

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
CHILDREN'S RESIDENTIAL CARE 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
Ali'Muamua Sandra Alofivae

Counsel: Ms Anne Toohey, Mr Simon Mount QC, Ms Kerry Beaton,
Mr Kingi Snelgar, Mr Simon Waalkens and Ms Julia Spelman
for the Royal Commission
Ms Rachael Schmidt-McCleave and Ms Juliet White for the
Crown
Ms Katie Lane for a survivor
Mr Stone and Ms Watene for survivors

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

Date: 3-11 May 2021

TRANSCRIPT OF PROCEEDINGS

1 anybody else would like to contribute before we take our break and before we call the first
2 witness? Is there anything else required? We are a handsome 15 minutes early and I think
3 it's appropriate that we take the morning adjournment. Thank you.

4 **Adjournment from 10.59 am to 11.18 am**

5 **CHAIR:** Yes Ms Toohey.

6 **MS TOOHEY:** Good morning Commissioners. We have with us Mr X, the first witness for this
7 hearing.

8 **CHAIR:** Thank you, I'm going to ask Sandra Alofivae to greet you.

9 **MR X**

10 **COMMISSIONER ALOFIVAE:** Good morning Mr X.

11 A. Good morning.

12 **Q.** Fa'atalofa atu i le pa'ia ma le mamalu o lau susuga, fa'atasi ma lou...e ua lagolago mai
13 malosi atu ia te oe mo lenei aso. Fa'afetai fo'i mo lou aiga ma nisi o mafai ona omai e
14 fesoasoani ia oe i lenei itula. Nofo ma lou iloa o lea fo'i matou te au malosi ia te oe.

15 **CHAIR:** Before we start, I'm going to ask you if you'd take the affirmation. Are you ready for
16 that?

17 A. Yes.

18 **Q.** Mr X, do you solemnly, truly, declare and affirm the evidence that you'll give to the
19 Commission will be the truth, the whole truth and nothing but the truth?

20 A. I do.

21 **CHAIR:** Thank you Ms Toohey.

22 **QUESTIONING BY MS TOOHEY:** Good morning. You are going by a different name in this
23 hearing, Mr X. Can you tell us when abouts you were born Mr X?

24 A. Can you repeat that?

25 **Q.** When were you born?

26 A. 1958.

27 **Q.** And you currently live in Christchurch?

28 A. Yes, I do.

29 **Q.** I want to ask you first about your early life. You've put in your statement about growing up
30 with your grandparents here in Auckland.

31 A. Yes.

32 **Q.** Can you tell us about that?

33 A. Yes, being in a Samoan family of course, you know, it's pretty strict back in the day. Yeah,
34 everything was strict, but for myself and my brother it was sexual abuse and the violence

1 was concentrated just on me and my brother and no one else in the family. So we don't
 2 have a very good memory of growing up in our family home. The hidings we used to get,
 3 my brother remembers me, he remembers when my grandfather had me up by the neck in
 4 the middle of the room like a rag doll and my aunty had to come and grab me off him. Our
 5 hidings, our beatings were fists and boots, it wasn't slap, it wasn't a strap, this is what it was
 6 like, it was fists and boots.

7 And when my grandfather got a bit old, then the hidings come from my uncle and
 8 my father, so-called father. I remember one time my uncle gave me a hiding, he broke my
 9 jaw and everything, he took me to [GRO-B] Intermediate School to see the headmaster at
 10 that time was Mr [GRO-B] and at that time we had a very racist, a very racist headmaster
 11 at [GRO-B] Intermediate. When you got sent there he had three different straps and
 12 three different canes; one for Pākehās, one for the Māoris and one for the Islanders.

13 So yeah, so that was it, but when my uncle took me there to see there, I was
 14 blamed for being a leader of a gang. I just couldn't believe it. And this was what [GRO-B]
 15 told this uncle of mine.

16 **Q.** How old were you then?

17 **A.** I think I would have been about 11 and my uncle punched me over to the ground in front of
 18 Mr [GRO-B] and kicked me, and what did [GRO-B] do? Nothing. What did he do?
 19 Expelled me. This is white people back in the day and you can see I am angry.

20 The other thing is Islanders lose their way, I lost my way because even at school
 21 you were not permitted to speak your language. If you spoke your language, you know,
 22 you would get punished. Out come the canes or whatever. So that was my life growing up.

