

**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, Ms Hanne Janes, Ms Kerryn Beaton, Ms Katherine Anderson, Mr Joss Opie, Ms Echo Haronga, Ms Tania Sharkey, Mr Michael Thomas, Ms Jane Glover and Ms Lorraine Macdonald appear for the Royal Commission

Ms Sonja Cooper for Survivor Mary Marshall

Ms Sally McKechnie, Mr Alex Winsley, Mr Harrison Cunningham and Ms Fiona Thorp appear for the Catholic Church

Mrs Guy-Kidd, Mr James Anson-Holland and Ms India Shores appear for the Anglican Church

Ms Jenny Stevens and Ms Helen Thompson appear for the Salvation Army

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

Date: 4 December 2020

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EXAMINED BY MR THOMAS

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8 **CHAIR:** Tēnā kotou katoa nau mai hāere mai ano ki ā koutou
9 katoa. Mr Thomas, you are not a witness but we do have our
10 witness in the room next door and he will be giving his
11 evidence from that room. So, I will just speak to you.
12 You have just appeared on my screen, John. Just tell me
13 how you would like to be referred to?

14 A. Yes, John.

15 **CHAIR:** Good morning and welcome. I hope everything is
16 okay. You have somebody supporting you in the room,
17 haven't you?

18 A. Yes.

19 **CHAIR:** That's good. John, if you could take the
20 affirmation, please. (Witness affirmed). Thank you very
21 much. I will leave you now for Mr Thomas to ask you some
22 questions.

23 **MR THOMAS:**

24 Q. Thank you, Madam Chair. I would just like to mention that
25 John has his wife in the room with him as a support person,
26 so I'd like to acknowledge her presence.

27 **CHAIR:** Yes.

28 **MR THOMAS:**

29 Q. John, can you confirm you have prepared a statement for the
30 Royal Commission dated 1 September 2020 and you have a copy
31 of that with you?

32 A. Yes.

33 Q. Is that statement true and correct to the best of your
34 knowledge and belief?

35 A. Yes, it is.

1 Q. Shortly, I will invite you to read from that statement but
2 before I do, I just wanted to also mention that you have
3 indicated to me that you are happy to receive questions
4 from the Commissioners both during and at the end of your
5 evidence; is that correct?

6 A. Yes, that's correct.

7 Q. Thank you. I will just now invite you to read from the
8 start of your statement and I will pause you during the
9 course of that to ask you further questions.

10 A. Thank you. My name is John. I was born in 1968 in
11 Christchurch Hospital. I now live in the South Island with
12 my wife and children.

13 I was sexually abused by Kevin Ronald Waters, Br Giles,
14 Marist Brother who was the Principal over two years in
15 approximately 1980-1982.

16 In my early life, I came from a stable home consisting
17 of my mother, my father, my brother and my sister. My
18 mother is a Kiwi and my father is of Dutch descent. He
19 passed away in May 2019. My father was a commercial
20 painter who ended up in the building industry. My parents
21 did really well, buying old properties, renovating them and
22 selling them on.

23 I have a sister. She is my half-sister from my father's
24 first marriage but I have always regarded her as my full
25 sister. She is about 65 and works as an [GRO-B]. She
26 has done really well with her life. She has several rental
27 properties and a brand new home. I have a younger brother,
28 he is 10 years younger than me, he is married and he lives
29 in Australia. He is an Executive General Manager at [GRO-B]
30 He has a lot of commercial property, owns a [GRO-B] and a
31 [GRO-B]. He has done really well with his life as
32 well.

33 When I was young, we lived in Christchurch. I went to a
34 kindergarten, Cashmere Kindergarten, and then I went to St
35 Peter's primary school. Primary school was attached to St

1 Peter's Church. All my primary school years it was
2 primarily run by the religious sisters with some lay
3 teachers. At school we spent a lot of time at St Peter's
4 Church and the Priest lived on-site. I enjoyed my primary
5 school years and I had a lot of friends who lived near the
6 school and I used to go to sleepovers and parties. I was
7 good with my schooling as well.

8 I remember my teachers making a special effort with me
9 and the only negative I can remember at St Peter's is that
10 every Friday about 10 of us would be bussed to the school
11 of dentistry in town in Christchurch and the dental nurses
12 would use us for training. This went on for months before
13 my parents realised I was going there every Friday and they
14 stopped it.

15 My family were heavily involved in St Peter's Church
16 which was our parish Church. I had my First Holy Communion
17 at St Peter's when I was about 8 or 9 years old. I served
18 as an altar boy there as well. The only reason my parents
19 left that Church is there was a fire in the presbytery
20 area. We moved then to the Cathedral of the Blessed
21 Sacrament in Christchurch. My parents were heavily
22 involved in that Church as well. I was also an altar boy
23 at the Cathedral too.

24 My parents sent me to Xavier because it was connected to
25 the Cathedral. After that, my family moved. We began to
26 attend our new parish, Our Lady of Assumption Church. My
27 younger brother went there to the primary school which was
28 attached to that Church. We lived directly across the road
29 from that street. I think it was at Our Lady of Assumption
30 that I was confirmed.

31 My parents later moved to Burnside, Christchurch, and my
32 parents attended Christ the King Church. My father was
33 heavily involved in that Church. In his retirement, he
34 actually paid for the conservatory at the front of the
35 Church and donated a lot of money over the years. My

1 father's retirement years were fully devoted to religion
2 and the Church. He would go to Church two or three times a
3 week and at the end was well-known in the religious
4 community in Christchurch.

5 He would work on repairs and maintenance in the Church
6 and was there at the beck and call of the Parish Priests
7 and would carry out whatever the Parish Priests wanted.

8 I had a very happy home life growing up. I was very
9 close to my parents. Mum and Dad would pick me up from
10 school on Friday night, a caravan would be all ready to go
11 and we would head off to Lake Coleridge or the Rakaia Huts.

12 Through the summer months we were always away. I would
13 walk up and down the rivers with my father and the only
14 negative memory I have of my family growing up was when I
15 confessed to my father what was happening with Br Giles.

16 We were a very religious Catholic family and I have
17 positive memories of the faith as a child. We would go to
18 Church every Sunday and I would always be dressed up on
19 Sunday in nice clothes. As an altar boy my first job when
20 I got to Church would be to go and check if the Priest
21 needed me and 90% of the time he would. So, my role was up
22 the front of the Church. I was the go-to altar boy because
23 I was always happy to serve.

24 Mum and Dad would talk to people after Church and go to
25 friends' houses for coffee. My parents went through a
26 stage of going to prayer meetings during the week, with
27 holding hands and speaking in tongues.

28 Q. Thanks, John. I'll just pause you there at the end of that
29 section on your early life. Is it fair to summarise that
30 you had a happy childhood, home life and schooling up to
31 this point?

32 A. Yes, I did. I loved my family and my parents and we were
33 all very close.

34 Q. Thank you. And now we're moving on to the next section
35 about the abuse you suffered.

1 A. The abuse. In about 1980, when I was 12 years old, I
2 started at the intermediate school of Xavier Intermediate
3 in Christchurch run by the Marist Brothers. I was at
4 Xavier Intermediate for two years.

5 Q. We're just going to pause there again and bring up a photo
6 of yourself I understand aged 12 and that's Exhibit 2 and
7 that will come up on the screen shortly.

8 **CHAIR:** Yes, we have that, thank you.

9 **MR THOMAS:**

10 Q. If you're happy to continue from 2.2 of your statement,
11 John.

12 A. Thanks. Xavier Intermediate had a single school building,
13 which was set quite high off the ground so you couldn't see
14 in the windows from the outside, and a square courtyard
15 area where we spent our morning teas and lunchtimes. We
16 weren't allowed to go anywhere else.

17 The school was surrounded on all sides and there were
18 monitors at the entrance, so we basically were locked in
19 once you were there.

20 On one side was Sacred Heart College, the girls' school,
21 which was separated by a big fence. At the back of Xavier
22 Intermediate was the bus depot where all the Christchurch
23 buses were parked. On the right side was Xavier College
24 the boys' school, which was also run by the Marist
25 Brothers. You had to go through Xavier College to get to
26 the intermediate school. On the final side in front of
27 Xavier Intermediate was the Cathedral which was separated
28 from the school by a chain-link fence. To get to the
29 Cathedral you had to go through a gateway in the fence and
30 down a concrete path that went through the houses where the
31 nuns and priests and brothers lived. That was all on the
32 same site. That has all changed now. Xavier Intermediate
33 school house was demolished before the Christchurch
34 Earthquake.

1 There were only three teachers at the school who had a
2 class each, Br Giles was the Principal and he was a very
3 loud and big man. He used fear and intimidation to get
4 what he wanted. There were two other lay teachers, one was
5 Mr C, a genuinely nice guy in his 30s but also used yelling
6 to control his class. There was another teacher, Mrs T,
7 who was my teacher.

8 Br Giles used his position as Principal to take me out
9 of class to abuse me. I think he knew that I was a
10 "pleaser", so he would attend the masses in which I was an
11 altar boy. At lunchtime we would sit along the front of
12 the building and we weren't allowed to leave until Br Giles
13 or another teacher had checked our lunchboxes to make sure
14 we'd eaten our lunch. In the first couple of weeks of
15 starting the school, he signalled me out saying he wanted
16 to talk to me and sent me to wait outside his office, and
17 that's how the abuse started.

18 When he arrived, he took me into his office. It started
19 out with Br Giles sitting on the other side of a great big
20 desk from me, sometimes he would have his cane sitting on
21 the desk to intimidate me. He explained that my parents
22 had sent me to the school to help me become a man and it
23 was Br Giles' job to make sure that happened. He would sit
24 there, talk to me about the male parts of my body. Br
25 Giles said he would teach me everything that I needed to
26 know to do with my body, including masturbation, puberty
27 and ejaculation.

28 He would use words like masturbation and ejaculation all
29 the time as part of his conversation.

30 He would catch me in the yard and say things like "have
31 you been practising like I told you". I didn't take too
32 much notice of this at the time because Br Giles was the
33 Principal and I respected his authority but looking back, I
34 can see that he was grooming me.

1 Q. John, can I ask at this point, how did you feel during
2 those conversations with Br Giles?

3 A. I was really scared obviously of the unknown, I was
4 uncomfortable and embarrassed about the conversations we
5 were having and I felt that it was invading my private
6 space, the conversations to me were inappropriate and I
7 didn't really feel like I wanted to really talk about that
8 sort of thing.

