

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
LAKE ALICE CHILD AND ADOLESCENT UNIT 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)
Ali'imua Sandra Alofivae
Mr Paul Gibson

Counsel: Mr Simon Mount QC, Ms Kerry Beaton, Mr Andrew Molloy,
Ms Ruth Thomas, Ms Finlayson-Davis, for the Royal
Commission
Ms Karen Feint QC, Ms Julia White and Ms Jane Maltby
for the Crown
Mrs Frances Joychild QC and Ms Alana Thomas for the
Survivors
Ms Moira Green for the Citizens Commission on Human
Rights
Ms Susan Hughes QC for Mr Malcolm Burgess and Mr
Lawrence Reid
Ms Frances Everard for the New Zealand Human Rights
Commission
Mr Hayden Rattray for Mr Selwyn Leeks

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

Date: 14 June 2021

Adjournment from 11.11 am to 11.34 am

1
2 **CHAIR:** Ms Thomas.

3 **MS THOMAS:** Tēnā koutou e ngā Kaikōmihana o te ra, tēnā koutou e te whare, ko Ruth Thomas
4 tōku ingoa. I now call the first witness, Hake Halo.

HAKE HALO

5
6 **CHAIR:** Talofa Hake.

7 A. Talofa.

8 **Q.** And welcome to your two important support people here. Before we start – and there's
9 more than two, we have four support people. Welcome to you as well. Before we start, I'm
10 just going to ask if you would take the affirmation, is that all right? Hake, do you
11 solemnly, sincerely and truly declare and affirm that the evidence you will give before this
12 Commission will be the truth, the whole truth and nothing but the truth?

13 A. I do.

14 **Q.** Thank you very much. I'll leave you with Ms Thomas, with Ruth.

15 **QUESTIONING BY MS R THOMAS:** Thank you, just to introduce some of the people seated
16 with Hake today, we have Tigilau Ness seated next to Hake as a live translator, if
17 necessary, and we have Oliver Sutherland also seated with Hake as his supporter, along
18 with his partner Moka to support today.

19 Hake, can you tell the Commissioners your full name please?

20 A. My full name is Hakeaga Halo.

21 **Q.** Before we start on the main part of your evidence today, Hake, would you like to start off
22 with a verse from Philippines. That's at paragraph 4 of your statement?

23 A. It says I can do all things through Christ who strengthens me.

24 **Q.** Hake, that verse was a verse that you had written in a journal you kindly showed me when
25 I met with you. Do you have that journal with you today?

26 A. Yes, I have.

27 **Q.** That journal, I think you told me you've kept that journal since the 1990s. What have you
28 used that journal for?

29 A. I just use it for my notes that I use, for information, for my Lake Alice notes.

30 **Q.** So since the 1990s you've been keeping a journal of everything that you've thought of in
31 terms of Lake Alice, the people you've met, the impacts it's had on your life?

32 A. Yes, appointments and everything, phone calls and all sorts.

33 **Q.** Would you like the Commissioners to see your journal and have a look at that over the
34 lunch break and then return it to you today?

- 1 A. If they would like to, yes, I don't mind.
- 2 **Q.** I might ask the Registrar to take that journal from Hake now to provide to the
3 Commissioners.
- 4 **CHAIR:** Thank you for that. We would be honoured to take that and we will take good care of it
5 and return it to you.
- 6 **QUESTIONING BY MS R THOMAS CONTINUED:** Now Hake, I'm going to ask you some
7 questions about your early life. The first one is can you please tell us where you were
8 born?
- 9 A. I was born in the Niue island, my home land.
- 10 **Q.** Who raised you?
- 11 A. My parents until I was about three or four months and my grandparents adopted me in the
12 Island way of adoptions.
- 13 **Q.** Your grandparents adopted you when you were around three or four months old and in the
14 course of your evidence today, when you refer to your mother, are you referring to your
15 grandmother?
- 16 A. Yeah.
- 17 **Q.** Because your grandmother and your grandfather raised you as their own?
- 18 A. Yes.
- 19 **Q.** How was your health when you were a young baby?
- 20 A. It was all right, but I was a sick child when I was small, with epilepsy.
- 21 **Q.** And how old were you when you came to New Zealand with your mother and father?
- 22 A. I'd say I was about five years old then because of my sister, I remember it from my sister's
23 birthday when she was born.
- 24 **Q.** When you arrived in New Zealand with your mother and father, what languages could you
25 speak at that time?
- 26 A. Can't speak any language, only my mother tongue Niuean.
- 27 **Q.** You started primary school at the Richmond Road School in Ponsonby?
- 28 A. Yes, I did.
- 29 **Q.** How did you find that school?
- 30 A. It was pretty hard, I didn't know anything, couldn't do anything, couldn't understand any
31 language, what was going on or what was being taught because of the language.
- 32 **Q.** Then you were moved, you went to the Grey Lynn Primary School?
- 33 A. Yes.
- 34 **Q.** How did that school go, did that improve or get worse?

- 1 A. Still the same as I reckon, but not too bad as like the first one.
- 2 Q. Then I think you made a comment in your evidence that you were still not talking because
3 you didn't know the language, you were transferred to Beresford Primary?
- 4 A. Yeah.
- 5 Q. There you were put into a special class?
- 6 A. Yes.
- 7 Q. Why was that?
- 8 A. Maybe my behaviour, as well as they noticed that I wasn't a healthy child at that time.
- 9 Q. Was there an incident at the Beresford Primary School on a day when there was a relief
10 teacher in charge of your class?
- 11 A. Yes, there was.
- 12 Q. Can you tell us what happened on that day?
- 13 A. As far as I can remember we were practising songs or, yes, and while I wasn't singing
14 properly, just making, -just trying to sing but not really good- and not participating properly
15 and my teacher got upset for not listening, so she came and took me out of the classroom.
- 16 Q. Where did she put you?
- 17 A. Outside of the class and locked the door.
- 18 Q. How did you feel when you were locked in a different room?
- 19 A. Well, I was pretty scared because it was dark, the alleyway there that leads up to the
20 stairways up to the top classes, but it was pretty dark and I was scared.
- 21 Q. What did you do?
- 22 A. I was trying to enter back into the classroom and I was pushing hard on the door to try and
23 let myself back in, but the door was locked.
- 24 Q. Did you manage to get out?
- 25 A. No. I was still pushing on the door, just mainly trying to get back in.
- 26 Q. What happened to your hand as you were pushing on the door?
- 27 A. As I was pushing I was just sort of forcing like that and then pushing. But then finally
28 I actually pushed on the wrong part where there was the thin glass and my hand went like, -
29 my hand was like that and it went through the glass- and I was cut severely.
- 30 Q. So your hand was cut and you were taken to the Auckland Hospital?
- 31 A. Yes.
- 32 Q. And you were not taken back to Beresford Primary School after that incident?
- 33 A. No.
- 34 Q. And is it after that incident that teachers or people perceived you as being violent?

