of time, that that is a consideration that could  
12 or should be factored into the compensation levels?

13 **A.** I'd just like to say that in each of the cases there was an agreement with the survivor and  
14 between the survivor and The Salvation Army, so we've got to be conscious of that, and  
15 there are always challenges of applying historically criteria in a whole range of areas, in  
16 terms of as I've outlined here, how we operated in the 1950s and 60s and 70s is very  
17 different to how we operate today, so there's an element of subjectivity to that.

18 Would we be open to having that conversation and exploring? Yes, because we  
19 are committed to co-operating fully with this Royal Commission and any recommendations  
20 and ultimately any decisions that the Government might make around this we will  
21 obviously we will adhere to. So we are open to exploring that. I just caution that it would  
22 be very challenging but not necessarily insurmountable.

23 **Q.** And we've heard evidence in the State-based hearing where there was a comparison about  
24 Crown settlement agreements and particular faith-based agreement where there now was a  
25 provision that allowed reconsideration of that settlement amount for reasons exactly as  
26 you – is that something that you would consider in terms of your forward agreements from  
27 here on in?

28 **A.** As I've already shared, yes, it would be.

29 **Q.** And you will have seen, or you may not have seen the Crown, particularly the Ministry for  
30 Social Development has a specific policy now that allows revisiting of settlements in  
31 acknowledgment that the body of knowledge is constantly growing, and we know John  
32 Gainsford is a particular example, Murray talks about those claims being revisited  
33 following the conviction.

34 As that body of knowledge that The Salvation Army is developing about

1 perpetrators and settings and abuse, would it look at proactively revisiting, as you did with  
2 the John Gainsford claims, or how could you assure the Commission, and more importantly  
3 the survivors, that they have been treated fairly and have an opportunity to have all the  
4 information that should have gone into their settlement considered?

5 A. We, as I've said, we're very open to the recommendations of the Commission, we're open to  
6 exploring what you've just outlined. We did make the agreements in good faith, whether  
7 it's in 2002 or as recently as this year, they were agreed to by the survivors. But are we  
8 open to that possibility of reviewing? Yes, we are, I speak on behalf of leadership, where  
9 we have no particular areas which are no-go for us in terms of the findings of the  
10 Commission. We want to be supportive of survivors and make sure that this is a  
11 survivor-centric process and journey and we want to actively contribute to that. So we are  
12 open to all that you've just shared as options to consider.

13 Q. Through the evidence we've heard a lot of things about The Salvation Army being open to  
14 what the Royal Commission finds, but the Royal Commission has a long journey of its own  
15 still ahead, redress as you will have heard in the opening statement, is certainly something  
16 that it has a priority focus on in terms of as early as possible recommendations.

17 But for survivors, what level of comfort do you think it gives them that they keep  
18 hearing assurances that you're open to the recommendations of the Commission rather than  
19 very proactively and right now putting in place some of the things that we've talked about  
20 over the last day and a half?

21 A. One does not negate the other, there will be learnings that we will take from this  
22 Commission and when I and my colleagues return to our office in Wellington we will  
23 consider, and it won't be necessarily that we wait until the Royal Commission makes its  
24 findings or recommendations, there will be some things we may well change. I do not  
25 know what those are, but I state again our commitment to being very much focussed on  
26 supporting survivors as we have endeavoured to do right from the outset whilst  
27 acknowledging that we didn't always get it right, but our attempts are genuine and we  
28 would welcome receiving, hearing from survivors that we have not heard from in the past  
29 and we want to engage with them.

30 But there are some of what we've heard and seen that we will take back and say  
31 okay, it's right and proper that we do review our current processes and procedures and that  
32 is how we, as a church, as an organisation, operate. I hope to think we are somewhat of a  
33 learning organisation in that we take those learnings and we apply them, we just don't say  
34 that's a good idea but don't do anything about it, we're quite proactive in many areas. This

1 is an area where we equally need to be proactive.

2 **Q.** And that goal of consistency and parity and fairness, does that extend across the ambit of  
3 all of the settings? So we've explored this morning that there probably are a wide range of  
4 settings where abuse has occurred, claims likely not made because no-one has known that  
5 there's a redress process available, but should they come forward as you have invited them  
6 to do, is there a commitment to ensuring that there is equity across both the process and the  
7 outcomes and therefore the quantum and availability of non-monetary redress for them?