9 Q. Thank you. When you're ready, 2.8.

10 A. Then I went into his office one day and realised that the
11 furniture had been changed. Br Giles moved from sitting
12 behind the desk to sitting beside me. Then another day he
13 pulled out a magazine with pornographic pictures of naked
14 women. It was called Best Nudes and I can still picture
15 this because I had to look at it so many times.

16 He asked me to look at the pictures and then he left the
17 room. Br Giles would ask me into his classroom at
18 lunchtime but then it would go into class time and he would
19 have a monitor to watch his class while he was with me. He
20 would leave me with the magazine and check on his class and
21 when he returned he would ask me how I was feeling about
22 looking at the pictures and how my body was reacting.

23 I would have to say what he wanted to hear. I was 12
24 and I knew nothing about sex. I had no experience and I
25 had no feeling down there.

26 Next thing I knew, he was trying to show me what to do.
27 Then he started making me leave my pants at the door when I
28 came into his office and it just escalated from there.
29 Next, he was using his hands and his fingers to penetrate
30 me. He would stand behind me and masturbate and make a
31 mess on my back.

32 He wore a big black robe with a white collar and a rope
33 around his waist and often he would use that rope to tie me
34 up or tie my hands as I was so small compared to him. He
35 would grab my penis or my scrotum with his hands and really

1 squeeze if I wasn't doing what he wanted or if I was crying
2 and upset. He would also grab the skin on the back of my
3 back to hold me. I would always worry about him ripping
4 that skin because he was so forceful.

5 Br Giles would also use force to march me into his
6 office if I wasn't doing what he wanted or I had ignored
7 him. He would come up behind me and grab that bit of skin
8 under my arm where it hurts. He had such a good grip.

9 I was riding my bike through town one weekend with a
10 friend a few months after starting school at Xavier
11 Intermediate. We rode through the school thinking there
12 was nobody there but Br Giles was at the school and he
13 spotted me. He told me that he wanted me to come inside
14 and he told my friend that I would be busy for a while, and
15 I was there all day. When I came out, my friend had gone.
16 And that was the first time he actually penetrated me. I
17 was 12 years old and I'll never forget that.

18 He had been using his fingers to try and penetrate me
19 but because of my age it wasn't going to happen but he
20 finally got what he wanted, he spat on my back and he used
21 that for his lube.

22 Q. John, are you okay? It's no problem to take a short break
23 if you like.

24 A. I'm fine.

25 Q. Thank you.

26 A. Once he was getting what he wanted from me, it started
27 happening more and more. When he was grooming me, it was
28 about two or three times a week. But once the sexual abuse
29 started, it would be sometimes a couple of times a day,
30 other times there would be two or three days break. I
31 never knew whether it was going to be today, tomorrow or
32 the next day. This kept going for two years and only
33 stopped because I left the school at the end of Form 2.

34 I begged my parents for the whole time that I was there
35 not to send me back to Xavier and eventually my parents

1 bought a shop on Raleigh Avenue, so they were quite happy
2 to send me to Hillmorton High.

3 He mostly abused me in his office but the abuse happened
4 in other places too. We would often have sports day at
5 Waltham Park and he would send all the boys to walk over
6 there but he would tell me to go with him in the car to
7 help him.

8 He had a key to the pool as well and Br Giles knew that
9 he had a bit of time before the boys got there, so he would
10 have his way with me in the Waltham Pool changing rooms.

11 He abused me in the Cathedral too. The Cathedral of the
12 Blessed Sacrament. There was a small room near the back
13 entrance to the Cathedral that he abused me in. Sometimes
14 he would trick me as I was an altar boy at that cathedral,
15 so often I would serve for weddings and for funerals during
16 school time, sometimes Br Giles would send one of the boys
17 to tell me there was a mass at the Cathedral and he wanted
18 me to go over and serve.

19 Q. Can you just explain that paragraph a bit further, John?

20 A. Yes, I would go over there and there would be no cars in
21 the carpark. I would walk into an empty cathedral and
22 knowing what was about to happen and knowing I was about to
23 be abused. I would be in trouble if I didn't go. I would
24 be in trouble if I did go and I was so scared and trembling
25 with fear.

26 Q. Thank you. I think you're now going to talk about trying
27 to stop the abuse from happening and you are at 2.16.

28 A. Trying to stop the abuse. I told my father early on I was
29 being abused. This was only a few weeks into starting
30 school, before Br Giles had raped me. I remember it was
31 raining one day and my Dad came to pick me up in his work
32 truck from the school. I was sitting outside and I was
33 crying. He asked me what was wrong and I told him that I
34 was having issues and that I was scared of Br Giles. I
35 said things that he was teaching me related to my body that

1 I felt were inappropriate. I told him that I thought
2 things that were going on in Br Giles' office and what he
3 was getting me to do were wrong. My father was very
4 religious and he didn't believe me. He said words to the
5 effect "a man of the cloth would never do anything wrong
6 and I never want to hear about this again" and made sure
7 that was the end of the conversation.

8 After that, there was a total change in my relationship
9 with my father. He was no longer the same with me.
10 Everything about the way he talked to me and the way he
11 reacted to me changed. Before the abuse, I was very close
12 to my Dad, we had a great relationship and our bond was
13 unbreakable. He was still my father and he still
14 acknowledged me in relation to day-to-day stuff but when it
15 came to being affectionate with me or taking me with him to
16 jobs, he was completely different. He stopped hugging me
17 and stopped telling me that he loved me. He was really
18 into his music and when I was little I used to sit on his
19 knee with him listening to records but that all stopped.
20 He would give me a standard sort of a hug but he wouldn't
21 really embrace me or have me too close to him like he used
22 to.

23 Dad used to take me with him to jobs and I would sit in
24 the car for hours waiting for him to return. He would take
25 me fishing and take me on other activities but after I told
26 him about Br Giles, my Dad pushed me away and he didn't
27 want me around him. This caused me a lot of heartache. I
28 couldn't talk to him. Our relationship became one of
29 conflict later as I became very angry and rebelled against
30 authority. I felt trapped because my father didn't want to
31 know, my family was super religious and I didn't want to
32 bring shame on them and shame to my family.

33 There was no-one else in my family that I felt I could
34 talk to. My Mum was busy with day-to-day things and my
35 brother was much younger than me, I couldn't talk to him

1 about that kind of thing. I was close to my sister but not
2 close enough that I felt I could talk about things like
3 that. I had to try and deal with everything myself.

4 I didn't try to tell anyone else as I was fearful of the
5 repercussions from Br Giles. He was the Principal and we
6 were all very scared of him. He was a very big man and he
7 would use the cane in a threatening manner. Sometimes when
8 I went into his office, the cane was sitting on his desk
9 and it was like he was sending me a message. I feared him,
10 I was confused, a 12-year-old, I was ashamed. I was
11 ashamed about what was happening. I felt totally trapped.

12 Q. I am just going to pause you there, John. We are just
13 going to bring up a photo of Br Giles, Exhibit 9. Are you
14 okay to keep going?

15 A. Yeah, no, that's fine, thank you.

16 Q. Paragraph 2.20 when you're ready.

17 A. Have you got another question there?

18 Q. Is there something - sorry. Yes, I was going to ask, you
19 mentioned when you came to his office sometimes the cane
20 was on his desk; were you caned by Br Giles?

21 A. Yes, yes, I was. Corporal punishment was quite common in
22 those days and they used the cane and the strap. Everybody
23 in the school feared the knowledge that that could happen
24 and it could happen quite easily. That was how they really
25 controlled the boys really.

26 Q. Thank you.

27 A. I didn't talk to my teachers but I really wish they'd been
28 concerned enough to raise questions about my behaviour,
29 like being away with the fairies when I came back from Br
30 Giles' office and wetting myself at school. Perhaps they
31 did talk to someone and perhaps they talked to Br Giles as
32 the Principal and of course it would have gone no further.
33 I would have never known.

1 I did not complain to the Church about the abuse at the
2 time that it occurred. I didn't know of others that were
3 abused at the time.

4 I have now spoken to some guys that I knew from the
5 school. One of them said that they thought that Br Giles
6 was creepy and another said that Br Giles had asked him to
7 come into his office and Br Giles said that because he
8 didn't have a Dad, that Br Giles would be happy to help out
9 with puberty if he wanted. This guy refused and he wasn't
10 abused by Br Giles.

11 Q. Just take a pause there, John. The next section you're
12 going to talk about the impact of the abuse on you.

13 A. Once the rapes started, I was scared to go to school on a
14 Monday and I was relieved when the weekends came. Before I
15 had to go back to school on a Monday, I would be wide awake
16 all night trying to make the night last as long as I could.
17 I was so scared of going back in the morning. When I got
18 to school, I would go through Xavier College and then stop
19 by the fence. I would try and look around to see if there
20 were any other teachers. I would then hide in behind the
21 building until the bell rang and then I'd rush to class to
22 try and avoid Br Giles.

23 I didn't walk around the school or meet up with friends
24 as I was just waiting for the bell to go, so I could race
25 into the classroom.

26 At morning tea time, I would try and leave the class in
27 the middle of a bunch of boys. I was always on the lookout
28 for Br Giles and I would always try and mingle with a group
29 of boys that were far away from the building as possible so
30 he wouldn't see me. Br Giles would always get me at the
31 lunchtime lunchbox check. Sometimes I would defy him or I
32 would pretend I just didn't hear him but eventually he
33 would send somebody to my class to get me.

34 Br Giles would also sometimes send for me from class.
35 It was very hard for me to avoid him. I was in constant

1 fear and would pray on the weekends, I would pray I didn't
2 have to go back to school. I even tried holding my breath
3 so I would pass out and die.

4 I was always in fear, always in pain and always trying
5 to hide from Br Giles. He would do what he wanted and then
6 he would leave me there to sort myself out and go back to
7 class. I would be constantly in tears and I would be
8 shaking but Br Giles didn't care.

9 When Br Giles raped me, I couldn't ride my bike, I
10 couldn't ride it home. I was unable to concentrate in
11 class. My school work suffered and I would be constantly
12 told off by my teachers. Sometimes I'd be sitting in class
13 in pain after being raped and away with the fairies. The
14 teacher would ask me questions and I simply wasn't present
15 and they stopped bothering with me.