- 1 A. Well, yes, that's the outcome.
- 2 Q. Then a notice came through to your parents to say that you were going to be put in the
3 St John's Psychiatric Hospital?
- 4 A. Yes.
- 5 Q. Do you know why you were to be admitted to the psychiatric hospital?
- 6 A. Mainly, I don't know, mainly because of --what happened at school, I suppose.
- 7 Q. Did you stay at the St John's Psychiatric Hospital for very long?
- 8 A. I was there for a while, yes, but my parents wasn't happy.
- 9 Q. They tried to get you out?
- 10 A. And they tried to remove me, yes.
- 11 Q. And I think with the help of, was it Reverend Talagi that they got you out of that
12 psychiatric hospital?
- 13 A. Yes.
- 14 Q. Where did you go once you got out of there?
- 15 A. Just went home and then- yeah-.
- 16 Q. Did you go for a trip back to Niue?
- 17 A. Yeah.
- 18 Q. Briefly?
- 19 A. Yes.
- 20 Q. When you came back from Niue, this was in March of 1973, you started back at school
21 again, what happened to your dad at that time?
- 22 A. He was pretty ill at the time and not long when we returned he passed away.
- 23 Q. You were quite close to your father?
- 24 A. Yes, and I was pretty upset about that.
- 25 Q. How did you cope with losing him in terms of your behaviour at school?
- 26 A. Well, it was pretty hard.
- 27 Q. I think at that time you started at Kowhai Intermediate?
- 28 A. Kowhai? Newton Central.
- 29 Q. Right. At this new school were you also put into a special class?
- 30 A. No, at Kowhai I was in the special class, Kowhai.
- 31 Q. Did anyone speak to you about why you were put into a special class at Kowhai?
- 32 A. No. First there was a special language class, but because of my misbehaving or the way I
33 was playing with the children that's when they put me into a special class, changed the
34 class, because they say that I was abusing the kids in class, but it's my friends in the class

- 1 when we're playing, it was a game of dodge ball.
- 2 **Q.** A game a dodge ball?
- 3 **A.** Yes, that you have to put the kids up on the wall and just throw the ball and the kids will
4 dodge. If that ball hits the child, that one comes down and you go up. But they say that I
5 was abusing the children, the handicapped children at that time, but it was my own friends
6 because I was in the special class at that time.
- 7 **Q.** So you got in trouble for playing the dodge ball game in that class?
- 8 **A.** Yes.
- 9 **Q.** And is that when you were then moved into another school, it was Avondale Intermediate?
- 10 **A.** Yeah. I was transferred to live with my parents at that time.
- 11 **Q.** How was your mum coping with your behaviour at that time?
- 12 **A.** Pretty hard because I was at that time mixing with friends and all that still.
- 13 **Q.** I think it was from Avondale Intermediate that you were expelled from school there?
- 14 **A.** Yes.
- 15 **Q.** How old were you then? Were you 12?
- 16 **A.** 12, 13, yeah.
- 17 **Q.** You've said that at that time you were playing up a little bit with your friends and you --
- 18 **A.** Yes.
- 19 **Q.** You actually did some shoplifting and you ended up in the Youth Court?
- 20 **A.** Yes.
- 21 **Q.** After your appearance in the Youth Court, where did the judge say that you had to go?
22 Where were you sent after that?
- 23 **A.** After a few warnings the judge gave me, I was just, as far as I can remember, put into the
24 boys' home.
- 25 **Q.** What boys' home was that?
- 26 **A.** Ōwairaka.
- 27 **Q.** Ōwairaka. So this was in October 1975?
- 28 **A.** Yeah, around there.
- 29 **Q.** How was Ōwairaka, how did you find that?
- 30 **A.** Well, it was pretty hard, pretty strict and that.
- 31 **Q.** How were the staff?
- 32 **A.** Staff was pretty strict, controlling us, making sure everything's done properly and all those
33 kind of things.
- 34 **Q.** When you first arrived at Ōwairaka, were you put in a secure room?

- 1 A. Yes, I was.
- 2 Q. Was that for a number of days?
- 3 A. Yeah.
- 4 Q. During your time at Ōwairaka, a decision was made by a medical officer that you would be
5 sent to Lake Alice?
- 6 A. Yeah.
- 7 Q. Were you given any information about Lake Alice, did anyone tell you what Lake Alice
8 was?
- 9 A. As far as I remember, no, I didn't, I didn't know anything what's going on.
- 10 Q. Do you know whether anyone told your mother and father about Lake Alice or what kind of
11 place it was?
- 12 A. Well, when I made inquiries when I came back out, because I was trying, like how I was
13 trying to find the information for my book, I asked all of them if anybody came and asked
14 anything or any information. They just told the same story, that they were told that they
15 were just taking me to a school there, nothing saying that they were taking me to a
16 psychiatric hospital. It's only take me to a school to learn or teach my ways or whatever.
17 Nothing else about psychiatric.
- 18 Q. So your family understood that you were going to Lake Alice because it was a school. At
19 the time that you were at Ōwairaka, were you a state ward at that stage, or was that later?
- 20 A. I think it's later.
- 21 Q. How did you get to Lake Alice, how did that travel, that journey happen?
- 22 A. It was through my social worker that came to the boys' home which made arrangements
23 with my parents as well to be there to – so he can take us as far as I can remember, take all
24 of us to the – take my mother and father and grandmother as well.
- 25 Q. But on the day that you were to be taken to Lake Alice, did your social worker take you to
26 the airport and your family weren't there in time, is that what –
- 27 A. Yeah, that's what happened. And he couldn't wait, just had to go because, I don't know
28 why, some –
- 29 Q. So when you're at the airport you didn't get a chance to say goodbye to your family?
- 30 A. No. He just said it's time to go into the plane, so we went in, waited in the plane there.
- 31 Q. From the plane were you able to see your family?
- 32 A. Yes, I was.
- 33 Q. Were they trying to wave at you from the airport?
- 34 A. From the airport, yes.