8 **A.** That's consistent with how we have operated, attempted to operate over the last 18 or so  
9 years, acknowledging that in the early days we didn't always get it right, but our attempts  
10 have been premised on what you've just outlined and continue to be going forward.

11 **Q.** And so looking at, say for example, the Hugh McCready claims because he crossed both  
12 children's settings and the Bridge Programme as I understand it. So I assume Murray  
13 would look at the children's homes claim, you or a predecessor would have looked at the  
14 Bridge Programme home; what level of consistency is applied where there a perpetrator  
15 known to have crossed both settings?

16 **A.** I have determined, from listening over the last few days and sitting here listening to the  
17 survivors share last year, that that is an area we do need to focus on in terms of ensuring  
18 there are no gaps and that the appropriate people are talking to each other and that, as you  
19 describe across the organisation, we are consistent and apply the same rationale so that  
20 we're fair to everybody and that enhances our commitment to supporting and  
21 acknowledging the abuse that people in our care unfortunately received in the past.

22 **Q.** And in terms of apologies, I will mostly direct those questions to Murray. I take from the  
23 evidence we've heard from you the acknowledgment that The Salvation Army has not  
24 always got the language right in those apologies?

25 **A.** Yes, I agree.

26 **Q.** And so in terms of taking back to the leadership, what would you say is now the thought  
27 and belief about apologies and how you will look at those for future reference?

28 **A.** Well, again, we have been on a journey and if you were to compare the apologies of recent  
29 years to the apologies of, say, close to 20 years ago, you would see that the apologies of  
30 more recent years are more empathetic and reflective of the respect and empathy we have  
31 towards the survivors and they're more survivor-centric than some of the apology letters  
32 that were sent in the past, that I in my brief of evidence apologised for from the outset, we  
33 did not always get it right.

34 In more recent years I believe that we have taken those learnings and applied them

1 in the apologies, so if you were to compare. So I don't agree that we're just starting on this  
2 journey, we've been on this journey for 20 years and we're constantly reviewing how we do  
3 things and that's reflected in this instance in the tone and words used in the apology letters.  
4 I think you would see a shift, a significant shift in some cases that has occurred over the last  
5 18 or so years.

6 **Q.** And as a reflection, perhaps there were apologies from sort of 2017/2018 that the  
7 Commission has heard about that felt very templated, lacked any meaning or healing for  
8 them, and then we contrast that with the Gloria White apology, is a reflection that comes  
9 out of that that actually asking a survivor "What do you need from us" in your apology  
10 letter made all the difference for Gloria White, she was able to say what was meaningful for  
11 her, the others just felt completely meaningless. Do you see that that might be a question?

12 **A.** I do, and I accept that how a letter, whether it's a letter of apology or, as has been shared,  
13 some of these other correspondences interpreted, we are – we attempt to the best of our  
14 ability to reflect empathy and a sincere genuine apology and I, again, it's unreserved, we  
15 know that abuse has happened in our care, we are not shying away from that in any way,  
16 and there is an element of trying to anticipate how particular words in an apology letter will  
17 be received. Your point around engaging with the survivor in terms of "Well, what would  
18 you like" reflected in that letter is a good idea, and Murray can explain and answer that  
19 particular question as he drafts the letters. But we have instances of, many instances of  
20 where the apology was received very positively by survivors.

21 So, but it is – we do our very best to attempt to reflect our sincere regret for what  
22 has happened to people in our care in the past in those apology letters, and in the  
23 conversations that are wrapped around, it's not just about the letter, conversations are had  
24 with survivors throughout that whole journey and include verbally communicating our  
25 apologies. I shared that I and the then Territorial Commander personally visited each of the  
26 survivors who were willing to meet with us in the case I was involved in and we heard from  
27 them and we asked them what they needed and we verbally apologised and followed that  
28 up with a written apology capturing to the best of our ability what they'd shared.