16 At primary school I had a lot of mates but I was still a
17 bit of a loner in the sense that I was content to be by
18 myself. When I moved to Xavier Intermediate, I had a small
19 group of mates in my class to start with as it was a new
20 school but when Br Giles started to rape me, I would have
21 to return to class with wet pants from his semen dripping
22 out of me and in so much pain.

23 As my fear of Br Giles grew and the thought of the pain
24 that was coming, I also started to wet myself at the
25 thought of knowing what was going to happen. This made me
26 a target for bullies and boys started to ridicule me and
27 other boys didn't want to hang out with me because I was
28 the boy, the kid that pissed himself. I had no friends.

29 Long-term impacts. I couldn't wait to leave that
30 school. I left with no qualifications. I left broken and
31 not the same boy that I was two years prior. I talked my
32 parents into sending me to Hillmorton High School, there
33 where I got with a bunch of kids who would skip school, who
34 would sign in first thing and then go to the "dog house" in
35 the Square. I remember returning in the afternoon to catch

1 the afternoon roll call. A lot of the times I'd get caught
2 and I'd get the cane as punishment. I didn't want to be at
3 school again and I was rebelling. I was rebelling against
4 authority and my teachers. I went from being a very good
5 student to a very bad one

6 As soon as I could I left school and got work with a
7 company cleaning truck filters. I didn't tell my parents
8 and I had been working for months before they realised I'd
9 left school.

10 I have been largely involved in manual work because I
11 had never completed my education.

12 While I was living at home, I still went to Church and I
13 still did what I was supposed to but my faith completely
14 changed. I have a daughter from a previous relationship.
15 My Dad got angry with me because I wouldn't send her to a
16 religious school. We argued about that, to the point where
17 I had to physically remove my father from my home because
18 he came in laying down the law about what was going to
19 happen. I caved to keep the peace and put my daughter in a
20 Catholic school.

21 I always wanted to be away from people growing up,
22 always seeking solitude and largely withdrew from people.
23 I became quite a loner and I've had trouble forming
24 relationships. I could not commit to the first long-term
25 relationship I had and my daughter hasn't spoken to me for
26 nine years because of what happened between me and her
27 mother and I blame myself for that.

28 I finally married my wife, my second long-term
29 relationship, about 10 years ago. I do not have a lot of
30 friends and I tend to choose work that's solitary. I can
31 be friendly but I don't let people get too close to me.

32 I take antidepressants now to manage my depression. I
33 have suffered from depression for a long time. I've been
34 on medication for the last 10 years since my teens and I
35 also have a very quick temper.

1 Q. Thanks, John. Just take a brief pause before you move on
2 to the next section, which discusses your redress
3 experience from 4.1 when you're ready.

4 **CHAIR:** John, would you like to take a break now before you
5 get onto the redress? I'm going to leave it entirely up to
6 you but you do look a bit overwhelmed and I don't blame you
7 in the slightest, would you like to take 10 minutes now and
8 then move on or would you just like to keep going now
9 you've started?

10 A. I'm happy to keep going.

11 **CHAIR:** Are you? If you do want a break, do let me know,
12 won't you?

13 A. Thank you.

14 **CHAIR:** Thank you.

15 A. Okay, redress. A couple of years ago I told my brother
16 about being abused and the first thing he said was that it
17 explained a lot about why I am the person that I am. I
18 didn't go into details though. My wife was the first
19 person that I ever told the full extent of the abuse.

20 When my Dad died in May 2019, I got very angry because
21 he was gone and I had never repaired our relationship. I
22 felt completely gutted that there was no hope for this
23 anymore. I was very close to my Dad, my anger was
24 affecting my relationship with my wife and my children. I
25 do not hit my kids or my wife but I was finding that I was
26 going off on everything. My whole demeanour was anger. In
27 late June, I ended up telling my wife about my painful
28 experience as a child and the effects that it was having on
29 me. I was fearful that it could either end our marriage,
30 knowing that it was me with another man. I felt disgusted.
31 I felt very low. I knew that it would either make us or
32 break us.

33 My wife wrote an email in rage to the National Office of
34 Professional Standards [NOPS] and she has supported me
35 through the whole complaints process. I complained because

1 I was looking for answers. I wanted to know were there
2 others abused and how could this happen, why was it allowed
3 to happen? I was hoping that they had a process for
4 handling this sort of thing, that they could answer my
5 questions.

6 My wife first wrote to NOPS, National Office of
7 Professional Standards, on the 3rd of June 2019 using the
8 email address she got from the website.

9 **MR THOMAS:**

10 Q. Just pause there, John. We'll bring that email up on the
11 screen, Exhibit 3, and we will look at the second page of
12 that document. Can you see that in front of you?

13 A. I can but I can't read it, it's too small.

14 Q. If we could just blow that up, please?

15 A. Yes, that's right.

16 Q. Thank you. If I can just summarise that email. That email
17 is describing that you'd broken down, it had taken 10 years
18 for you to tell your wife about the abuse and your wife
19 felt something should happen for you?

20 A. Yes, that's correct.

21 Q. Can you just explain to everyone, yeah, how did you feel on
22 the day that that email was sent?

23 A. Well, I felt like it had all come to a head, after losing
24 my Dad and telling my wife, I felt the guilt was now able
25 to be shared, and hopefully get some answers into what has
26 happened.

27 Q. Is there anything else you wanted to add to that?

28 A. Yeah, I just think that, you know, losing my Dad was what
29 sort of pushed me over the edge and now that it was out
30 there basically, it was time to tell my story.

31 Q. Thank you.

32 **CHAIR:** Can I just clarify, by this time, by my
33 calculation, John, you were 51; is that right?

34 A. 52.

1 **CHAIR:** My maths was never great. So, from the age of 12
2 to 52, you had kept this terrible secret?

3 A. 40 years, yeah.

4 **CHAIR:** Thank you.

5 **MR THOMAS:**

6 Q. John, when you're ready, from para 4.6?

7 A. We got a reply the next day from Jacinta who had been nice
8 and helpful. Jacinta was apologetic in a general sense for
9 what I experienced. She sent us the *Te Houhanga Rongo - A*
10 *Path to Healing* document and asked if we wanted to make a
11 formal complaint. We said that we did. She sent through
12 the form and we had to sign and say that we wanted to make
13 a formal complaint. I can't recall being offered any
14 support at that stage.

15 Q. And did you feel you needed support at that stage?

16 A. Yes, it was a big thing to reveal. It was good relief but
17 it would be nice to have, I suppose, somebody that, I
18 suppose, was a little bit sympathetic and, you know, would
19 have been there to be able to liaise with. It was just me
20 and my wife at that stage.

21 Q. Are you happy to continue from 4.7?

22 A. Yes, that's fine. We were sent an email from NOPS to say
23 that two investigators would be in touch with me but
24 actually only one made contact. His name was Pat, he was
25 in touch very quickly. Pat was excellent, he was a nice
26 and very supportive guy. He conducted an interview in our
27 first meeting on 22 July 2019. He flew to GRO-B we
28 picked him up from the airport and spent the day with him.
29 He captured my story in one sitting, he offered counselling
30 but didn't turn up with a support person.

31 He was mindful that this was traumatic for me and kept
32 asking if I was okay and wanted to continue.

33 Pat recorded our conversation and sent me a copy to
34 review. Pat then went away to begin his investigation. He
35 was in regular contact about once a week or a fortnight,

1 even if he didn't have anything to update us on he would
2 make contact with us. He interviewed my teachers as
3 witnesses and school receptionists. Pat tried to talk to
4 my teacher, Mrs Turner, but she was in a rest home and had
5 dementia. He had also spoken to the other lay teacher,
6 Mr C, who said that he could remember me but he had no idea
7 that I was being abused by Br Giles. Pat also tried to
8 talk to one of the other Brothers but that was refused due
9 to his illness or his age, I am not exactly sure. The
10 investigation took about 6 to 8 months.

11 Pat submitted his report to the Sexual Abuse Protocol
12 Committee, and the Committee on the 11th of February 2020.
13 I did not receive a copy of that report. We were getting
14 anxious at this stage wondering what would happen next and
15 that's when the communication slowed down.

16 Q. Did you want a copy of the investigation report by that
17 stage?

18 A. Yes, I did. I wanted to know what he had uncovered and I
19 thought that there might be some answers there for me but I
20 also wanted to know that, you know, everybody had the same
21 story in front of them.

22 Q. Do you recall whether you, at that time, requested a copy
23 of the report?

24 A. I would have probably verbally said that I would like a
25 copy but there was nothing, no.

26 Q. Thank you. If you could continue from 4.10, please.

27 A. My wife contacted NOPS to see whether counselling was
28 available for her. The Marist Brothers agreed to pay for 6
29 separate or 12 joint sessions. We didn't take this up.

30 We seemed to wait quite a while for the Complaints
31 Committee. We didn't actually get a response from that
32 Committee because next thing what happened is that the
33 Marist Brothers contacted us directly through Peter Horide,
34 the delegate. And that's really when the process, I hate
35 to say it, turned to shit. It felt like NOPS had closed

1 the door on us and were leaving it up to the Marist
2 Brothers to deal with.

3 Q. How did that make you feel?

4 A. It made me feel like I was being passed back to the very
5 organisation that I was running from, the Marist Brothers
6 were the reason for my heartache and I now had to deal with
7 them directly and I didn't feel that it was the right thing
8 for me to have them controlling my healing process. I had
9 been provided with documents that described the *Pathway to*
10 *Healing* and I've since found out that the document was only
11 a summary document, they had not provided me with the full
12 document.

13 Q. How did you find the communication from the handover from
14 NOPS to the Marist Brothers?

15 A. Well, they were very obliging, as far as telling you what
16 you wanted to hear but when it came to delivering and
17 answers, I definitely struggled all the way with them from
18 that point on.

19 Q. Thank you. At 4.12, you now talk about meeting with the
20 Marist Brothers; are you happy to go on?

21 A. Yes, that's fine. Br Horide came to meet with us, we
22 picked him up from the airport and he spent the day with
23 us. He brought a sheet of paper with him, he sat down and
24 he had some basic information and a blank piece of paper
25 about the allegations of abuse against Br Giles.

26 The blank piece of paper had no identifying details on
27 it, that it had come from the Marist Brothers, it was just
28 a very basic piece of information.

29 Q. Thank you. I think we've got that document, we'll bring it
30 up on the screen, Exhibit 4. Can you read that or is that
31 too small?