- 1 **Q.** How old were you at that time?
- 2 **A.** 76 –
- 3 **Q.** Were you 13 at that stage?
- 4 **A.** 75.
- 5 **Q.** 13 years old?
- 6 **A.** Yes.
- 7 **Q.** When you arrived at Lake Alice what was your first impressions when you –
- 8 **A.** Just the place looked different to me, looks like – it doesn't look like a school like how they
- 9 said. Just big white buildings, tall buildings all along the driveway. It does seem a bit
- 10 scary, but, wow.
- 11 **Q.** You were taken to one of those buildings, I think it was villa 7?
- 12 **A.** Yes.
- 13 **Q.** Was that a two-storey building?
- 14 **A.** Two-storey, yes, all two-storey buildings.
- 15 **Q.** And that first week at Lake Alice, what did it feel like, how did it compare with Ōwairaka?
- 16 **A.** Well, the good thing about it is that we're not locked in on that place, unless us kids would
- 17 be playing around or doing something stupid or being naughty or something with one
- 18 another, misbehaving or whatever, that's when we will be locked in a special room upstairs
- 19 in our bedrooms, our dorms – sleeping dormitories, sorry.
- 20 **Q.** There was some dormitories upstairs in that villa 7 and there was also a room that you
- 21 could be locked up in if that's what the staff did to you?
- 22 **A.** Yes, there's four lock-up rooms upstairs, on each side, two each side, sorry.
- 23 **Q.** When you arrived at Lake Alice, were you given some medicine right from the outset,
- 24 different types of medication?
- 25 **A.** No, no medicines as far as I remember.
- 26 **Q.** During the course of your time at Lake Alice, did you receive some ECT?
- 27 **A.** Yes.
- 28 **Q.** I'd like to ask you a bit about ECT now. But first just to ask, did you ever have a meeting
- 29 or a consultation with the psychiatrist at the Lake Alice before you had any ECT, so
- 30 Dr Selwyn Leeks?
- 31 **A.** No.
- 32 **Q.** So when was the first time that you met Dr Leeks?
- 33 **A.** Just on that day I think.
- 34 **Q.** Can you tell us what it was like on the first day that you received ECT?

- 1 A. My name was just called from the dormitory, from the lounge, sorry, and I just came out to
2 the personal call. I can't remember who it was but it's one of the male staffs and just
3 followed – he just said "Come with me", I just followed him.
- 4 **Q.** Did you know what was about to happen?
- 5 A. No, I don't. Just followed him upstairs because he just told me "Just follow me, just come
6 with me". And so I just followed without knowing what was going to happen. Still when
7 I got up there I still don't know what is this, but it's all prepared, everything's prepared
8 upstairs. The staff members' up there, he was up there, Dr Leeks.
- 9 **Q.** And were you put on a bed in this room?
- 10 A. Yes.
- 11 **Q.** And then what happened?
- 12 A. That's when they put the electrodes on my head and next minute, well, I just woke up
13 because I just was knocked out without feeling anything at that time.
- 14 **Q.** So the first time you received the electrodes on your head you were knocked out instantly,
15 so made unconscious?
- 16 A. Yes.
- 17 **Q.** So you didn't feel anything at that time?
- 18 A. No, just fall into a deep sleep.
- 19 **Q.** Once you woke up from that episode of ECT, did you then have another episode of ECT or
20 electrodes being put on your temples?
- 21 A. Mmm.
- 22 **Q.** What was that incident like?
- 23 A. Well, that one was really bad, I didn't know that that was going to be like that. I thought it
24 was just the same thing when I went up, just the same way.
- 25 **Q.** Was it the same or was it different this time?
- 26 A. It was different.
- 27 **Q.** How was it different?
- 28 A. I'd say it was really painful.
- 29 **Q.** Can you describe for us what happened, was it Dr Leeks in the room?
- 30 A. Yes, he was there.
- 31 **Q.** Did he put the electrodes on your temples?
- 32 A. Yes, the same thing, he had – there's another thing that he does, always had to wet it, wet
33 the ends of the pads that they put on your head with water.
- 34 **Q.** So he wet the electrodes then put those on your temples?

1 A. Yeah. But I thought it was just going to be the same kind of thing, same like before, but
2 when it – I started feeling funny, the way the actions are taken, the way the person is
3 looking, I asked him "Is it going to be painful?" And he said "Yes, it is", so I told him
4 "Well, I don't want it, please I don't want it", because I can see the way he's looking, it's all
5 written on his face, something is not right. But he said "Sorry mate, I'm just going to have
6 to – you're just going to have to go through with it", or "I'm just going to have to do it." So
7 he put me on, I was crying my eyes out at that time, I said "Well, if it hurts, you know, the
8 first time I don't want it", but he just seemed to take no notice. That's when he put it on and
9 put the mouthguard in. I'll be thankful for that mouthguard, yes, because explaining it by
10 the feeling without a mouthguard, the person will end up biting his tongue off if it wasn't
11 for that, as well as the pain that was so bad that the person was lying down. When they
12 turned it on I can feel myself actually sitting up, or not all the way up, I can't remember
13 how far, but your body's off the bed, your arms are up the front or you're straining to free
14 your arms but they're holding you down. And they turn it off, that's when you fall back
15 down. You're crying, you're crying, but because of the mouthguard, well – and he turns it
16 back on again and it goes on or whatever until you're knocked out, that's when it stops. But
17 the pain, I'll explain the pain is the way I explain it, it's just like what I said in the first
18 times, being hit by a sledgehammer on your head, the feeling, that's how bad I would
19 explain it.

20 **Q.** You felt that pain when the machine was turned on, came up off the bed and then it was
21 turned off again?

22 A. Yes.

23 **Q.** How many times did that happen, the on and off?

24 A. I'd say mainly until the person's knocked out, three or four or even more. The child, the
25 person is always screaming his head off and that.

26 **Q.** You said that people were holding you down. Who were they?

27 A. Just the staff members there. The ones that were with us all the days. Because the only
28 doctor, Dr Leeks is not there all the time, he only comes to do the ECT part and then woke
29 up one day and he's gone. It just depends on the reports of the – on our folders or whatever,
30 or from the staff members, and just do whoever he wants with the punishments of the
31 electric shock.

32 **Q.** So in your mind was this type of ECT or this type of electrodes on your temples, was this a
33 form of punishment?

34 A. I'd say yes, it is.

- 1 **Q.** How did you find the first occasion when you did have ECT which when you didn't feel the
2 pain, what did you think that was for?
- 3 **A.** Well, I say that's a treatment then because you can't feel anything, you just fall asleep.
- 4 **Q.** During your time at Lake Alice, how many times did you receive ECT as a treatment that
5 you can remember? Was it just the first time?
- 6 **A.** It's only about two times.
- 7 **Q.** From then on, whenever you had the electrodes on your temples, did you remain conscious
8 and could feel the pain?
- 9 **A.** Yes.
- 10 **Q.** Until a point where you might eventually be knocked out?
- 11 **A.** [Nods].
- 12 **Q.** In terms of this use of the electrodes on your temples, how did you feel afterwards once
13 you've gone through this pain and then were knocked out, how was your body feeling after
14 all of that?
- 15 **A.** The body's all right.
- 16 **Q.** What about your head?
- 17 **A.** But the head is – you seem to be all dazed and confused and all that sort of thing.
- 18 **Q.** You've said that staff were there, Dr Leeks was there, was anyone else in the room when
19 you were receiving these shocks to your temples that you can remember?
- 20 **A.** Nobody's allowed upstairs at that time. It's only them are allowed. But us kids, we do
21 know that somebody's always getting ECT because you can hear the screams from upstairs
22 coming downstairs to us kids in the lounge, in the sitting room, TV room, you can hear
23 them screaming, even the workers there that are working around there, they can hear it.
24 They're doing their jobs and crying at the same time because they know what's going on.
- 25 **Q.** Your medical records show that you did receive ECT unmodified, so that means with no
26 anaesthetic, no relaxants, twice in 1975 and five times in 1976. So that's a total of seven
27 times. Do you think you actually received that form of electrodes to your temples more
28 often than that?
- 29 **A.** I'd say it's more often.
- 30 **Q.** Can you tell us about a grade system at the villa, a grade system, was there a system
31 operating where children would get an A, B, C or D?
- 32 **A.** Yes.
- 33 **Q.** How did that work. If someone got two Ds or three Ds, what would happen to them?
- 34 **A.** It's just a behaviour chart of ours that they did themselves to sort of mark our way of