29 And in each of those cases that I was personally involved in, they were very  
30 appreciative of the time that we took to visit them, and to listen, and to apologise and they  
31 felt that that was sincere because that was certainly from our perspective our intent. And  
32 that was well received by the survivors in the cases that I was involved in and that was in  
33 2017. And that was outside of this redress process, I acknowledge that.

1 **Q.** Thank you.

2 **MS JANES:** I have concluded my questions and leave some time hopefully for the  
3 Commissioners to ask any.

4 **CHAIR:** Thank you for that. You're looking significantly at me, Ms Stevens.

5 **MS STEVENS:** I'm not sure if I had this opportunity, but there was just one document that I felt  
6 may be – Colonel Walker might have had more of an opportunity to look at some further  
7 text around that. It was just the one thing I would hope we might be able to –

8 **CHAIR:** Have a quick word with Ms Janes about that, find out what it is. [**Counsel confer**]

9 **MS JANES:** There's a particular paragraph above the Rob Neale –

10 **WITNESS:** Rob Veale.

11 **MS JANES:** – Rob Veale investigation report that Ms Stevens thinks would be useful for Colonel  
12 Walker to read and then just comment quickly on.

13 **CHAIR:** Yes, thank you Ms Stevens.

14 **FURTHER QUESTIONING BY MS STEVENS:** So if we could just re-bring up document  
15 SAL0000854. And on the second page of that document you were taken to the sixth bullet  
16 point under the heading "Other Information", but I just wonder if we could bring out that  
17 whole section under the heading "Other Information", and Colonel Walker perhaps if you  
18 could just read perhaps out loud the commentary. So this is from Rob Veale, what he says  
19 under that heading.

20 A. "Other information. This section contains unconfirmed information that may or may not be  
21 accurate. It is highly likely that there has been discussion between various parties, and  
22 without conducting further inquiries, the veracity of any of the following information  
23 cannot be determined."

24 **Q.** Then he has that heading "Information from the complaints is summarised below." So  
25 Ms Janes took you to the sixth bullet point and put to you that that was one of Rob Veale's  
26 findings. Just in light of what you've read –

27 **CHAIR:** Just for the record, that relates to the documentation and the pages being removed, is that  
28 right?

29 **FURTHER QUESTIONING BY MS STEVENS CONTINUED:** That's right, yes. Just in light  
30 of what you've read, do you think Mr Veale was making a finding on that?

31 A. As he outlines, that was his summation based on interviews with various parties and  
32 conducting further inquiries. But he does, as you say, as I've outlined, the veracity of any  
33 of the following information cannot be determined.

1 **MS STEVENS:** That was all, thank you.

2 **CHAIR:** So I'll now invite the Commissioners to ask any questions, Ms Steenson.

3 **COMMISSIONER STEENSON:** Tēnā koe Colonel Walker.

4 A. Kia ora.

5 **Q.** Ngā mihi for your whakaaro and kōrero the last two days. I just wanted to understand, you  
6 talked about the commitment that The Salvation Army has to Te Tiriti o Waitangi and there  
7 was a strategy that was being developed. Can you just elaborate on that strategy, it is for  
8 Māori in relation or is it a wider diversity?

9 A. The strategy I was referring to is entitled Te Ōhākī and was developed in 2014/2015 and  
10 signed by our then Governance Board and it captures four priority areas, four goals that  
11 relate to our engagement with Māori both within the church and equally external to the  
12 church, those Māori who engage with our services in any shape or form through whatever  
13 entry point we have. So it is both internal and externally focused, and it is about, in the first  
14 instance, increasing the capacity and capability of Māori within our organisation, our  
15 ongoing journey to meet our obligations under Te Tiriti o Waitangi that we take very  
16 seriously to build the capacity. Right now we are working on a business case that we'll see  
17 be presented to our Governance Board in the next two months that proposes additional  
18 resource that we apply to assist with the outworking of Te Ōhākī. So that's the context that  
19 I was referring to.

20 **Q.** Okay, just so that I understand, the business case, who's been involved in developing that  
21 and the strategy, has there been much Māori involvement?