32 A. It's small. Yes, that's the document.

33 Q. Thank you.

34 A. There's also another page that has some things on it.

1 **CHAIR:** It would be helpful if we could enlarge that. I'm
2 sure that's possible with the magic of technology. There
3 we are.

4 **MR THOMAS:**

5 Q. So, John, if you want to talk to that document you can or I
6 think you also describe it at 4.13 of your statement.

7 A. Yeah, I've since found out, since this particular document
8 came out, that the person on there dating back to the '60s
9 who made a complaint, he made a complaint also 20 years ago
10 that was investigated by the Police, so I'll let you talk
11 about that later on but that was something that I brought
12 to your attention this morning.

13 Q. And if we just have a look at the document, it's setting
14 out what I would describe as high-level information about
15 other complaints received about Br Giles. I guess, yeah,
16 how did you feel about viewing this document?

17 A. It gave me some peace of mind to know obviously that I
18 wasn't on my own but the first thing that sprung to mind,
19 looking back at the earlier years, this could have been
20 prevented. Marist Brothers were supposed to be, you know,
21 their healing process, right back from day one, it came
22 back to the 1950s, which is not on there but the 1950s was
23 the first complaint. I mean, if they had done something
24 about it then, taken Br Giles out of the teaching role,
25 they wouldn't have had those continuous complaints and
26 allegations that came through before me and after me. This
27 shouldn't have happened.

28 Q. I guess, did viewing the document provide you with the
29 answers that you wanted or did you still have questions?

30 A. Well, I took the Marist Brothers at their word, that the
31 information that they were giving me was true and correct.
32 And I've since found out that I believe, you know, that
33 this document really is based on Xavier College, Xavier
34 Intermediate I should say, but I'm sure that there are
35 other victims out there from other schools. I mean,

1 there's several other schools that he worked at over the
2 years, this is just one of them. He had 50-odd years in
3 the teaching, it could be more than that. But, you know,
4 I'm imagining there's a lot of other people out there that
5 have been abused and it's only just a matter of time before
6 it comes out and I invite people if they have been abused
7 by Br Giles at any time, to come out and say something.

8 **COMMISSIONER ALOFIVAE:** John, can I ask you a question,
9 it's Sandra Alofivae. In relation to all of these
10 different complaints that were put before you, did Br
11 Horide explain what the outcome was for them individually?

12 A. No, it was basically this is all I got and I asked for
13 information, they said it was, you know, private
14 information relating to Marist and wouldn't be shared with
15 me. It was just basic, that was all I had. I also asked
16 Br Horide if he would pass my name and details on to each
17 of these victims or anybody that was abused by Br Giles as
18 I would like to make contact with those people but that
19 never happened.

20 **COMMISSIONER ALOFIVAE:** Thank you for that.

21 **MR THOMAS:**

22 Q. John, just while we're on that document, if we could just
23 zoom in on the second half of it which includes paragraph
24 C. Before we move off it, you understand as you've already
25 referred to, you brought to my attention this morning and
26 you've just recently learnt that I think in relation to C
27 you understand there was a complaint to the Police made in
28 relation to those allegations and that also went through A
29 *Path to Healing*; is that your understanding?

30 A. Yes, that's right.

31 Q. We won't go into - we can't go into that any further at
32 this stage but -

33 A. I sympathise for that guy and I wish him all the best that
34 he will get a good result.

1 Q. Are you happy to pick up from 4.13, I think you give a bit
2 more detail about other complaints. If you think we've
3 covered that already, we can move on.

4 A. Just about that piece of paper, I mean, there were other
5 complaints given to me. The piece of paper about the other
6 complaints that were given to me, when I met with Br Horide
7 it gave me some comfort to see other complaints but it was
8 also sad that the others had been abused by Br Giles. I
9 had a lot of questions relating to this and I asked for my
10 details to be passed on to other victims of Giles but this
11 never happened. In fact, I did ask a few times. I guess
12 what I wanted was to feel less alone.

13 Now at 4.13. These complaints were laid against Br
14 Giles before my time at Xavier Intermediate School [and]
15 after. According to the Marist Brothers other boys were
16 abused by Br Giles in 1980 but no lawyer was involved in
17 the complaint process. I was also told there was a second
18 complaint against Br Giles and that he abused - another
19 complaint against Br Giles and this was in 1984. A lawyer
20 was involved in that complaint and Br Giles was pulled out
21 of the school and he was sent abroad.

22 When he came back to New Zealand, he was then
23 transferred to an administration - I learnt this from Br
24 Peter Horide. I do not know if that is true or if Br Giles
25 moved somewhere else and continued to teach. Certainly,
26 much later in his career when he retired, he was involved
27 again in children, teaching sport at Sacred Heart in
28 Auckland. I have been told that there is a man who is
29 older than me that is going through the Church redress
30 process now in relation to a complaint against Br Giles.

31 I had wanted to know if there were other victims who had
32 gone through the same thing as I did and this confirmed
33 that there were and it made me feel less alone. I felt
34 that it was a step in the right direction.

1 However, Br Horide went away and then the communication
2 started to crawl. We were chasing him all the time to find
3 out what was happening.

4 During Covid-19 lockdown, I went six weeks without
5 communication, even though Br Horide had access to a
6 computer and a cellphone he never bothered to see if we
7 were all right.

8 He never once sent me a message and this was very
9 distressing. I thought it was really odd because in
10 lockdown no-one could do anything. He had plenty of time
11 on his hands and we were wondering what was going on. We
12 were trying to get him to respond. My wife had to email
13 Jacinta from NOPS again to find out what was going on
14 because Br Horide wouldn't answer us.

15 After Jacinta contacted Br Horide then he finally
16 responded. We shouldn't have to take that kind of effort
17 to try and get a response. Br Horide finally contacted us
18 again and his emails were confusing to read. His language
19 was weird and arguments difficult to follow. He used a lot
20 of big words and as I am not a well-educated person, I
21 found it difficult to understand. We had to ask him
22 constantly to explain some of his emails just in ordinary
23 language.

24 Q. We'll bring up an email from Br Horide to yourself, Exhibit
25 5. Perhaps if we just have a look at the first half of the
26 page.

27 A. I don't suppose you can blow that up? As you can see in
28 that email, I mean, I know it all sounds nice to start with
29 but, you know, I've got so many emails, I have a book of
30 emails and they're apologetic about the long waits for
31 replies and no communication. There's lots of apologies
32 for that.

33 Q. And it refers to the fact, in the first paragraph, that
34 you've been tormented by Br Giles in your time at Xavier?

1 A. They admitted it straight away, they accepted
2 responsibility for that.

3 Q. And it goes on to apologise for the lack of communication,
4 as you say?

5 A. Yes.

6 Q. If we go down to the second half of the page, it refers to
7 - there may be an offer of an ex gratia from the Marist
8 Brothers. Was there anything else you wanted to say about
9 that document?

10 A. I thought the email was unacceptable. That he had left it
11 so long with no correspondence, he had all the time at
12 home. Surely a phone and a computer available, he could
13 have asked if I was okay. It just seemed to be another
14 apology and it seemed to be a regular occurrence. The time
15 in isolation with Covid after meeting Horide I thought we
16 had quite a good bond and that he was going to communicate
17 well with me. It all went silent and was hard to deal
18 with. The Marist Brothers were the perpetrators of my
19 grief that I had gone through all these years, I let them
20 come into my home and be in my space, yet I felt like
21 they'd let me down again.

22 Q. Thanks, John. And then at 4.17 you describe what happened
23 next.

24 A. Eventually, Br Horide emailed and presented me with an
25 apology from the head much the Marist Order John Hazelman
26 and offered to discuss a holiday for me and my family and
27 offered an ex gratia payment of \$15,000 that came with a
28 Deed of Release that I would need to sign.

29 Q. We've got those documents as well. Perhaps if we bring up
30 the Deed first, that's Exhibit 6 on the screen. If we
31 could go to the next page, please. If we highlight the
32 second half of the page, please, zoom in rather.

33 I just note at paragraph G there, the Order has accepted
34 the truth of the allegations made by you, as you've already
35 mentioned.

1 And then looking further down the page, second from
2 bottom, paragraph 3, the provisions note that the Order
3 does not accept there is a legal liability.

4 And then at the very bottom there's an offer of an ex
5 gratia payment of \$15,000.

6 **COMMISSIONER ERUETI:** Can I ask when this apology, when
7 this was sent to John? You have the email in June after
8 long delay since March, right? And now this.

9 **MR THOMAS:**

10 Q. John, do you recall the exact date that you received that?

11 A. No, I'm not too sure, to be honest. I'd have to go through
12 my files.

13 Q. Was it around the middle of 2020, does that sound about
14 right?

15 A. Yes, that sounds about right.

16 Q. Is there anything else you wanted to say about the Deed
17 before we move on to the next document, the letter of
18 apology?

19 A. Yeah, I thought that the offer was an insult. I went
20 through two years of severe abuse by Br Giles. He had a
21 good life, he had destroyed mine. He had a good life, as
22 far as he had a stable job, a roof over his head, new
23 vehicles, he travelled abroad a lot and he retired in
24 comfort. He lived in a million-dollar home in Auckland and
25 then went into a rest home. He had a nice funeral and
26 pretty well everything he needed. In the later years he
27 was also in a wheelchair, so they converted the house to
28 suit his needs and put in ramps and all kinds of other
29 things to make his life as easy as they could. So, I was
30 definitely quite insulted with the outcome of that.

31 **CHAIR:** This is Coral Shaw again, John. Do you say that to
32 highlight the difference in quality of life?

33 A. Exactly.

34 **CHAIR:** Between you and Br Giles?

1 A. I've struggled all the way through, as I say, dealing with
2 people, my own demons inside. When I look at the Principal
3 of the school, he had everything at his beck and call,
4 people running around after him, he enjoyed a position of
5 power and then in his retirement he was still in an
6 administration role. He had money and everything that he
7 needed at his disposal and I feel like if a person can sit
8 there and do that to somebody, why should he enjoy that
9 kind of life? And why should he be put up on a pedestal
10 when he died? The explanation, I've got a document here I
11 can show you but they put up a big write-up about his life
12 and what a good person he was and I thought to myself, you
13 know, the person that wrote that document is only one
14 person, there's probably 50 to 100 people within
15 New Zealand that probably have something completely
16 different to say about that man.

17 **CHAIR:** Thank you.