1 behaving. If we are not so – not behaving properly at that day in the ward or in the – even
2 in the school in doing our jobs and not listening and fighting and all those kind of things,
3 we'll get a – if we behave good like that, we'll get an A. If our behaviour is good on that
4 day. If we're not listening or something like that, it's a B. If we're – the report might be not
5 good at coming from school or something like that, or from the staff, or if they see us do
6 one mistake, might be a C. But we got to try and avoid the D part.

7 **Q.** So what would happen if you got a D or a few Ds?

8 **A.** We got to try and get – because if we get a D that day we have to go to bed at 7 and no
9 lollies or chocolates or whatever. That's right, but if we get four Ds, that's either
10 Paraldehyde or the ECT if I'm right on that, I'm not sure, but it's one of those like that, that's
11 how – we've got to try and avoid getting three Ds, not to get it, otherwise a beating or
12 whatever.

13 **Q.** So multiple Ds could end up in a beating or Paraldehyde or maybe ECT?

14 **A.** Yes.

15 **Q.** So you've mentioned Paraldehyde, what was that like?

16 **A.** Well, Paraldehyde is just like another way of giving us a hiding, the way I see it, but using
17 that injection. It is painful, it is bad, the pain. The child is walking like a pregnant lady
18 sometimes, swaying from side to side with his pants coming out of the sick bay still
19 halfway down, crying his eyes out, and that's only for 5ccs if that's right, about that much,
20 they're always using that much to punish us for whatever we're doing. But it's like using it
21 for us for instead of giving us a hiding with their hands.

22 **Q.** So who would give you this, was this the nurses?

23 **A.** The staff members themselves, the mens. There's only two that I can remember that uses as
24 much as the two staff that are mainly there, the main ones.

25 **Q.** When you were given this Paraldehyde it was an injection?

26 **A.** It's an injection.

27 **Q.** And it was normally given in your bottom?

28 **A.** Yes, up on the lower back part there.

29 **Q.** After having that injection, you said it was difficult to walk, you were waddling around?

30 **A.** Yes, because of the pain on your back, you can't – it takes a while for you, you can't even
31 sit down for how long, about half an hour or so, you just have to stand up.

32 **Q.** You said you would get this instead of the staff giving you a hiding, why would you get –
33 what sort of thing would make you then be given an injection of Paraldehyde, what sort of
34 behaviour?

- 1 A. Just misbehaving. I even get it for just laughing my head off with having too much fun
2 with the kids.
- 3 Q. So you got Paraldehyde for being too loud with your laughter?
- 4 A. Yes.
- 5 Q. While you were at Lake Alice, were you ever put in the secure room, you've mentioned
6 there were some lock-up rooms?
- 7 A. Yes, I was.
- 8 Q. What sort of behaviour would mean that you'd be put in that room?
- 9 A. Just like I said before, not listening or fighting or whatever with the kids, with our friends
10 or whatever mistake you made or behaviour you've done, wrong behaviour.
- 11 Q. Did you ever try and run away from Lake Alice?
- 12 A. I felt it, yes, but that's another problem with the kids when they run away, they'll always go
13 for the Police and give a false information about it, but that's why us kids run away in those
14 days. But they always ring the Police and tell the Police "Watch out for him, he's not very
15 normal" or whatever, lies they give. Then the Police, even though they tell him that's why
16 they're running away, but they don't believe the kids. They just bring them back because of
17 the bad reports they already sent through to the Police.
- 18 Q. When these kids were brought back to Lake Alice, what would happen to them when they
19 got back?
- 20 A. Locked up and wait for the ECT time.
- 21 Q. So the kids that ran away would then get ECT, whereabouts would they get ECT if they
22 were running away, whereabouts on their body?
- 23 A. Mainly on their legs.
- 24 Q. When we say ECT in that context, what are you actually talking about, the electrodes from
25 the ECT machine?
- 26 A. Yes, it is.
- 27 Q. And they were put on these children's legs?
- 28 A. Yes.
- 29 Q. And do you know what happened when they were put on their legs?
- 30 A. No, I don't, because we're not – like I said, we're not allowed up there at the time, we're
31 only – and we only know it when the person itself tells us, they've got it on their legs.
- 32 Q. When you say they got it on their legs, are you meaning an electric shock?
- 33 A. Yes, it is.
- 34 Q. And the other children would tell you that?

- 1 A. Yes, the ones that got it.
- 2 Q. When you were at Lake Alice, were you able to communicate with your family?
- 3 A. No, only through the letters, letter writing.
- 4 Q. Did you write some letters to your mum?
- 5 A. Yes, I did.
- 6 Q. Did you write those letters in English or in Niuean?
- 7 A. The first time when I was there I wrote it in Niuean because I didn't understand what we
8 have to do about that kind of part. Until the boys, a few boys have to explain it to me, that
9 we're not allowed to do that.
- 10 Q. Why were you not allowed to do that?
- 11 A. Well, they said that I have to write my letters in English and don't forget not to seal my
12 letters when we put it in the envelope, just take it into the office and leave it open like that
13 for them to seal.
- 14 Q. Why did it have to be left open in the office before it would be posted?
- 15 A. So they can read it first before they send it.
- 16 Q. So did you continue to write your letters in English?
- 17 A. Yes.
- 18 Q. To your mum?
- 19 A. I have to.
- 20 Q. At some point did you also start drawing some stick figures in your letters to your mum?
- 21 A. Yes, I did.
- 22 Q. What did you do with those stick figures, did you include some speech bubbles?
- 23 A. Well, I was – I did because I was pretty angry at what was going on with that ECT thing
24 and I was trying to find a way of getting the message out to my parents and letting them
25 know what was going on and finally one day it came to my mind how to do it, it was an
26 understanding of how to do the – the way to get it out, that first I write it in my letter in
27 English that everything is all right and this and this and this, my school I've just finished
28 and all that like that, but in the end I had to draw a happy face and I first did it in a straight
29 line to see if it will get out, if they will respond to that part and when they respond, that's
30 when I started doing it in a happy face, and told them about it.
- 31 Q. So you drew the stick figures with happy faces so that they'd get out, be sent out. What did
32 you write in the speech bubbles?
- 33 A. I wrote that just a short few words in Niuean, like saying "mum, electric shock, so painful
34 to me."