22 A. Totally; we have over the last 10 years in particular, we have strengthened our capacity in  
23 the area of both our Māori officers, acknowledging we only have a limited number of those,  
24 it's a small number, we have established positions, we have four divisions across  
25 New Zealand and we have now a Māori ministries, we call them, I'll call it secretary or  
26 position within each of our four divisional headquarters, we have a kōkiri that was  
27 established last year, prior to that we had a Māori Ministry Council and the kōkiri, and  
28 now we've established a rūnanga and between the two of those they are working on the  
29 business case, and those divisional representatives were part of the development of the  
30 initial proposal that went to a Governance Board in August of last year.

31 **Q.** Thank you, and just one last question, will all of that relate to the redress, your redress  
32 process?

33 A. It will inform the redress process most definitely because Te Ōhākī applies to every facet of  
34 The Salvation Army and would include the redress process going forward, yes.

1 **Q.** And just as an early indication, what sort of changes therefore do you envisage as a result  
2 of that?

3 **A.** Te Ōhākī runs parallel to other focus areas that we have, particularly in our responsiveness  
4 to Māori who are accessing our services and that applies in our addiction services, our  
5 community ministries services. So that's not the only piece of work but it's overarching, but  
6 running alongside that we have been looking at how we need to improve our service  
7 delivery to be more responsive to Māori, more inclusive of Māori, both staff and equally so  
8 those that we are privileged to serve.

9 **Q.** Tēnā koe.

10 **A.** Kia ora.

11 **COMMISSIONER ALOFIVAE:** Afternoon Colonel, thank you for your frank and honest  
12 comments this afternoon in terms of redress and how The Army intends to see it through.  
13 I've just got a couple of broader questions, if I may, around your systems. Can I just start  
14 with, so New Zealand is a territory that encompasses Fiji, Tonga and Samoa.

15 **A.** [Nods].

16 **Q.** Just to help me understand further, so every country, so there'll be some jurisdictional  
17 issues, I appreciate that, but every country has its own set of regulations?

18 **A.** In terms of if I focus on the territory which, as you outline, is New Zealand, Fiji, Tonga and  
19 Samoa, we apply the same Orders and Regulations which is internal and they originate  
20 from London. We have a lot of autonomy in terms of how we apply policies and  
21 procedures. We also have a governance charter that has just been signed off by our  
22 International Headquarters or the latest revision has. We also have trust deeds in each of  
23 the four nations. Now we have only been in Samoa now for just on two and a bit years, but  
24 we will, from a legislative point of view, we're required to have trust deeds as well. So  
25 we're just reviewing all of those.

26 But we apply – we are mindful of both jurisdiction and cultural parameters that we  
27 need to apply, so how we do things in Tonga look quite different to how we do things in  
28 Samoa, and conversely in New Zealand. And even within Aotearoa, we do apply some  
29 flexibility in terms of how we deliver services in certain parts of the country. An example  
30 being in Northland how we deliver services in Whangārei and Kaitaia can be quite different  
31 to how we do that in other parts of the country.

32 **Q.** And so as part of your trust deed and the constant conversations and negotiations that go on  
33 between your different nations, is redress something then that would come up as a policy  
34 that perhaps every nation should have?

1 A. That's not a conversation we've specifically had. What we do, though, is, again mindful of  
2 the cultural perspective of each of the four nations really, but if I talk particularly in this  
3 instance about the Pacific, we are navigating and continue to navigate through how we can  
4 take the policies that have been developed here in New Zealand, an example being the  
5 Keeping Children Safe policy and apply that in, say, a Tongan context. And so some of our  
6 policies and procedures are territory-wide, some are specific to one or more of the nations  
7 within the territory. And that's us about not applying a New Zealand context to –

8 Q. And it's appreciating the nuances and that every nation has its right to be able to determine  
9 the length and the breadth and the depth perhaps of some of those tapu issues like child  
10 abuse, abuse in general?

11 A. Exactly, yes.

12 Q. If there was a situation where someone had been abused in one of the homes here was now  
13 residing overseas in one of those nations, is there a process or is there a procedure in which  
14 they would be able to bring that concern back to the New Zealand headquarters and have  
15 the matter dealt with?