18 **MR THOMAS:**

19 Q. Thanks, John. We will have a look at the next document,
20 Exhibit 7, which is the letter of apology which you
21 mentioned that you received from Br Hazelman. That's up on
22 the screen, can you see that, dated 5 May 2020?

23 A. Yes, that's the one.

24 Q. Perhaps if you just want to talk about what you thought
25 about that apology letter?

26 A. Again, I was completely shocked by that letter and the
27 first thing I did was rung Br Peter Horide and told him
28 basically that I felt that that was an absolute insult to
29 send me a letter like that. First of all, there was no
30 effort made. I felt that was a computer-generated letter,
31 there was no heart in it. I mean, the person that signed
32 that letter is a person that I understood to be somebody
33 living in the islands, Br John Hazelman, and I'd never met
34 John Hazelman, I never knew anything about him and he was
35 some random person that had written this letter out and I

1 went back to Br Horide and said it was impersonal. And
2 even if Br Horide had written the letter himself and signed
3 it, it would have more meaning because I'd met Br Horide.

4 **CHAIR:** Sorry to interrupt you. When you are ad-libbing,
5 you tend to speed up a wee bit. You can't see them, but we
6 have signers in the room who are having to keep up, if you
7 would just take a breath occasionally when you are
8 ad-libbing, I don't want to close you down, just take it a
9 bit slower; is that all right?

10 A. Yes.

11 **CHAIR:** Thank you.

12 A. Yes, so, I mean, I said to Br Horide that he should have
13 made the effort to go to the highest power in the land, the
14 umbrella of the Catholic community which, in my eyes, is
15 the Pope, and I should have had a letter from the Pope
16 giving me a formal apology which would have meant so much
17 more to me, just the fact that I've always had a little bit
18 of respect for religion, even though I realise that
19 religion is probably one of the biggest perpetrators of my
20 past.

21 **MR THOMAS:**

22 Q. Thanks, John. You give a few more details from para 4.18,
23 if you're happy to keep going?

24 A. I rejected the offer as it was an insult for what I had
25 been put through as a child. I told Peter Horide that it
26 wasn't enough. ... that he would take my request back to the
27 Marist Brothers Trust Board. I asked who was on that Trust
28 Board but I didn't get a response. I asked who had come up
29 with the decision to offer me \$15,000 but he said that
30 couldn't be discussed with us. I asked if the people on
31 the Trust even read my file, and the response was very
32 confusing and I'm still not sure how much information they
33 have seen. I wanted them to read my whole account, my
34 whole file, so they can fully appreciate what I have been
35 through.

1 Q. So, I think you've expressed that it was a real concern to
2 you that the people who had made the offer of \$15,000 to
3 you, you didn't have any certainty that they'd
4 actually - that they knew exactly what had happened to you,
5 what you'd been through; is that fair?

6 A. Yeah, it was all on their terms. I mean, they controlled
7 the whole process. They controlled who'd seen my file,
8 what information they provided to that person sitting
9 around the table with them and that was part of my
10 argument, you know. I said, well, why don't we go to a
11 retreat somewhere, it didn't have to cost a lot of money
12 but somewhere where we could all sit around the table with
13 the same information. That way, I knew all the people
14 making the decision had all the information that I provided
15 and not just information that Br Horide wanted to give
16 them.

17 Q. Thank you. Para 4.19.

18 A. In the meantime, I asked if they would cover my legal fees
19 to examine the Deed of Release. The Deed of Release was a
20 big concern to me. First, the Marist Brothers believe they
21 have no vicarious liability for the actions of Br Giles. I
22 do not accept this, nor do I accept that they took proper
23 responsibility at the time.

24 At the time, the Marist Brothers when they became aware
25 of his offending, I can't prove this because they won't
26 provide me with the information. Second, I think that the
27 Deed is saying that the Marist Brothers believe that the
28 legal limitations will prevent me from taking a criminal
29 case against them or a civil claim against them.

30 Third, that the Marist Brothers believe that the ACC
31 legislation protects them from civil claim.

32 Br Horide returned with an offer of \$20,000. It was
33 still an insult and even more given the tiny increment. My
34 whole life had been affected by Br Giles. And Br Giles has
35 had a good retirement. He had everything he wanted. He

1 lived in a nice home and I'm still struggling to get my own
2 home.

3 How much would his car, his funeral and his living costs
4 would have cost? He went overseas every year to different
5 places and in our face-to-face meeting with Br Horide, he
6 provided some background about the Marist Brothers and sort
7 of boasted about the sort of properties that they own and
8 that they live in. He is now sending us emails talking
9 about the Marist Brothers being a charitable trust and
10 saying that they take a vow of poverty and that they do not
11 have much money. I have found out that this is incorrect.

12 We again told Br Horide that the ex gratia payment offer
13 was too low for what I went through and still go through
14 daily. That's when he started to push to get a lawyer. Br
15 Horide ended up offering \$1,000 towards my legal fees and
16 saying we'd be best to discuss this lawyer to lawyer. And
17 in order for me to take this further, I realised I would
18 have to engage a lawyer and that simply isn't right as the
19 *Path to Healing*, which they promoted, could rapidly be a
20 pathway to stress and debt.

21 Q. We'll just have a look at an email from Br Horide, Exhibit
22 8, which sets out some of what you've just described.
23 Perhaps if we again start in the first half of the document
24 on page 1. I guess at the beginning it acknowledges that
25 harm was done to you by Br Giles and then in the middle of
26 the page it talks about independent legal advice, "We urge
27 you to take legal advice"; is that what you described
28 earlier in terms of feeling that you needed to engage a
29 lawyer?

30 A. Exactly. I mean, you know, they've got an unlimited amount
31 of money for them but for me, you know, it was going to be
32 a struggle. I didn't have the ability to access, you know,
33 the lawyers and people that they had on their books
34 basically.

- 1 Q. And then just below that, it talks about the offer you
2 mentioned of \$20,000. And then if we go over to the next
3 page of the document, we see at the top of the page, second
4 paragraph down, I think you've mentioned this already but
5 it notes the offer of an ex gratia sits in the context of
6 an absence of legal liability. And then the situation with
7 the Order, to summarise, describes the Trust situation you
8 mentioned and that essentially there's limited funds
9 available for this purpose. Do you see that?
- 10 A. Yeah, I do but on saying that, I mean that is limited
11 funds, obviously if you have an empty bank account there's
12 nothing in there but if you have assets worth millions of
13 dollars and you have other bank accounts with millions of
14 dollars in it, then you're not a poor person, are you?
- 15 Q. Can I just ask you a question, I guess, about the legal
16 advice aspect? Yeah, how did you feel about that? Did you
17 feel that you had to engage a lawyer?
- 18 A. Yeah, I mean, Br Horide in one email stated the process
19 would be tidier if this transaction was lawyer to lawyer.
20 In another email from Br Horide, he states that a lawyer to
21 lawyer process is now established and your lawyer needs to
22 take instructions from you. In another email he also
23 states lawyer to lawyer process must take precedence. It
24 was constantly being told it's lawyer to lawyer and there
25 was no correspondence there, but of course lawyer to lawyer
26 also comes with major debt.
- 27 Q. And so, did you feel that you were still able to engage
28 with him?
- 29 A. Well, I tried but there was no engagement because he
30 basically shut me down. That was the sad bit about it.
31 You know, I think the *Path for Healing*, the communication
32 should have been open, regardless, if they wanted to engage
33 a lawyer to tidy up any financial side of things, well
34 that's fair enough, you know, but as far as the healing
35 side of things, there should have been that personal bond

1 between me and Horide and he should have been there, you
2 know, to support me and try and get me through this, you
3 know, and I think that he basically got to a stage where
4 it's too hard and too difficult. And I see that in the
5 emails where he didn't respond, and when he did respond
6 those emails are crazy and to try and understand them, they
7 had a lot of big words and talk I didn't understand, so I
8 had to ask him to send that email again in such a way that
9 we could actually read it because we couldn't understand
10 it.

11 Q. Thank you. And then I understand you did engage a lawyer
12 and you talk about this at 4.22?

13 A. I just go into a bit of detail in there about pushing to
14 engage a lawyer and, yes, Br Giles in one email stated the
15 process would be tidier in lawyer to lawyer and another
16 email from Horide was the lawyer process was now
17 established for a lawyer to take instructions from you.
18 Another email, this lawyer to lawyer process must take
19 precedence. On 4 September this year is the last time
20 we've heard from Br Horide and we've been living with this
21 for a long time. This has had an affect on my ability to
22 make a living and me having to be expected to engage a
23 lawyer which I cannot afford. My lawyer, however, did get
24 a response from their lawyers in early September this year
25 and the lawyer stated a continued dialogue on his part and
26 the Marist Brothers Trust Board would be inappropriate as I
27 had contacted the Royal Commission and pending that outcome
28 is now another reason why it would be inappropriate for the
29 dialogue to continue. So, I felt like I was being punished
30 for contacting the Royal Commission. They also stated they
31 had had contact from their insurer and to date I've heard
32 nothing as their insurer needed more information. I felt
33 this was just their way of stalling to wait until the Royal
34 Commission is finished to find out what the outcome was.
35 In the meantime, my lawyer's fees are still increasing and

1 my *Pathway to Healing* is now turning into a pathway to
2 debt.

3 4.22.

4 **CHAIR:** Can I ask a question there, John? So, the Church
5 is now telling you, in spite of being told they don't have
6 any money or anything, that they're now dealing with an
7 insurance company?

8 A. That's right, yes, they have engaged an insurance company
9 and I have had no correspondence since then.

10 **CHAIR:** Have you ever heard from the insurance company?

11 A. Not personally. My lawyer has.

12 **CHAIR:** Is that ongoing?

13 A. That's ongoing but it's got to a point now where they've
14 said that basically because I've involved the Commission,
15 that they're waiting for the Commission process to take
16 precedence.

17 **CHAIR:** All right, we'll talk about that later, thank you.

18 **MR THOMAS:**

19 Q. Thanks, John. So, to summarise, it's still, at this stage,
20 unresolved, your complaint? You're still going, the
21 process is still going?

22 A. Yes, it hasn't been resolved and communication has stopped
23 between me and Br Horide and there's still vague
24 communication between my lawyer and their lawyer.