- 1 **Q.** Can you see a picture on the screen in front of you?
- 2 **DR SUTHERLAND:** His screen's not on.
- 3 **QUESTIONING BY MS R THOMAS CONTINUED:** Hake, can you see the screen over by
- 4 Oliver's shoulder or up on the wall? What are we looking at in that picture there, is that a
- 5 stick figure picture you've drawn?
- 6 **A.** No, I won't do it in that – not that one, that's one of my ones I was practising.
- 7 **Q.** From your journal?
- 8 **A.** Yeah.
- 9 **Q.** And in the speech bubble we can see the – is that your green handwriting?
- 10 **A.** It is my own, yeah.
- 11 **Q.** Can you see that clearly, can you read that out to us?
- 12 **A.** "Mum, mummy, fakasoka he faoa au, mo e huki au, mamahi, tagi au."
- 13 **Q.** What message were you passing on to your mum in that speech bubble?
- 14 **A.** "Mum, the people have given me electric shock as well as the – like the same Paraldehyde
- 15 injection and it's painful, I am crying, like I am in pain."
- 16 **Q.** So this is a picture that's come from your journal but at the time you drew pictures like this
- 17 and sent them in the letters to your mum?
- 18 **A.** It's supposed to be – I was going to do it like that, but I thought no, I better not do it like
- 19 that, because they'll catch me out, I'd get caught.
- 20 **Q.** So you put a smiley face?
- 21 **A.** So I changed it and put it in a smiley face instead.
- 22 **Q.** And did your mum – did she receive the letter?
- 23 **A.** Yes, she responded back.
- 24 **Q.** What did she say?
- 25 **A.** She said to tell them to stop it.
- 26 **Q.** Were you able to tell anyone that?
- 27 **A.** I was saying to tell, but I didn't tell otherwise they'll – I'm scared they will say how did your
- 28 bloody mother know. And I'm scared that that's when they might take me back up and give
- 29 me more.
- 30 **Q.** So you get more?
- 31 **A.** ECT.
- 32 **Q.** Electric shocks?
- 33 **A.** Yes.
- 34 **Q.** Thank you. Hake, I'm going to ask you about what happened after your first – you were at

- 1 Lake Alice for a certain amount of time and then you went home for the Christmas break?
- 2 A. Yes.
- 3 Q. When you got home and out of Lake Alice for that break, how did it feel to be at home?
- 4 A. It was a good relief, I was happy that I'm back, back home.
- 5 Q. When you were back home over that Christmas break, so this was in January of 1976, you
- 6 were at home for that period and you were asleep in your bedroom?
- 7 A. Yes.
- 8 Q. And in the bedroom next door to you was your sister?
- 9 A. Yes.
- 10 Q. And you were in that room when your sister was murdered?
- 11 A. Yes.
- 12 Q. And you were the first person that ran into her room?
- 13 A. Yes.
- 14 Q. And you found your sister, she'd been murdered by her boyfriend?
- 15 A. Yes.
- 16 Q. She was holding her baby at the time?
- 17 A. Yes.
- 18 Q. And you were just thankful that her baby was still alive?
- 19 A. Yeah.
- 20 Q. At that time your sister was 19 and you were 14?
- 21 A. Yeah.
- 22 Q. I think you've said in your statement you felt alone, you had no support and no-one to speak
- 23 to?
- 24 A. Yeah.
- 25 Q. And it made you upset, you got into more trouble?
- 26 A. Yes.
- 27 Q. When you went back to Lake Alice, just a few weeks after that, were the staff there, the
- 28 nurses, Dr Leeks, did they know what had just happened in your family?
- 29 A. I think they do, yes.
- 30 Q. So they were made aware that your sister had just been murdered?
- 31 A. I'm sure, yeah.
- 32 Q. Did they offer you any support, any counselling?
- 33 A. No.
- 34 Q. When you got back into Lake Alice at that time, you said you were upset and your

- 1 behaviour got worse?
- 2 A. Yes.
- 3 Q. So you'd just gone through this at home, you came back, your behaviour was worse, did
4 you then get more electric shocks?
- 5 A. I'd say that's all together, yeah.
- 6 Q. More ECT or electric shocks than you'd had ever before?
- 7 A. If I – yeah, if I playing up and all that. Only one person that knows about it was my – also
8 my teacher in the classroom that I really trusted.
- 9 Q. Was that your teacher, Anna Natusch?
- 10 A. That's her.
- 11 Q. So you trusted her?
- 12 A. Yes.
- 13 Q. Were you able to talk to her about what had happened with your sister?
- 14 A. Yeah.
- 15 Q. Was she able to support you?
- 16 A. Big support and big help.
- 17 Q. What did she say to you to encourage you?
- 18 A. Mainly just encouraging me to – not to give up hope and to keep on doing my things and
19 good behaviour and all that so I can get back out, because this place is not the place for
20 you, you don't belong in here.
- 21 Q. Were you able to complain to any other staff about what was happening?
- 22 A. No, I didn't trust anybody.
- 23 Q. In August of 1976 you did get out of Lake Alice, you were discharged?
- 24 A. Yes.
- 25 Q. You were 14 years old, and you went back to your parents?
- 26 A. [Nods].
- 27 Q. How did you feel when you got out of there?
- 28 A. Big relief.
- 29 Q. At that time did your mum, did she go to the lawyers to try and arrange to adopt you, to
30 legally adopt you?
- 31 A. Yeah.
- 32 Q. Was there an interpreter at that meeting with the lawyer?
- 33 A. I'm not sure, I don't think so.
- 34 Q. At that meeting, are you aware that that was the first time your mum was actually told that

- 1 you had been made a state ward?
- 2 A. Yeah, that's when she first found out about it.
- 3 **Q.** So previously the court had made you a state ward, but no-one had told your mum what that
4 was in a language that she could understand?
- 5 A. No.
- 6 **Q.** So it wasn't until she was seeking some legal advice to adopt you that she had this
7 explained to her?
- 8 A. Mmm.
- 9 **Q.** Did you go back to school when you got out of Lake Alice?
- 10 A. No.
- 11 **Q.** How was your epilepsy when you got out of the Lake Alice, you've mentioned that you
12 experienced seizures when you were a young child?
- 13 A. After a while it started coming back.
- 14 **Q.** This is after you got out from Lake Alice?
- 15 A. Yes. I was in Three Kings then.
- 16 **Q.** Sorry?
- 17 A. I was living in Three Kings at that time when it first started.
- 18 **Q.** Getting worse again?
- 19 A. Mmm.
- 20 **Q.** Is this a time when your brother rang you up to ask if you would like to go to church with
21 him to get some prayers for healing?
- 22 A. Yes, yeah.
- 23 **Q.** And is that what you did?
- 24 A. Yes.
- 25 **Q.** Throughout that period and since that time, have you found your faith has helped you
26 recover and get through the impact of Lake Alice?
- 27 A. Yes.
- 28 **Q.** Do you have your statement in front of you?
- 29 A. Yes, I have.
- 30 **Q.** At paragraph 77 of that statement is there a prayer that you've got at that paragraph that
31 you'd like to read to the Commissioners? It's at paragraph 77. Would you like to read that,
32 Hake, to the Commissioners?
- 33 A. "My faith has really helped me move on from what has happened to me and continues to
34 help me. I pray often. I would like to refer to part of a prayer I wrote in my diary in

1 January 2007. Heavenly father in Jesus' name who is and will be always be my healer and
2 my saviour and there is no-one else to be. I just come before you and thank you for all the
3 blessings you have granted unto me."