16 A. The procedure right now would be that, if I use Tonga as an example, if a person had been  
17 abused in our care and was residing in Tonga and they could approach one of our corps, our  
18 churches, within Tonga or go to our regional headquarters and talk with a senior person  
19 there, our policy would state that was shared, that would then immediately come to the  
20 Secretary for Personnel. And when I was Secretary for Personnel for four years I recall an  
21 instance where I personally travelled to Tonga to investigate an allegation. So that would  
22 be the procedure and that applies now as it has done for many years. But I acknowledge  
23 that we don't have the same, like a website and so forth in all of those nations, and how we  
24 approach things is very different and that's reflective of the culture and, as you said, the  
25 nuances.

26 Q. But as a broader systems issue for The Salvation Army, is that a learning that would then  
27 apply given how globally accessible the Pacific is to Aotearoa?

28 A. Yes, I totally agree with you on that, and we, as I shared with our policies, we spend a lot of  
29 time trying to make them relevant in the particular context so that they're understood. And  
30 that applies to how we train people. The methods are quite different in each of the nations  
31 to how it would be done here, we know that we can't just translate or transport how we do  
32 things in New Zealand and just expect people to conform to that.

33 Q. Thank you. Just a couple more questions. Thank you for giving us the clear figure, I think  
34 it was 274 claims that have been settled to date, but was there an overriding figure of how

1 many young people had actually been through your homes over the last 50 years, 1950 to  
2 1999?

3 A. I don't know the precise number, but it would run to thousands, particularly if you – yeah,  
4 yeah.

5 Q. So redress is a very specific process and once someone has engaged you can then begin to  
6 operationalise your process. But it's the step before that, which again is a systems issue, so  
7 someone who might have been abused but won't speak about it. So concepts that we talk  
8 about a lot in Māori and Pacific communities is the weight of shame, so they might never  
9 come forward but they might be a user of your Bridge service or your food bank or a lot of  
10 other social services had you might use.

11 Are you able just to give us a very quick snapshot of what are the ways or – so it's  
12 one thing to put out a rally call or a clarion call asking people to come forward, but when  
13 culture is a big inhibitor of actually stepping out, what are the ways that The Salvation  
14 Army consider appropriate, or what are they actually doing in terms of being able to  
15 ascertain, given that the population really that your ministries specialise in is vulnerable  
16 people?

17 A. Yes. I served in South Auckland both within The Salvation Army and prior to that for over  
18 30 years in the South Auckland space, so and I'm familiar with our services, say, there, for  
19 instance. Conversely, I'm very familiar with our services in Porirua which is where I attend  
20 the church there. Our staff are trained to look for signs, they are trained in how to  
21 interview, we have a lot of social workers so obviously that comes as part of their study,  
22 counsellors, addiction, case workers and in the course of conversations, if a person we're  
23 serving, say in one of our addiction services, shares "Well, you know, I was abused",  
24 whether it's in The Salvation Army or elsewhere, that the staff member has been trained in  
25 "Okay, let's talk about that", and without putting any pressure on the survivor but  
26 encouraging them to go further.

27 And I would have an expectation, and I know of a couple of instances of this that  
28 I've heard first-hand, of where the staff member, our staff member has journeyed with the  
29 person to broach, which I acknowledge is hugely challenging to do, make that first step and  
30 our staff have supported them in that journey, and in some instances continue to support  
31 them because how we operate is that the person, once they come to us, we don't have an  
32 end point, the end point is determined by the person. We'll journey with people for as long  
33 as they need, that's who we are. It's not for the length of time of the contract, it's for

1           however long they want us to journey. Some come back and go again and then come back,  
2           and that's fine too.

3     **Q.**     That's your mission statement, isn't it, transforming lives. One last question, the social  
4           services that you provide, some of them are Government contracts like the Bridge, maybe a  
5           few others?

6     **A.**     Yes.

7     **Q.**     Looking forward in terms of redress and what's happening in this space, is that a  
8           conversation that The Army is considering around commissioning models with, say,  
9           Government or other funding parties?

10    **A.**     As you say, we've got contracts with district health boards, Ministry of Health, Ministry of  
11           Justice, Ministry of Social Development in a whole range of spaces, and in terms of the  
12           accountabilities that are contained in our contracts, some of them touch on this, around  
13           safety and support and having policies and procedures that are robust to protect people  
14           whilst they're in our care. They didn't always exist certainly going back to, you know, the  
15           60s and 70, well they were non-existent in the main.