25 Q. If you can continue reading from 4.22, please.

26 A. On my own account and doing, I have engaged a lawyer
27 through Shine Lawyers in Christchurch who has met with me
28 and drafted a letter to the Marist Brothers. I am also
29 unhappy about the letter of apology. When I read this
30 letter from the head of the Marist Brothers John Hazelman,
31 my first thought is who is this man, I don't know him and
32 what are they playing at. I phoned Br Horide to complain
33 as it had no meaning, was impersonal and like a computer-
34 generated letter from a total stranger. I told Br Horide
35 if it had come from him it would have more meaning because

1 at least I'd met him. I had never spoken or heard of the
2 Marist brother, John Hazelman and in my eyes they should
3 have made the effort to contact the Pope, the highest power
4 in the Church, and asked him to write me an apology. That
5 would have meant so much more as I respect religion, even
6 though I'm not sure why, it's caused me a lifetime of
7 trauma thanks to Br Giles.

8 The other thing that made me quite angry is about the
9 Deed. If I was to die right now, my wife and children
10 would get nothing. They were not thinking about my wife
11 who has gone through this with me.

12 Br Peter Horide raised the idea of counselling again and
13 again. He said I could get ACC counselling and that the
14 Marist Brothers would pay for it. I found this very
15 confusing because my understanding is that the ACC
16 counselling is paid for by the ACC system. I was also wary
17 of the fact that he kept pushing me towards this and I got
18 annoyed and I contacted Br Horide and I told him that this
19 was not something they could pass off to a government
20 department. They needed to deal with it and if the Marist
21 Brothers want me to have counselling, they should pay for
22 it.

23 The Marist Brothers have not answered many of my
24 questions. Peter Horide has sometimes not been very
25 responsive to my emails. This has caused me distress. I
26 feel like the whole process is not survivor focused and I
27 felt let down.

28 The Marist Brothers refuse to provide me with my file
29 created by the investigator. Br Peter Horide said it was
30 the property of the Marist Brothers. I now have a copy of
31 that investigator's report, as I got it through my own
32 ways.

33 Q. So, just to clarify that, John, you did make a request for
34 the investigator's report and I understand you recently
35 received that?

1 A. That's right, that was done through the Privacy
2 Commissioner, I had to apply that way.

3 **COMMISSIONER ERUETI:** This is Peter Horide's report and not
4 the other report done initially by Pat?

5 A. Yes, Pat Coady was employed by the Marist Brothers, NOPS,
6 to investigate me and it was their findings.

7 Q. So the report of Pat Coady is what you sought and recently
8 received?

9 A. I sought my whole file which included all notes related to
10 me in general. I noticed on Monday when I listened to
11 Frances' hearing that she had through the Commission, that
12 she had also applied for *her* file notes and everything that
13 came through but she managed to get file notes that were
14 from Brother to Brother, so it was from Peter Horide to
15 John Hazelman within the Order but obviously there must
16 have been file notes on me as well but I never received
17 those, and my full file is not complete.

18 **COMMISSIONER ALOFIVAE:** John, can I just clarify? I just
19 want to take you back, so your wife sends an email to NOPS?

20 A. Yes.

21 **COMMISSIONER ALOFIVAE:** They then investigate. Did they
22 appoint the investigator or did they pass it immediately on
23 to the Marist Brothers?

24 A. They appointed - NOPS, I understood, was in communication
25 with the Marist Brothers and their investigator was
26 employed by the Marist Brothers.

27 **COMMISSIONER ALOFIVAE:** All right, thank you. So, they do
28 the investigation? So, the first part goes okay but it's
29 when the Marist Brothers pick it up with Br Horide that it
30 starts going downhill?

31 A. That's correct.

32 **COMMISSIONER ERUETI:** So, it seems like there are two
33 investigators, there's Pat Coady who approaches you
34 initially and writes the report that goes back to NOPS?
35 And then later, the Marist Brothers suddenly appear with Br

1 Horide who's carrying out his own type of lower-level
2 investigation by flying to see you at your home and
3 spending the day with you?

4 A. Yes, that's correct.

5 **COMMISSIONER ERUETI:** Okay, thank you.

6 **MR THOMAS:**

7 Q. John, amongst the material you received, did you receive
8 Pat Coady's investigation report?

9 A. No, I received the report that he'd done on the interview
10 with me personally, he came to my house, I had to sign that
11 to say that the information that I provided was true and
12 correct and then send that back to him, which I did. But I
13 never received the full report which is the full report
14 that was supplied to the Marist Brothers.

15 **CHAIR:** Not even after the Privacy Act request?

16 A. No, not even after the Privacy Act request.

17 **CHAIR:** Okay.

18 **MR THOMAS:**

19 Q. You didn't receive a redacted version of the report?

20 A. That's all I received but there was other information, as I
21 found out with Frances' finding on Monday, that there was
22 information that was not provided and I've asked for that
23 as well.

24 Q. Thank you.

25 A. So, internal notes and things like that, I also did that
26 with the Bishop when I went through the Bishop side. You
27 know, the Bishop must have had diaries and notes of the
28 early years and things like that. I mean, there must have
29 been history there. It was never provided.

30 Q. Thank you. We're nearing time for the morning adjournment.
31 Would you like to finish paragraph 4.27 and then that might
32 be a good time?

33 A. Yep. I now have a copy of the investigator's report. It
34 is not the full report. It's definitely redacted but it
35 does show there were several other complaints made against

1 Br Giles, some dating back to the late '50s. The redacted
2 parts detailing the abuse is understandable but why is the
3 redacted total number of complaints? Why has that been
4 redacted? Why didn't the National Office ever tell me
5 after a request for my investigator's report? Should I
6 stop there?

7 Q. Yeah, do you just want to read paragraph 4.27 to finish
8 off?

9 A. The whole process seems to be about the Marist Brothers
10 denying knowledge of what Br Giles was doing and protecting
11 themselves. Br Peter Horide showed me a list of other
12 people's complaints about Br Giles. My abuse seems to be
13 the worst but there are other victims out there. He was a
14 serial offender and he was moved around the country a lot.
15 In my opinion, this was never stopped. I believe they
16 allowed him to continue abusing by moving him rather than
17 stopping him.

18 **MR THOMAS:** Madam Chair, is that a good time? We are
19 nearing the end but we have a bit more evidence to come.

20 **CHAIR:** That's fine. John, we are going to take 15 minutes
21 now, you can have a cup of tea or whatever, take a break,
22 and then we will come back and finish your evidence after
23 that; okay?

24 A. Thanks very much.

25

26 **Hearing adjourned from 11.30 a.m. until 11.51 a.m.**

27

28 **CHAIR:** Hello, John, welcome back. Not long to go now.

29 **MR THOMAS:** Thank you, Madam Chair.

30 Q. John, just before we talk about your meeting with the
31 Christchurch Bishop at 4.28, I just wanted to go back very
32 briefly just to clarify a part of the evidence that you
33 gave earlier.

34 The part I want to clarify is, I think you mentioned,
35 and correct me if I'm wrong, that there was a delay in the

1 handling of your complaint at some stage and you were
2 advised that that delay was due to the Royal Commission
3 going on; have I got that right?

4 A. Yes, that's correct.

5 Q. Do you know approximately when that was?

6 A. That was over the, probably a month or so ago, something
7 like that, maybe a couple of months ago, yeah.

8 Q. And what's your understanding - and can you just clarify
9 now what your understanding is as to the current status of
10 the handling of your complaint?

11 A. I haven't heard anything for nearly a month now. I got the
12 original, the last email from the lawyers here and it says,
13 "The insurer is yet to accept the claim. It has required
14 further information. It is in the course of being
15 provided".

16 I feel like now the Royal Commission is engaged, and of
17 course being Christmas and everything like that, it's
18 probably going to be another three months, if we do hear
19 anything it will be another two or three months away. I
20 wonder where things are now because I haven't had any
21 further correspondence since I engaged the Royal
22 Commission.

23 Q. So, your understanding in summary, it's currently with the
24 insurer for the Marist Brothers at present?

25 A. Yes.

26 Q. And what was the date of that communication you refer to?

27 A. The last communication was the 12th of November.

28 Q. Thank you. If you're happy to now move to 4.28, your
29 meeting with Bishop Martin.

30 A. Yes, my meeting with Bishop Martin. We have now met with
31 Bishop Paul Martin, the Bishop of Christchurch Cathedral in
32 Barbadoes Street. We did this to find out about the
33 Bishop's responsibility for both the Marist Brothers
34 operating [in] the Diocese and the fact I was raped many
35 times in the cathedral. I felt I was having no joy with

1 the Marist Brothers in getting results, so I went to the
2 Bishop basically looking for a higher power to have my
3 back.

4 So, the residence of the Bishop's quarters was directly
5 opposite the main entrance to the cathedral, so they could
6 see anybody coming in or going out. I wonder why did they
7 not do anything about a Brother taking a young boy into the
8 cathedral when no-one else was there?

9 My wife emailed the Bishop saying that we wanted to have
10 a call with him giving him a brief outline of what had
11 happened to me. We met with him straight away within a
12 week. It was absolutely awful. He was very patronising
13 and Bishop Martin said that the Bishops' only
14 responsibility was for the diocesan priests and that the
15 Bishops don't have any responsibility for the Marist
16 Brothers. He said that he doesn't see that the Diocese
17 have any responsibility for what happened in the cathedral.
18 He provided me with an analogy, "If a person came into your
19 house and molested another person, would you expect to be
20 responsible or held responsible for that?" I do not accept
21 this as the cathedral is not another person's house, it's
22 on consecrated grounds.

23 Q. Do you want to just expand on that, your view of why that's
24 not a good analogy?

25 A. By this stage, I was desperate because the communication
26 with Br Horide was pretty atrocious and I was looking for
27 the Bishop to have my back. Instead of using a really bad
28 analogy to wash his hands of me, as I've since learned, the
29 analogy is also remarkably similar to another one of George
30 Pell which was made in the Australian Royal Commission.
31 No-one in the Church wants to take responsibility even when
32 canon law and basic morality demands it, from what I have
33 learned now, that the Bishop is responsible for all that
34 happens in the Diocese. And for the normal person going
35 through one of these investigations, they don't know this

1 stuff. They don't know about canon law and they don't know
2 who's responsible for who and things like that. Everybody
3 is passing it off, that you know the Marist Brothers look
4 after themselves and the Bishop doesn't hold any
5 responsibility but that's untrue, I've found that out
6 since.