4 **Q.** Thank you Hake. Since going to that church to seek some healing, have you now become
5 an elder in that church?

6 **A.** I am an elder, and I'm the main – the oldest one in there now.

7 **Q.** You've told us you did not get to go to school when you got out of Lake Alice?

8 **A.** Yeah.

9 **Q.** But sometime after Lake Alice you were then put in another institution that was Carrington
10 Hospital?

11 **A.** Carrington.

12 **Q.** What was that like?

13 **A.** Seems to be the same as Lake Alice.

14 **Q.** Was there ECT, did you receive ECT?

15 **A.** No.

16 **Q.** Did you receive Paraldehyde?

17 **A.** Once.

18 **Q.** What happened when you were given Paraldehyde?

19 **A.** I think I was not well at that time, but with me and the person that gave it, the nurse that
20 gave it things are not good with me and her in there. We seemed to disagree, have a lot of
21 disagreements with things, so I don't know why I was given that from her.

22 **Q.** But you managed to get out of Carrington and you didn't have to go back there?

23 **A.** Yeah.

24 **CHAIR:** Can I ask Hake a question. Hake, you say you and the staff member, you didn't get on
25 well.

26 **A.** Yeah.

27 **Q.** And did you lose your temper to her?

28 **A.** Sometimes, yes, when we argue.

29 **Q.** When you were arguing?

30 **A.** Yeah.

31 **Q.** And was that when you got the Paraldehyde?

32 **A.** On the time when I was not well, not feeling well, yeah.

33 **Q.** So was it a treatment for you do you think?

34 **A.** I don't know if it's a treatment or –

- 1 Q. What was it like, was it the same as at Lake Alice, was it still painful?
- 2 A. Yeah, the pain, that's how I take it because the same kind of pain that I felt.
- 3 Q. Yeah, okay, thank you.
- 4 A. That's why I took it like that it's Paraldehyde, but I don't know, I might be wrong.
- 5 Q. So it was just because of the pain –
- 6 A. The pain was –
- 7 Q. – that you thought it must be Paraldehyde?
- 8 A. Yes.
- 9 Q. I see.
- 10 A. And the same taste of the smell that came out of the mouth.
- 11 Q. Thank you for that.
- 12 A. That's all right.
- 13 **QUESTIONING BY MS R THOMAS CONTINUED:** Hake, I'm going to ask you some
- 14 questions about the impact of Lake Alice on your later life. Just in terms of your
- 15 relationships with your family and friends, what sort of impact has Lake Alice had on your
- 16 close relationships in terms of coping with your temper and things that might trigger you?
- 17 A. Well, I reckon that has really – it does spoil my life on that. I find it really hard, because I
- 18 can remember one staff that's been interviewing me at one time that said that they were
- 19 trying to stop this treatment like this or giving to young kids, as when they grow up they
- 20 find it hard to control their temper and all those things. And I do seem to believe it because
- 21 that's exactly what I find it hard as well to control on myself and I can see it because it has
- 22 spoiled my life on that, even on jobs, the jobs that I've been working on it doesn't seem to
- 23 last because of my temper and arguing with the bosses, or like I bring up things don't go
- 24 right on what I'm supposed to do and all those kind of things.
- 25 Q. So you've had a number of jobs, but often they've ended quite abruptly as a result of
- 26 something happening and temper flaring?
- 27 A. Only one job I lasted long with PDL Plastics for 11 years.
- 28 Q. And even at that job was there sometimes while working with packing the plastic bottles
- 29 that triggered your memories back to Lake Alice?
- 30 A. Yes.
- 31 Q. Was that in relation to the static electricity that you used to –
- 32 A. Yes.
- 33 Q. – receive when you had to scoop up the plastic?
- 34 A. Yeah. When I feel that, yeah, I couldn't – I'd be really scared and sitting there, what am

1 I going to do on this job, doing this, I can't even do it, even I had to bring the – to tell my
2 foreman, the boss to – what the heck is this thing, this has got electricity in this dryer, it's a
3 big whole bin drying the powder up, when you're scooping the powder to bring and put it
4 into the machines, that's when you can feel it, it's like a – but he says "It's nothing mate, it's
5 only static electricity", what he said.

6 **Q.** But to you it was something?

7 **A.** But to me, yeah, it's just like real electricity.

8 **Q.** We're going to move back to 1977 now. So you had got out of Lake Alice at the end of
9 1976, but did your mum come to you at that point and say "Hake, listen, the Government
10 knows about your story"?

11 **A.** Yes.

12 **Q.** They know about your letters and what did you think at that stage?

13 **A.** Well, I don't know, I just said how did they know? Who told them?

14 **Q.** Who was it at that time that wanted to talk to you?

15 **A.** Well, she said that there was a Palagi man that came home with an interpreter, Niuean –
16 with a Niuean man, but well, he's the interpreter for – but I didn't know it was
17 Dr Sutherland at that time.

18 **Q.** So the man that wanted to speak with you, the Palagi man was Oliver Sutherland?

19 **A.** Yes.

20 **Q.** Who's seated with you today?

21 **A.** Yes, he is.

22 **Q.** Did you talk to him?

23 **A.** Yeah, when they came back, yes.

24 **Q.** And you spoke to him with an interpreter, was that Mr Kolo?

25 **A.** Yeah.

26 **Q.** When you spoke to Oliver and Mr Kolo, how did that make you feel as a child at that point
27 telling these adults what had happened?

28 **A.** It was a relief sometimes.

29 **Q.** Did they believe you?

30 **A.** Well, they seemed to.

31 **Q.** Once you'd spoken to Oliver and Mr Kolo, the Inquiry, the Mitchell Inquiry was
32 established. Can you remember, were you ever asked to give evidence at that Inquiry?

33 **A.** Yes.