16                         So I would not be surprised if our funders would engage with us and say "Okay, so  
17           what are you doing in this space?" We've just had a very comprehensive external audit, it  
18           was a very positive audit of our contracts and that's right and proper that there's  
19           accountability and transparency and we're committed to working with our partners, and we  
20           call them partners, even though we have a contract with the Government agencies to ensure  
21           that we provide the best level of care that we possibly can.

22    **Q.**     Fa'afetai lava, thank you Colonel.

23    **CHAIR:** Could I just check, it's officially lunch time and I appreciate that you probably want to  
24           move to Mr Houston's evidence directly after lunch time. We've got a few more questions,  
25           the question is should we ask them now or do we take the break? I'm also conscious of our  
26           signers and our stenographer.

27    **MS JANES:** Subject to the signers and the stenographers being comfortable to carry on, Colonel  
28           Walker would you be –

29    **WITNESS:** Fine.

30    **CHAIR:** Are we right over there, all right over there? All right thank you.

31    **COMMISSIONER ERUETI:** Tēnā koe Colonel.

32    **A.**     Kia ora.

33    **Q.**     So my questions are about, I want to get a sense of numbers. You said to Commissioner  
34           Alofivae that thousands went through the homes. I wondered whether the church had

- 1 looked at the numbers that were Māori or Pasifika or non-Māori?
- 2 **A.** Certainly going back to the earlier days, our information and data capture possibly was not  
3 as robust as it is today. I shared earlier or yesterday that we have a management  
4 information system that captures the details of those that access our services. We now, and  
5 have done for a number of years, captured ethnicity if the person is willing to share that  
6 with us, so we can run reports now that accurately capture that information. Historically  
7 I suggest that we probably didn't capture that information to certainly nowhere near the  
8 degree that we've heard in more recent years.
- 9 **Q.** So the data you're capturing now is those who are participating in the social services?
- 10 **A.** Yes, right across the spectrum.
- 11 **Q.** There's a large number of Māori, you think 50% of consumers?
- 12 **A.** In terms of our community, ministry space, which is, just to clarify, is our corps based  
13 community response, food bank, budgeting, other social services of that ilk; we are talking  
14 in the vicinity of 50%, and that can be higher in other areas obviously. But we – over the  
15 years we've been very conscious and aware that we need to be more responsive, not just to  
16 Māori, but Pasifika and now broader than that. But our priority, I don't apologise for this,  
17 in the first instance is to Māori as we honour or Te Tiriti obligations.
- 18 **Q.** Kia ora. Do we have a sense, do you have a sense of the numbers who are Māori or  
19 Pasifika or other ethnicity participating in the redress scheme?
- 20 **A.** I don't have that information.
- 21 **Q.** Perhaps I could ask Murray.
- 22 **A.** Yes.
- 23 **Q.** And the other, again, numbers is the trying to get a sense of the number of the soldiers and  
24 officers and adherents within the church, the number who – do you have a sense of the  
25 percentage who are Māori?
- 26 **A.** We don't have an accurate assessment of that, we are working towards capturing that.  
27 Within our officer force we have around 240, 250 active officers in the territory. Those  
28 who are of Māori heritage would be in the vicinity of – and this is a guesstimate on my  
29 part – I would think in the vicinity of 10, 15%. In terms of those attending on a regular  
30 basis our corps, our churches, I don't have that information. And again, we have not  
31 intentionally gone out seeking that either.
- 32 **Q.** And you have no plans to?
- 33 **A.** I'm not saying we haven't got any plans to, but again, particularly in terms of the

1 outworking of Te Ōhākī, one of the things we're wanting to do is try and quantify how  
2 many Māori are engaged in whatever way both as clients but also as members of our church  
3 who are Māori.

4 **Q.** Ka pai. And this question's about the governance structure. So you have a Governance  
5 Board and you have a governance charter, and so I'm assuming that these treaty strategies  
6 that you've produced over time, are they produced by the Governance Board?

7 **A.** They're produced to the Governance Board for approval.

8 **Q.** Of course, yeah, and in the charter itself is there any reference to the Treaty, is the charter  
9 your constitution?