23 **Q.** Did you speak or understand Samoan when you were growing up?

24 **A.** I did when I was younger. I don't now.

25 **Q.** Why is that?

26 **A.** Throughout my child life and in institution it's been -- I'm not a racist person but it's been a
 27 parade of white people, and back there you get taken, what you believe in and your
 28 language and your knowledge of where you come from is all gone, it's taken, because
 29 you're not permitted, you weren't allowed to have those things.

30 **Q.** You mentioned before about violence in your home. In your statement you talk about an
 31 incident with your grandfather with a machete?

32 **A.** Yeah, that's right, he wanted to kill me, chased me up the road with a machete, he wanted
 33 to chop my head off.

34 **Q.** Did the Police come on that occasion?

1 A. I think they did because they took me away.

2 Q. Where did they take you?

3 A. To the Police Station.

4 Q. What happened at the Police Station, do you remember?

5 A. I was locked up in the cell for the night.

6 Q. Do you remember how old you would have been then?

7 A. About 12, no older.

8 Q. Was the church part of your home life with your grandparents?

9 A. Yes, it was. We used to go to church every Sunday, my brother and I were known as what
10 you call altar boys and, you know, what I couldn't fathom back then is how can families
11 drink, swear, beat up their kids, send them up the road, my grandparents used to send me
12 and my brother up the road to find people to buy beer for my grandfather, go to a TAB, try
13 and find somebody off the street to take bets for him, you know, and then going to church
14 on a Sunday and saying oh, you know, we're all good. I could never ever fathom that,
15 because of my childhood, because of what was actually there. For me and my brother, we
16 don't understand why our family picked me and my brother out. My brother's sitting in the
17 back there now. He won't come out here because he went through the same shit as I did.

18 **CHAIR:** Are you all right to go on Mr X?

19 A. Yeah.

20 Q. Thank you.

21 **QUESTIONING BY MS TOOHEY CONTINUED:** I think something else happened that
22 you've talked about in your statement not related to your family, the kidnapping incident
23 when you were 11 or 12?

24 A. Yeah, yes, I think I had a Star run, on Saturdays we used to go around and collect the
25 money.

26 Q. Is that a newspaper?

27 A. Yeah, used to be the Auckland Star back in the days when they used to have the old Star
28 run. And I went to this place and knocked on the door and said "your bill is so and so" and
29 he offered me \$20, he said "Can you give me a hand to lift this?" And like a kid, \$20,
30 stupid, I went and done it. So he grabbed me, gagged me, tied me, raped me and on the TV
31 I was on the TV, the Police were looking for me and everything. If it wasn't for the next
32 door neighbour that saw me and recognised me, I don't know what would have happened.

33 When they took me home I didn't say anything because I believed this fella when
34 he said that "I know where you live and I will come and kill all your family if you say

1 anything." So being Samoan and the family name, always the goddamn family name, so
2 this was swept underneath the carpet as one would say. There was no counselling, there
3 was nothing. But I ran away from home, I ran away again from that that night.

4 And, you know, what gets me is at the age 9, you know, I was in a boys' home on
5 and off until - I was in there for a long time, but what gets me is nobody ever, ever asked
6 me why I kept running away. No social worker, no-one, because as far as they were
7 concerned I was a ward of the State and the Government owned us and that's what we
8 always used to say, oh the Government owns you now. How true that was. A lot of
9 people, believe me, yeah.

10 **Q.** On one of those times when you were running away from home --

11 **A.** Yeah.

12 **Q.** -- was there a time when you were charged with some kind of offence by the Police, do you
13 recall?

14 **A.** Yeah. Oh, when you got known to the Police you were charged with a lot of offences, just
15 to clean up their backlog. My record, I look at my record and I say, and honestly, maybe
16 10, 15% out of 100% is accurate, the rest is bullshit because that's what the cops did to you.
17 They picked you up and they charged you with other crimes that you didn't even do,
18 I weren't even there, but who am I? I'm a 12, 13 year old kid, what the hell do I know? I'm
19 not even a goddamn human being.

20 **Q.** Do you think that happened from when you were 12, 13 or was that later?