34 **Q.** Can you remember giving evidence at that Inquiry or was that at a different matter a few

- 1 years later that you spoke?
- 2 A. I remember giving inquiries before for that. But I might be wrong, I don't know.
- 3 Q. I think the notes say that you spoke later on to the – at a court hearing, that was –
- 4 A. Yeah.
- 5 Q. – in relation to the CCHR?
- 6 A. That one.
- 7 Q. But in relation to the Judge Mitchell Inquiry –
- 8 A. Oh –
- 9 Q. In the 70s, you weren't asked to speak there?
- 10 A. Okay.
- 11 Q. There was a note that – I think it was a note that the judge came to talk to you and your
12 whānau at home, but when I spoke to you you said you couldn't remember ever meeting
13 Judge Mitchell?
- 14 A. No.
- 15 Q. But you can remember meeting Oliver Sutherland?
- 16 A. Yes.
- 17 Q. And Grant Cameron, who was a lawyer?
- 18 A. Yes, I remember meeting him.
- 19 Q. So Grant Cameron worked with you to seek some redress for your time at Lake Alice?
- 20 A. Yes.
- 21 Q. And you were given some money, you received a payout?
- 22 A. Yes.
- 23 Q. But some money was taken away from that as legal fees?
- 24 A. Yes, well, I didn't know it was legal fees, because I was told that the other half of the
25 money that I think they're putting it away for us for this time when we grow up.
- 26 Q. So you didn't know that the money taken out was actually being taken out as a legal fee?
- 27 A. No, not until I saw my statement.
- 28 Q. As you were working with the Royal Commission?
- 29 A. Yes.
- 30 Q. At around about this time did you also speak to Justice Gallen?
- 31 A. Yes.
- 32 Q. How did you find that interview, how was he when you spoke with him?
- 33 A. That was all right. It's just the same.
- 34 Q. When you spoke with Justice Gallen, he talked a bit about Dr Leeks with you?

- 1 A. Yes.
- 2 **Q.** What would you like to say about Dr Leeks now? In your statement at paragraph 94 you've
3 made a note about Dr Leeks. I'm not going to ask you to read that out, but is there a phrase
4 there that you recall Dr Leeks using in relation to you?
- 5 A. Yes. I just returned that back to him, that's – he's just writing about his own self.
- 6 **Q.** What is that phrase, what did he call you?
- 7 A. An "uncontrollable animal".
- 8 **Q.** What do you say in reply?
- 9 A. Well, that's just – I just return it back to him, he's just talking about him, the way he treats
10 us, because I can see it, I've got nothing to do with this, I'm nowhere near it. It's only one
11 thing that I can see on this that it's just the way I play up with the kids and that in there,
12 when we're in there.
- 13 **Q.** You've said you received some money as part of the process from the lawyer. And you
14 also received a letter of apology from the Government?
- 15 A. Yes.
- 16 **Q.** What would you like to say about that, how did you find that letter of apology when you
17 received it?
- 18 A. I'm thankful for that for the Government to apologise.
- 19 **Q.** I think in your evidence you've said that you would have liked to have got a more personal
20 apology?
- 21 A. Well –
- 22 **Q.** Is that something that you would have liked?
- 23 A. If it can be done, yeah.
- 24 **Q.** In terms of your life after Lake Alice and education, when you got out of Lake Alice, you
25 weren't offered any form of education after that, were you?
- 26 A. No.
- 27 **Q.** Is that something you would have liked to have been offered?
- 28 A. Well, yeah.
- 29 **Q.** And some more life skills to help you get jobs?
- 30 A. Mmm, yeah.
- 31 **Q.** What about your Niuean culture, how has the experience of Lake Alice affected your
32 culture?
- 33 A. Well –
- 34 **Q.** Has it hindered anything, or have you felt that you're still able to participate in all Niuean

- 1 cultural life? You've taught your children your language?
- 2 A. Yes, no, I think, just like how you said, I have taught all my kids, four kids the language as
- 3 they grow up and we just communicate on their time when they want to speak the language
- 4 they just talk, we just talk in the Niuean language.
- 5 Q. So Lake Alice hasn't taken that away from you?
- 6 A. No.
- 7 Q. Just in conclusion now, Hake, is there anything that you would like to say to the
- 8 Commissioners looking towards the future? I think in your evidence you said "If I was told
- 9 a grandchild of mine had to go to an institution", what would you say?
- 10 A. I'd just say no.
- 11 Q. Why is that?
- 12 A. Like what I've – I don't want them to go through what I've been through or any other child.
- 13 Q. Thank you. Thank you, Hake, I'll just see if the Commissioners may have any questions.
- 14 **CHAIR:** I just have one question for you. You got an apology and I take it it was in a letter, was
- 15 that right?
- 16 A. Yes.
- 17 Q. So what sort of apology would be meaningful to you?
- 18 A. Like I said, I'm just happy I got this one here.
- 19 Q. You got that one, yes. What about someone speaking to you directly?
- 20 A. I don't really need that.
- 21 Q. You don't need that?
- 22 A. No.
- 23 Q. You've healed yourself, haven't you.
- 24 A. [Nods].
- 25 Q. Through your church.
- 26 A. Yeah.
- 27 Q. It's good to see. Thank you. I'm going to ask Sandra Alofivae now.
- 28 **COMMISSIONER ALOFIVAE:** I'm not going to ask you any questions about what happened at
- 29 Lake Alice because you've provided a very full brief. But I do want to just ask you some
- 30 other questions around your culture and maybe your faith if that's okay.
- 31 A. Yeah.
- 32 Q. Thank you. Hake, you're very strong in your culture, aren't you?
- 33 A. Yes, I am.
- 34 Q. And do you think that's because that was instilled in you when you were a little baby, a

- 1 little child growing up by your parents?
- 2 A. Yes.
- 3 Q. Very important?
- 4 A. [Nods].
- 5 Q. And when you came to New Zealand, was it about 1967 when you first came across?
- 6 A. 68.
- 7 Q. 68, how did you come across?
- 8 A. I come on the ship.
- 9 Q. Was it the Tofua?
- 10 A. Yeah, might be that one, yeah.
- 11 Q. So you go to Samoa, then you fly over in the plane?
- 12 A. Yeah.
- 13 Q. Do you remember how you felt when you knew you were going to come to New Zealand?
- 14 A. Just feel happy and quite sad because leaving mum, the real mum and dad behind and
- 15 brothers and sisters like that, but looking forward to meet the other family coming here.
- 16 Q. And did you have a big family in New Zealand that you were coming to?
- 17 A. Yes, I have.
- 18 Q. So you had lots of other cousins?
- 19 A. Other cousins, yes.
- 20 Q. Uncles and aunties?
- 21 A. Aunties, yes.
- 22 Q. You said that you couldn't speak English?
- 23 A. No.
- 24 Q. Which is not unusual, because in Niue you would have all been speaking Niuean?
- 25 A. Niuean.
- 26 Q. Then you come to New Zealand and you come to Ponsonby, was there a big Pacific or a big
- 27 Niuean community waiting for your family?
- 28 A. Yes, I'd say.
- 29 Q. There were lots of people coming to New Zealand, lots of Pacific people in the 60s and the
- 30 70s?
- 31 A. Yes.
- 32 Q. And Hake, do you remember when you started school, did you have dreams about what you
- 33 might have wanted to be when you left school?
- 34 A. No, nothing.