10 **A.** Yes, we have a trust deed, but we have our charter for our territory, and we've just, as  
11 I said, gone through and revised that and updated that. But it does state our commitment to  
12 the Treaty of Waitangi and indeed in our strategic framework our commitment Te Tiriti  
13 underpins all of our focus areas and informs each of those.

14 **Q.** That's in your charter?

15 **A.** It is documented as part of the charter because we have some of the information that's been  
16 supplied to the Commission around the structure and so forth is captured in the charter.

17 **Q.** And the Māori governors on your Board of Governors, do you have any Māori  
18 representation?

19 **A.** We do indeed, yes.

20 **Q.** The numbers compared to non-Māori?

21 **A.** The breakdown is that we have executive members, of which I am, I, as I shared –

22 **Q.** Ngāti Porou.

23 **A.** Ngāti Porou.

24 **Q.** Kia ora.

25 **A.** We have in our external governors, of which we have four, we have one Māori and – yeah,  
26 so yeah.

27 **Q.** Just one final question about the matrix as they've been calling it. If we look at The  
28 Salvation Army in Australia, the matrix they've produced I think since about 2005, it has  
29 component parts to it, and I'll raise this with Mr Houston, but I wonder whether you had a  
30 sense of the component parts to it?

31 **A.** I don't – I'm not familiar with all the component parts of what our colleagues in Australia  
32 have applied, I haven't got that level of specificity.

33 **Q.** But I mean to the matrix applied here in New Zealand?

1 A. Some of them would be similar, and I do know that Murray in particular has remained  
2 engaged with our colleagues in Australia for a number of years now. He'll be able to share  
3 how many in terms of sharing information, the learnings, and so we do engage with not just  
4 Australia but broader than that. I think that's one of the advantages of being an  
5 international organisation that we can share information from other parts of the world, other  
6 jurisdictions.

7 **Q.** But would you personally know whether or not, say as part of this matrix, a component  
8 would be the number of days that someone spent in isolation, for example?

9 A. I don't know specifically, but I would surmise probably not in terms of isolation.

10 **Q.** Kia ora, ngā mihi nui ki a koe.

11 A. Kia ora, thank you.

12 **CHAIR:** I'm the lucky last, Colonel Walker. I've got two areas to ask. The first relates to the  
13 nature of the redress which The Salvation Army has available for people who bring  
14 complaints of abuse, whether it's historic or whether it's more contemporary. It relates, of  
15 course, to The Salvation Army's very famous and important social work functions.

16 My question is, when you are considering redress, there's obviously the apology,  
17 there's obviously the money and then there's the question of anything else we can do. Is  
18 there any linkage or ability to link what is required, so obviously from the survivors in  
19 terms of ongoing support, with the services that The Salvation Army provides, social  
20 services?

21 A. Yes, there is, there are examples, and again Murray will be able to share more of those, but  
22 I'm aware of some examples where that has happened and as part of our continuing to  
23 journey and support the survivor.

24 **Q.** I'm talking about a wrap-around service if you like.

25 A. Yes.

26 **Q.** We'll ask Mr Houston some questions about that when he comes. The second area I want  
27 to talk about is the question of documentation. I appreciate that Mr Veale's report was not  
28 entirely settled as to whether or not documents had been removed or not, but we do have  
29 the evidence of the Police summary which relates to Mr Gainsford. You said that it is not  
30 acceptable practice to protect bad apples in The Salvation Army.

31 A. Correct.

32 **Q.** That is accepted that that is your well-founded position. From our experience of talking to  
33 survivors individually, and many of them come from The Salvation Army background, one  
34 of the enduring and consistent themes is this concern about loss of records, loss of records

1 of individuals and people have said "They don't even know who I am" or "I've only had one  
2 line". That is a very hurtful and enduring matter for survivors.

3 But there's also the concern that perpetrators were, at least in the past, sometimes  
4 hidden, overlooked, moved etc. So this issue of records of investigations or records of  
5 abuse which have been kept, I accept at local levels, being lost, I'm sure will be of  
6 enormous concern to survivors; seeing the organisation being complicit, if you like, in the  
7 abuse by hiding it. Do you accept that that is the case?