7 We're now at 4.30. I understand that in canon law the
8 Bishop is responsible for everything that happens at the
9 Diocese. I also understand that Marist Brothers should
10 have reported this to the Bishop when they became aware of
11 the abuse after mine. I believe that Br Giles was moved
12 after this abuse was reported.

13 Despite providing Bishop Martin with permission to read
14 my file before the meeting, and I asked him to read it, he
15 didn't bother to. I find that insulting and question
16 whether he actually wants to know.

17 The Bishop had also not consulted the archives when we
18 met. He said he would get the archivist to look at the
19 documents from that period but he didn't expect to find
20 anything. I was confused by that because it's almost like
21 he knows the documents at the time and has already looked.
22 I also don't understand how the archivist could have viewed
23 the secret files as I thought that the Bishop was the only
24 person that could do this. I am also concerned that what I
25 understand would be secret archives is available to the
26 archivist to look at.

27 My understanding is now that I've spoken to the Bishop,
28 he should have opened a file about my case. I am unsure if
29 he will. I am also unsure whether the Marist Brothers
30 notified the Bishop when they started looking at my case,
31 as I believe they're supposed to.

32 Q. Just to summarise, how did you feel overall about the
33 Bishop's response?

34 A. Well, the analogy that the Bishop Martin used was shocking
35 and seemed very cold-hearted. I have had an email from

1 Bishop Paul Martin quoting, "I want to reassure you that we
2 will do everything we can to help you and your family to
3 deal with what has happened" and I have had no
4 communication with him since August this year. How is that
5 helping? He's basically washing his hands of me. In one
6 email he wants to help, in another email he's putting it
7 back onto the Marist Brothers and saying he's leaving it up
8 to them to deal with.

9 I went to Bishop Martin because I needed his help and I
10 needed somebody who would stand up to the Brothers and had
11 a bit more knowledge than I did and I was hoping with his
12 influence that he would be able to have my back.

13 Q. Thank you. We'll move on to the final section of your
14 evidence, looking forward, 5.1.

15 A. My journey is still in motion and I'm angry and frustrated.
16 I feel stuck and extremely disappointed. The communication
17 from the Marist Brothers is extremely poor and I have to
18 push, push, push to get answers and they still don't
19 provide them. They made no attempt to keep the dialogue
20 open.

21 Now we've got lawyers to lawyers talking. I can't
22 afford that but I see that they can.

23 The involvement of lawyers is also intimidating. This
24 is supposed to be a pastoral process but I'm not feeling
25 that.

26 It's like they're leaving it up to me, the individual,
27 to figure out my own healing process. The whole thing
28 feels wrong and their main objective is to get me to sign a
29 Deed of Release at the end of the day. They put their
30 phone down and that's the end of the day for them but for
31 me it's very different. I wonder if they experience true
32 empathy or whether they want to protect themselves more
33 than the survivor.

34 I can see that Br Horide has dealt with cases like this
35 before but there needs to be a better structure, better

1 plan. They need to provide better support on each step and
2 I am not talking about counselling. I'm talking about
3 someone explaining the process step-by-step in an
4 understandable way. For example, the six-week period of no
5 communication during Covid hit me really hard. If I wasn't
6 strong enough and I didn't have the support of my family,
7 then I might have done something drastic. There simply
8 isn't enough consideration for the re-traumatisation that
9 takes place going through this process.

10 It's all right going through your life and having
11 40 years, you know, of having this in the background and
12 not saying anything and I deal with that myself. But, I
13 mean, when it comes to bringing it out and telling people
14 and having to relive my statement, you know, over and over
15 again and the process started from the investigator all the
16 way through to telling my wife and again having to tell the
17 Commission and here today doing the same thing again,
18 people don't realise how it affects you internally. You
19 know, you go to bed at night and everybody goes to sleep
20 but I mean you have days where you have really good days
21 and then you have other days, you know, when you go to bed
22 at night but you can't sleep. 4.00 in the morning you're
23 lying awake and you're thinking about how your life has
24 gone and how you've shaped your life and of course you go
25 back into the dark demons. You have a process that you
26 think you can deal with things like that that happened to
27 you when you're 12 but I mean it never leaves you, it's
28 always there, and it's something that you can't put to the
29 back of your mind. When I look at other people, you know,
30 I suppose I try to picture myself, you know, of somebody
31 that's been raped, say a woman or somebody loses a child or
32 something like that, it's a memory always there. Just like
33 me losing my Dad as well, that's another tragic memory for
34 me. It is something always there and you can't put it out
35 of your mind. That's one thing I said to Brother Peter

1 Horide you put the phone down on a Friday night after
2 speaking to me, you're not thinking about me ever again,
3 enjoying your weekend, doing what you want, watching TV but
4 I put the phone down and my Friday night is only beginning,
5 I'm thinking about everything that's happening to me in my
6 past and now re-traumatising it and bringing it all back up
7 again. That's what I really struggle with.

8 **CHAIR:** We hear that, John. We hear that loud and clear.

9 **MR THOMAS:**

10 Q. Take a moment, John, and let us know if you need a little
11 break.

12 **CHAIR:** And if you don't - I think we should perhaps just
13 stop.

14 **MR THOMAS:** John, we will just take a break and give you a
15 moment.

16 **CHAIR:** I just want to say that if he does not feel like
17 reading the rest of it, we can read it to the end, we have
18 heard him loud and clear, so we wouldn't worry if he
19 doesn't come back.

20 **MR THOMAS:** Thank you, Madam Chair.

21 **CHAIR:** We will take a break.

22

23 **Hearing adjourned from 12.07 p.m. until 12.20 p.m.**

24

25 **CHAIR:** Thank you, John, much appreciated.

26 A. I am sorry for that.

27 **CHAIR:** Do not apologise, please. Nothing to apologise
28 for. Yes, Mr Thomas.

29 **MR THOMAS:** Thank you, Madam Chair.

30 Q. Just one technical thing before we start, I'm just having
31 difficulty with my screen. Do you mind if I -

32 **CHAIR:** Just a small technical detail here. Mr Thomas
33 can't see you, we can but he can't, so we'll just - can you
34 manage without it?

35 **MR THOMAS:** I've got it now, Madam Chair, thank you.

1 Q. John, you're nearly finished and I just want to double
2 check with you, you're happy to keep going just to finish
3 off?

4 A. Yeah, that's fine, yes. Sorry, just a moment it got me
5 there.

6 Q. No need to apologise. I think you basically covered what
7 you wanted to at 5.2 and you were going to just start up
8 again at 5.3 when you're ready.

9 A. They would need to put all the documents on a table. We
10 all need to have the same information in front of us. I
11 don't feel like the fact that I don't know who else is
12 looking at my case, I don't know them, I don't know if
13 they've been shown everything as I would expect them to, so
14 they can understand my pain. I don't think the Marist
15 Brothers or NOPS should be controlling this process. I
16 think it needs to be independent of the Church.

17 Q. Can I just ask there, do you feel, due to having different
18 information or not having access to all of the information,
19 that it's not a level playing field?

20 A. No, it's not because, I mean, at the end of the day I don't
21 know what the Marists have put in front of the other people
22 around the table when they're sitting there making their
23 decisions and they're obviously talking about my case and
24 things like that. I mean, they're only really putting in
25 front of the other people what Br Horide chooses to allow
26 them to see and I think, you know, to be fair on me, as
27 this is about me, I should be sitting at the table with
28 them, I should be seeing the process that they're putting
29 across and seeing the information that they are providing
30 the other people so they can make a fair and true
31 assumption of what has happened with me and what has
32 happened in my past. I've already, you know, found out
33 through my own doing, you know, the information that is
34 supplied by the Marist Brothers is not always a true taking
35 of what's actually out there.

1 Q. Just while we're on that, sorry to go back again, one small
2 clarifying point. I think earlier in your statement at
3 paragraph 4.27 you talked about seeing - you know, you
4 talked about your abuse being the worst but that there were
5 other victims. Just to clarify, were you referring to that
6 information from Br Horide that we'd already seen on the
7 screen earlier?

8 A. Yeah. As I was saying, I was trusting him that the
9 information that he was giving me was all the information
10 and everything about Br Giles' history but I have since
11 found out that he's only given me what he wants to give me
12 and, you know, the other information I've found out is
13 through my own sources basically, you know, and I feel like
14 there should have been honesty right from day one which is
15 why I suggested that everyone is all on the same page
16 sitting round the table at some sort of venue, you know,
17 where the food and everything is supplied and you just all
18 sit there and they can see what I have and I can see what
19 they've provided as well, so that would be the fair and,
20 you know, honest way of doing it.

21 Q. Thanks, John. You might have already now, I think, covered
22 5.4. Do you want to go on to 5.5 and then I'll just ask
23 you some final questions?

24 A. Yeah. I hope that the Royal Commission will be able to
25 make sure that the next person that comes forward to say
26 that they have been abused has a better experience than I
27 have had.

28 Q. Is it fair to say you're motivated to give evidence in
29 order to help others to speak up about their abuse?

30 A. Absolutely. I mean, I've sat there, a 12-year-old boy I
31 was raped, so I've dealt with it from 12 years old to 52
32 years old I am now, and at the end of the day there's
33 people in exactly the same boat as me. I had originally
34 planned to take this to my grave and only through my wife
35 pushing me and the death of my father, it came out. I

1 never intended talking about it but I feel that there are a
2 lot of other people out there, not only that have been
3 abused by Br Giles, there might be other abuse out there.
4 I mean, I feel that I want to help people and push people
5 to come forward and say their piece. And whether you were
6 at Xavier College, Xavier Intermediate, or you had any
7 dealings with Br Giles in the past, I urge you and
8 encourage you to stand up and say your piece and be heard.
9 Don't be scared because, I mean, the Marist Brothers'
10 process is not that great but, at the end of the day,
11 hopefully the Royal Commission can do something about that
12 and it will be better for the next person coming through,
13 they will have a better understanding of the whole process.
14 And, I mean, I have made myself out there, you know, if I
15 can help anybody, you know, I'd gladly do that.

16 Q. Thanks, John. I've just got a few, sort of, concluding
17 questions about *A Path to Healing* and how you've found
18 that.

19 I guess, the first thing I wanted to ask was, what
20 aspects of that process have you found or what aspects of
21 your redress experience have you found have been good for
22 you?