- 1 **Q.** So you were always speaking Niuean in the home?
- 2 **A.** Yeah.
- 3 **Q.** With all of your cousins?
- 4 **A.** Yes.
- 5 **Q.** So you only spoke English when you were outside of the home?
- 6 **A.** Yeah.
- 7 **Q.** And did anyone try to help you with the language?
- 8 **A.** My cousins, yeah, they're trying to teach me and that, at that time. But it's still pretty hard
9 the way I see it, only might be the easy words, come, go or thing like that.
- 10 **Q.** Because they were just kids too, right?
- 11 **A.** [Nods].
- 12 **Q.** And then in school they never – the teachers, what I'm really wanting to understand, is the
13 teachers in the schools, were there other Pacific kids in your school?
- 14 **A.** Yes, plenty.
- 15 **Q.** Plenty of Pacific kids?
- 16 **A.** Yes.
- 17 **Q.** And were there other kids who couldn't speak English very well?
- 18 **A.** I should think so, yes.
- 19 **Q.** And when you went to Lake Alice and Ōwairaka do you remember the ethnicity of the kids
20 that were in those placements?
- 21 **A.** Mainly the Pacific and Māori children.
- 22 **Q.** So the kids were mainly Pacific and Māori ?
- 23 **A.** Yeah.
- 24 **Q.** At Ōwairaka?
- 25 **A.** Yeah.
- 26 **Q.** And at Lake Alice?
- 27 **A.** Lake Alice is quite a big mix, quite a few Pakeha children, Palagi children, sorry.
- 28 **Q.** What about the staff, do you remember the ethnicity of the staff?
- 29 **A.** Staff was the Palagis. Cleaners were like the Māori s and things like that.
- 30 **Q.** But were you ever able to talk to any of them or weren't allowed?
- 31 **A.** No.
- 32 **Q.** To the Pacific staff, the cleaners and things.
- 33 **A.** Yeah, we communicate with the staff – the cleaners sorry.
- 34 **Q.** Was that in your language?

- 1 A. No, just talk English.
- 2 Q. In English. And Hake, I just – about your faith, so faith was very big to your family as
3 well?
- 4 A. Yes, it's a big faith, I come from a big church going family. My grandfather's a minister, as
5 well as the uncles and families, got a few ministers in the family.
- 6 Q. So you came from a really rich cultural Niuean background and a very strong faith
7 background as well?
- 8 A. Yes.
- 9 Q. So when you went into Lake Alice and in Ōwairaka that was very foreign to you, very
10 different?
- 11 A. [Nods].
- 12 Q. Yeah?
- 13 A. Yeah.
- 14 Q. How did you cope. I know we've asked that, but you know, you talk – how did you
15 manage to stay strong in there?
- 16 A. Just through my faith or whatever, because I could see there was – just like this drawing
17 here, because I can see that wasn't my doing, it's just something like a supporting from
18 somewhere, from him above I say, helping and supporting me.
- 19 Q. So your faith which was instilled by your family and then the language, you were very
20 clever to do the stick figures with the speech bubbles, because your mother was able to
21 respond to the speech bubbles where you couldn't if you just wrote it in English, right?
- 22 A. Yeah.
- 23 Q. Thank you, Hake, you've been very, very helpful. It's now fallen to me to thank you, so
24 I just want to say to you in your language, Fakaoue lahi ke he haau a loto fakamalolo mo e
25 manamanatuaga mo e matutakiaga e haau a Iloilo, fakailoa atu he mai tuai tighau, e
26 fakatulouaga a Niu Silani, he koe haau fakamooli a loto toa, tagata tuga koe. Ko tautolu oti
27 ke onoono ki he aho nei. Kia fakamonuina mai he Atua ia koe. Fakaau.
- 28 A. Oue **tulou**.
- 29 Q. To your supporters who flank you as very, very strong anchors, Dr Sullivan(sic). Lau
30 afioga Tigilau, lou tuagane ia Feke a e mai se lau peleina lau paga, fa'afetai, fa'afetai,
31 fa'afetai lava.
- 32 A. Yeah, fa'afetai lava, fa'afetai.
- 33 **CHAIR:** That seems to be a very appropriate note to end. Thank you very much in English from
34 me and from all of the Commissioners for all the efforts you've done. Can I just say this,

1 this is not the first time you've told your story, you've told it many, many times, but we
2 recognise that and it can never be easy, but you have done it and I think you've done it
3 because this time it's in the public eye and we thank you very much for that.

4 A. Thank you very much.

5 Q. It's very important. Thank you.

6 A. Thank you.

7 Q. Time for lunch. [Applause]

8 **Lunch adjournment from 12.50 pm to 2.04 pm**

9 **CHAIR:** Ms Feint. Before we start I believe you want to talk about that letter.

10 **MS FEINT:** Yes, thank you Madam Chair. I just wanted to clear up the confusion this morning
11 because we had a different letter put on screen from the letter of apology from the Prime
12 Minister that I read out. We've now got to the bottom of it.

13 So the letter that I read out and that was in my opening submissions was dated 31
14 October 2001 and that was the letter that was sent to the round 1 claimants and then there
15 was a second letter for round 2 dated 23 December 2002 and that went to the round 2
16 claimants. I had assumed that they got the same letter, but the second one had been
17 tweaked. And then just to confuse matters further, the letter that was put up on the screen
18 was neither of those two, that was a draft of the round 2 letter it appears.

19 So what we could do in our closing submissions is just we could set out the
20 documents in the relativity bundle.

21 **CHAIR:** Yes, that would be sufficient. It's apparent to me the substance wasn't very different but
22 it was just expressed in slightly different ways. If you could remember to do that in your
23 closing that would be great. Thank you for the explanation.

24 **MS FEINT:** Thank you for allowing me to clarify that.

25 **CHAIR:** That's fine. Now Ms Thomas.

26 **MS R THOMAS:** Thank you Madam Chair. We now have our next witnesses from ACORD. I'll
27 just introduce we have Dr Sutherland, Dr Ross Galbreath and seated next to Dr Sutherland
28 and Dr Galbreath is Robert Ludbrook who is also a member of ACORD, the lawyer for
29 ACORD. He's seated with Dr Oliver Sutherland and Dr Galbreath today as a support and
30 also so that he's able to hear more clearly his friends' evidence today.

31 **DR OLIVER SUTHERLAND**

32 **DR ROSS GALBREATH**

33 **CHAIR:** Can I just welcome you three gentlemen, it's very good to see you all sitting there, and to
34 thank the two of you for assisting. I have been told that it's possible that particularly you,