8 A. I accept that there are gaps in our documentation. How some of those occurred I don't  
9 know, you know, in terms of there weren't retention policies that certainly exist now back  
10 in the earlier days. So I don't know what prompt that led to some of the gaps in  
11 documentation.

12 Q. That's where I'm coming to, because one of the big issues for survivors is accountability. It  
13 happened, who's going to take responsibility and if it is known that it happened who's  
14 investigated, who's had a look at it. Now I appreciate that you say you weren't there and  
15 you weren't there, but I wonder if you would agree with me that The Salvation Army has a  
16 moral responsibility to show that it's made best endeavours to try and find out what actually  
17 went on in that time?

18 A. I would agree with that, yes.

19 Q. Because the hurt, although it was abuse that occurred in the past, the hurt continues, so  
20 there is this continuing.

21 A. Yes.

22 Q. I wonder whether you might consider the possibility of trying to do some form of  
23 investigation. I know it's a long time ago, I don't know whether it's been done, do you  
24 know if there's been any attempt to investigate where the documents went?

25 A. We have done quite a lot of investigation both in terms of this hearing, this Royal  
26 Commission, but prior to that when we received from a survivor a complaint, Murray  
27 would have explored, including going to our archives, approaching the local corps to say  
28 "Well, what have you got on this", in the case that I've outlined specifically that I was  
29 involved in relating to Mr Veale's report, we went looking for the documentation.

30 We are fortunate that we have a central archive. Now, there are gaps in that, and –  
31 so we have attempted. Would we, if, you know, we could continue, most definitely,  
32 searching but I think in terms of the cases I'm referencing here, we have conducted a fairly  
33 exhaustive approach of approaching the local corps, going to their divisional headquarters  
34 and saying what have you got, mindful it could be 30, 40, 50 years ago and understanding

1 that there will be gaps.

2 **Q.** I think that's possibly what survivors would probably want to know; have you used your  
3 best endeavours to try and find out what went on?

4 **A.** I think to answer that specific question, from my engagement with Murray and my  
5 colleagues particularly in and around the Royal Commission, we have had exhaustive  
6 searches, we've got a dedicated person who has been trawling through our archive material,  
7 A, looking to provide the comprehensive – I hope it has been comprehensive – paperwork  
8 to the Commission, but broader than that, when inquiries are made, whether it's around  
9 redress or someone who is born in, say, one of our Bethanys and says "I'd like to see my  
10 records please", we have people who go and search for those to meet that request.

11 **Q.** Thank you very much. I think we finally can say we've concluded. Thank you for the  
12 tolerance of everybody in putting up with us for another 20 minutes. We'll take the lunch  
13 adjournment. Should we resume at 2.15 or 2.30?

14 **MS JANES:** 2.15 would be ideal if we could.

15 **CHAIR:** Because you need that 15, don't you.

16 **MS JANES:** But we do need that extra 15 minutes if possible, but I'm conscious it's been a long  
17 day and people need their lunches.

18 **CHAIR:** Thank you very much, Colonel Walker, for coming and being free and frank and for  
19 giving up all your time, we really appreciate it.

20 **Luncheon adjournment from 1.20 pm to 2.16 pm**

21 **MS JANES:** The Salvation Army will be calling its second witness, Mr Murray Houston.

22 **CHAIR:** You've had a long and probably anxious wait, I think you're probably glad finally the  
23 wait is over. Can I just ask you to take the affirmation please.

24 **A.** Sure.

25 **MURRAY HOUSTON (Sworn)**

26 **QUESTIONING BY MS STEVENS:** Mr Houston, can you just introduce yourself and perhaps  
27 tell us a little bit about your background and your current role?

28 **A.** Certainly, my name is Murray Houston, I'm a senior employee with The Salvation Army.  
29 My current roles are two-fold, that of the Commercial Manager and also the Manager  
30 Response to the Royal Commission. I was employed in 1999 and I am a lay person, which  
31 means that I'm not a Salvation Army officer or in any way affiliated to the church.

32 **Q.** Perhaps initially in a nutshell, can you tell us what your involvement has been in dealing  
33 with historical claims of abuse made against The Salvation Army?

34 **A.** Yes, so since around the year 2000 I have had the principal responsibility of addressing