21 **A.** That was later but it was earlier too, I mean you've got to remember that back in the day
22 you used to get picked up for stupid things like being a vagabond. As long as you were
23 black you were picked up. Islander, Māori, you were picked up. It's such a short time in
24 my life. I'm 63, I've been through so much through my childhood, through my teenage and
25 part of my adult life, you know. I've been, you know, the racism just, oh, it's just
26 outrageous, you know, dawn raids.

27 **Q.** So let's come back to that soon, but after one of the times that you were charged with an
28 offence, was that what first led you into care, Mr X?

29 **A.** No, I think when I was about 9 I remember going into the boys' home but that's because
30 I kept running away from home. And then, yeah, from there on it was running home and
31 then, yeah, getting into trouble, that led to me being made a ward of the State.

32 **Q.** We know your records show that you were admitted to Ōwairaka Boys' Home on
33 8 December 1971.

34 **A.** Yeah.

- 1 **Q.** I know that you think that you were there prior to that.
- 2 **A.** Yeah.
- 3 **Q.** But just thinking about when you first went into Ōwairaka, I want to ask you some
4 questions and this is at the top of page 6 of your statement, about what happened when you
5 got into Ōwairaka?
- 6 **A.** Sorry, can you?
- 7 **Q.** Just at the top of page 6. I just want to ask you a few questions about that. First of all,
8 when you arrived at Ōwairaka, did anyone ask you officially what ethnicity you are?
- 9 **A.** No, I assumed that they knew, nobody asked me whether I was a Māori or Pacific Islander
10 or what, nothing.
- 11 **Q.** And you've talked about secure. How long after you arrived did you go to the secure unit?
- 12 **A.** All new arrivals go straight to secure. I want to make one thing clear here, one thing clear
13 here. The secure wing, they call a secure wing, is a prison block. So don't tell me they
14 never ever locked children in prison. These were cells, the same as Mt Eden, the same as
15 any other prison. Solitary, it's a prison, it's not a secure wing. It's only the name that makes
16 people think. But it's a prison.
- 17 **Q.** So can you describe what it was like, what the door was like, what the walls were like?
- 18 **A.** In the cell, you had a steel bed, of course, the walls were concrete block, same as the floor,
19 floor was concrete, you had a sink and a toilet that's it, and a window that faces into the
20 yard, a window that you were never ever allowed to stand by and look out or anything.
- 21 **Q.** What happened to your clothes when you arrived?
- 22 **A.** They were – you come in through the door, now let me make – let me explain the process
23 here. When the cops bring you to Ōwairaka Boys' Home they take you straight to the
24 secure block. Then I called them guards because as far as I'm concerned that's what they
25 were, they came out, they got you, then you have to strip. Now even before you put on
26 your clothes, we had a little fella called Waetford we used to call – Wakefield whatever,
27 used to call Hitler. Now when on your first arrival you would get beaten, you would get the
28 strap around your legs, your arse, until you nearly start – until you welted and was nearly
29 bleeding. And the reason was for that was to teach us to tell us to keep us in line. This is
30 what's going to happen to you.
- 31 **Q.** Can you tell us what would happen each day in the secure unit? Was there any times that
32 you could leave?
- 33 **A.** No. You were locked up 24 – well you were locked up 24/7 as I says, there were rules,
34 they would bring you out for PT.