23 A. Well, no, I don't feel like I've had anything positive with
24 the redress side of things. I've had my own healing over
25 all these years of just dealing with it myself and, you
26 know, putting my hand out to ask for help. I feel like the
27 Bishop has washed his hands of me, which really
28 disappointed me. I went to the Marist Brothers thinking
29 they would have some sort of a process that would help me
30 and I don't feel like I got any help at all from there. I
31 got a couple of questions answered and the main one is
32 there were other people that were abused but as far as
33 help, no, I don't feel like I got any.

1 Q. Has there been any aspects, I guess, that have been helpful
2 to you going through the processes? Has there been
3 anything you've found useful?

4 A. Yes, definitely. I mean, I've had a person that stood up,
5 I didn't know this guy from Adam, he's also another
6 survivor and I made or he made contact with me and I was
7 absolutely blown away. This guy's name is Steve, I have
8 forgotten his last name to be honest, Goodlass, and right
9 from day one I mean that's exactly what the Marist Brothers
10 should have done is what Steve has done. When it comes to
11 the weekends, this guy isn't paid for what he does, he has
12 come up today to stand beside me and support me, he doesn't
13 know me from Adam, he paid for his own travels to come here
14 to support me. He has been a major support for me as far
15 as 10:00 at night on a Saturday night, I ask him a question
16 and he will help me with an answer. Anything from
17 weekends, weekdays, night-time, he has his own family, his
18 own children, he's running a business but he will drop all
19 of that to sit there and answer my questions for me and
20 help me with things that I wasn't too sure about. I can't
21 sing the praises enough of that guy, you know the help that
22 I've got over this time and I hope I can do the same thing
23 for another survivor doing what he has done. I know it
24 will come out of the woodwork in the future, the past
25 history of Br Giles is definitely going to come out and
26 there will be a lot more people that stand up. As I say, I
27 urge anybody that's been abused please stand up and say
28 what you need to say. There will always be people there
29 that will support you and help you.

30 Q. Do you want to say anything about your dealings with Pat
31 Coady, the independent investigator?

32 A. Absolutely. I mean, it's quite a traumatic experience, not
33 only going through your past and having to relive it all
34 again but, again, I couldn't sing praises high enough for
35 Pat. He was the investigator, he was the person who came

1 in and listened to my story, but he was so obliging every
2 step of the way. I mean, you know, again, the Marist
3 Brothers could learn from that guy because he would ring us
4 up weekly, fortnightly. He was always available if I
5 needed to talk to him or I needed to inform him of anything
6 else that I may have overlooked but, you know, right the
7 way through from the interview right through to the end of
8 the process, he was always supportive and, as I say, he
9 kept in regular contact and that's the biggest thing for
10 the Marist Brothers let themselves down with, they weren't
11 there when they were needed. I had it lucky enough to have
12 these other supports there but the Marist Brothers could
13 learn from that. Also NOPS, NOPS was good but in saying
14 that they were good, if I couldn't get hold of Br Horide or
15 trying to get messages across to Br Horide, NOPS would
16 stand in and get him to respond to me, but they were very
17 quick to hand me over to Br Horide and the communications
18 sort of dropped off.

19 Q. Thanks for that. I guess, overall, looking back at it or I
20 guess it's still going for you but I guess what would you
21 say about the *Path to Healing*? Would you recommend other
22 survivors to go through it?

23 A. I think the *Path of Healing* was more a path to stress and
24 debt, as I said. There isn't really a proper process out
25 there, so we're stuck with that process but that's why I'm
26 here today because I think the Royal Commission could make
27 a change there. Again, I would sing my praises to the
28 Royal Commission. Ever since the time that I started with
29 the Royal Commission, I had advocates, I have one beside me
30 right now, you know people standing up there and supporting
31 me all the way. I had a lady ring me up this morning.
32 Simple thing like staying in the GRO-C hotel where they
33 put us up to taxi service, everything here to the Royal
34 Commission, I had no idea where the address was that we
35 were going, I did have it on my phone but couldn't find it

1 when I needed it, and again my support person Steve was all
2 there ready to go with all this information, so that was
3 something that happened recently and I mean he supported me
4 all the way. He's a brilliant guy. But everybody, right
5 down to the Commission, I sing your praises all the way, so
6 thank you.

7 Q. Thanks John. Just one final question from me, and I'll
8 just, following that, just see if there's anything you want
9 to add in conclusion or anything the Commissioners want to
10 ask you. I just wanted to actually bring up the - I know
11 you didn't receive a full copy of it, I understand from
12 your evidence earlier, but I wanted to bring up *A Path to*
13 *Healing* and I'm not going to look through the whole
14 document. I just want to look at a couple of pages from
15 it.

16 So, there's the 2007 version which I understand would
17 have applied at the time you made your complaint in 2019.
18 It's got a number or a document number CTH0002017, I think.
19 I think the first page, "Introduction", is up on the
20 screen; do you see that in front of you?

21 A. I sure do, yes.

22 Q. Before we look at that, I just want to go over two more
23 pages to page 4 of the document, part one, "Principles for
24 dealing with complaints of sexual abuse", and look at
25 paragraphs 2 to 4 on that page. Can you see that? I guess
26 I just wanted to summarise that, you know, the document is
27 talking about, well in my summary, you know, taking a
28 compassionate response to complaints.

29 A. My first meeting with Peter Horide, Br Peter Horide when he
30 came to my home, he was very respectful, very obliging and
31 came across as a really nice guy and I really felt that
32 there was going to be, I suppose, a good communication
33 between me and Peter. When I read that, I can see that
34 compassionate side of things, yes, that was definitely
35 there to start with but when you go down to the bottom and

1 there is compassion and respect, within a few weeks that
2 died off, so you know that was why I was disappointed in
3 the whole process.

4 Q. Thank you. At paragraph 3 there, the document speaks to
5 the principles of ensuring offenders are held accountable
6 for what they've done?

7 A. I look at Br Giles and his offending started in the 1950s,
8 so my first obvious question is, why was he still in the
9 school? Why was he still a Principal? Why was he allowed
10 around so many hundreds of thousands of children that he
11 dealt with over the years and the different schools he was
12 at and how many complaints will come through in the near
13 future of sexual abuse by this man? I guarantee there will
14 be a few.

15 Q. Thanks. If we could just go back finally to the first
16 page, the introduction section. I just want to look at the
17 second to last paragraph of the document. I will read
18 that, "We see it as a public document that establishes
19 public criteria according to which the community may judge
20 the resolve of Church leaders to address the issues fairly
21 and compassionately. If we do not act according to the
22 principles of this document and follow procedures founded
23 on these principles, we shall have failed according to our
24 own criteria".

25 So, I just wanted to ask you finally, based on your
26 experience, how do you think the Church has fared based on
27 their own criteria?

28 A. Their own words right there, they have failed. They
29 didn't, I don't feel there was support. They were quick
30 enough to jump on the bandwagon straight away when I
31 contacted them. Bishop Paul Martin in Christchurch is a
32 good example. I had a reply from him within a couple of
33 days. He was really quick to respond as soon as he knew
34 there was an allegation there but when he realised it was
35 in the too-hard basket and we asked him questions that he

1 wouldn't answer, he was very quick to put it back to the
2 Marist Brothers and say we have a process which is the NOPS
3 and referring me back to the Marist Brothers and referring
4 me back there but the problem was I wasn't getting results
5 from the National Office and I wasn't getting results from
6 the Marist Brothers, which is the whole reason why I went
7 to the next person in charge, which in that case was the
8 Bishop. I wanted answers, you know, and I just didn't get
9 them. So, the Church let me down, the Bishop let me down
10 and the Marist Brothers have let me down. I am hoping the
11 Royal Commission can change that.

12 Q. Thanks, John. Nothing further from me, thank you for
13 giving your evidence. Is there anything you want to add
14 before I hand you over to the Commissioners?

15 A. I just want to say to the Commissioners that I'm 100% in
16 gratitude of what you're doing and I hope that the
17 survivors that come after me, you know, are confident and I
18 encourage them to come and talk to you and come and say
19 what they need to say. I think that the whole process that
20 I've gone through today and how you've looked after me over
21 the last few months dealing with the Commission has been
22 absolutely perfect.

23 **CHAIR:** Thank you very much for that, John.

24 A. A personal thank you to you Sandra. I met you when you
25 came down to see me in GRO-B and, again, really nice
26 lady, very approachable and again I can only sing your
27 praises, so thank you.

28 **CHAIR:** That is very nice of you to say and it is for that
29 very reason we don't have any further questions. You've
30 told us everything we wanted to hear. It is for that very
31 reason you just mentioned, that Sandra Alofivae is going to
32 thank you on behalf of the Commission and I will hand her
33 over to you.

34 **COMMISSIONER ALOFIVAE:** John, so lovely to see you again
35 this morning.

1 A. You too.

2 **COMMISSIONER ALOFIVAE:** And I really just want to thank you
3 on behalf of the entire Commission for your incredible
4 courage and your bravery for actually coming forward and
5 speaking so eloquently and so honestly about your
6 experiences. It richly informs us in terms of how we move
7 forward and our work.

8 I also want to thank your wife who I had the opportunity
9 to meet as well and I know she's in the room there with
10 you, just for being that amazing powerhouse of strength
11 because notwithstanding that you are a very articulate and
12 capable man, it comes through again and again that actually
13 the enormous support that your support team provide you is
14 actually, it's the tool that you lean on to actually
15 navigate these really difficult waters and we fully
16 appreciate that. I want to say something to Steve Goodlass
17 who I believe may be in the room.

18 A. He is a rock all the way through and also to James.

19 **COMMISSIONER ALOFIVAE:** To Steve and to James and all the
20 others who have been so selfless in being there for you,
21 it's easy for me to say it's part of our role but in actual
22 fact, it's actually how they operationalise that. So,
23 thank you to the entire team that have wrapped around John
24 for that incredible selfless support, the intuitive way
25 they have dealt with you, because it's your courage John,
26 yours and other survivors like you, that actually help us
27 greatly in our work. And for that, we just want to
28 continue to wish you strength as you continue to navigate
29 this process, seeing your complaint through to the end.
30 Take care.

31 **CHAIR:** Thank you so much.

32 A. Thank you, Michael.

33 **MR THOMAS:** Thanks John.

34 **CHAIR:** That brings us to the conclusion of this week's
35 hearings and I invite kaumātua to close the proceedings.

1 If you would like to stay and listen to that, you are
2 welcome, John, if you wish.

3 (Closing mihi and waiata)

4

5

Hearing adjourned at 12.42 p.m.