- 1 **Q.** What was PT?
- 2 **A.** Physical training, and the yards – and inside the compound is asphalt, so they would make
3 you run around, do press-ups, and they would run you, I mean run you ragged and they –
4 boys used to fall of exhaustion. There was no water, there was nothing. And me at one
5 time, stupid for me, I picked this kid up and I got taken to the shower block and got beaten.
- 6 **Q.** Who by?
- 7 **A.** By the – by one of the guards, I just can't recall. Now the other thing is back in that – those
8 days with the secure wing, is you were lucky to even get a shower once a week, a shower.
9 And as far as getting fed, if they didn't like you, you might get two meals or maybe three
10 meals a week. But in saying that, I spent a little time in the secure wing and at my age
11 I really thought I was going mad. At times I wanted to die because your mind, you don't
12 talk to no-one, you're by yourself, you sit on your bed. You know what that does to a
13 child?
- 14 **Q.** Was there anything to do in the cell?
- 15 **A.** No, no. There was no books, there was no writing pads, there was nothing. This was
16 punishment, this was you. That's a prison, that's not a secure block, that's a prison. And
17 this is what they did to us. And besides that, there was all the abuse.
- 18 **Q.** What about – when you said there were no books, what about access to education, was
19 there any schooling?
- 20 **A.** No, you're locked up in there, there's no schooling, there's nothing.
- 21 **Q.** Now you've mentioned in your statement about being made to clean the toilet. Can you tell
22 us about that and the toothbrush?
- 23 **A.** There was a couple of white guards that didn't like me, so they brought a toothbrush in and
24 I was made to clean the toilet with it. Then they made me brush my teeth with it.
- 25 **Q.** You talked about abuse, physical, I just want to ask you first about physical abuse.
- 26 **A.** Yeah, physical abuse.
- 27 **Q.** From secure, can you tell us about that?
- 28 **A.** Physical abuse is rampant. I had a cell in the corner next to the shower block and when
29 they used to take the boys in there you could – I'd sit on my bed, you imagine that, you're a
30 kid and you're sitting on the cell bed and all you can hear is screams from the boys being
31 sexual abused, being beaten. That's what I heard from my cells.
- 32 **Q.** Was this a shower block that was particularly for the secure unit?
- 33 **A.** Yes. The only shower block there. It's – I mean I was like any one of those boys. Being in
34 a place like that if you were anything other than white, the physical, the mental, the sexual

1 abuse, you would get, like if you were Māori it wasn't too bad, but let's not downplay that,
2 because the Māoris got treated really bad. But in there, if you were Islander or anything
3 else, you were dog shit. They would step over you. They don't even give a shit about you.
4 And the mental abuse what I'm saying is when you get told day after day that you're just a
5 piece of shit, that your family doesn't want you, that society doesn't want you, that you
6 should kill yourself, right? You know, "You little black arsehole, you bloody nigger, you
7 bloody coconut, you bunga." That's what I had to endure in Ōwairaka.

8 **Q.** You've mentioned about the classroom, the set-up of the classroom. Can you tell us about
9 that?

10 **A.** There was a classroom there for school. And on occasions, very odd occasions the Māoris
11 and Pacific Islanders were allowed to go to class. But once again it was segregated, you
12 had the Pākehā front, the Māoris and then the Islanders or whatever at the back.

13 **Q.** And who arranged it in that way?

14 **A.** School teacher, as far as I know.

15 **Q.** And what was your experience of the schooling at Ōwairaka?

16 **A.** My experience of school at Ōwairaka is I didn't – weren't allowed to go to school very often
17 and when I did I was sat at the back.

18 **Q.** Could you hear what was happening from the back?

19 **A.** A lot of times you didn't, and when you put up your hand and asked, you know, to repeat it,
20 he would come up and abuse you and, you know, say "That's your problem, you know, you
21 should have been listening", you know. But not in such nice words, of course.

22 **Q.** And what was the classroom arrangement like – a range of ages of children there at
23 Ōwairaka?

24 **A.** Yeah, could have been anything from 8 upwards I suppose.

25 **Q.** And how many different classes or teachers did they have?

26 **A.** Well, I only saw the one teacher, for me personally, because as I says, most of the time we
27 weren't allowed to go to school, we were made to work, to work in the gardens, to clean the
28 place, sweep concrete, and that's the same, as I said, you know, if you weren't white, that's
29 what happened. And the abuse in there, and I want people to know what the sexual abuse
30 was actually for me. The sexual abuse, the mental abuse, the physical abuse, hidings most
31 days, getting told that you're worthless, you're a piece of shit, but the sexual abuse, when I
32 was sodomised, when they stuck bottles up my arse, and made me use my mouth, I mean --

33 **Q.** Do you need a break. Do you want a take a little break?

34 **A.** Yeah.

1 **CHAIR:** Let's take a break.

2 **Adjournment from 11.49 am to 11.57 am**

3 **CHAIR:** Just to say Mr X, we are in admiration of your bravery and we thank you so much for the
4 pain that you're going through for a greater cause. So thank you very much.

5 A. Thank you.

6 **CHAIR:** Yes Ms Toohey.

7 **QUESTIONING MS TOOHEY CONTINUED:** Just before we had a break you were telling us
8 about the incident with the bottle.

9 A. Yes.

10 **Q.** And you've talked about this in your statement that this is something that happened in the
11 shower block in secure at Ōwairaka. Without telling us the name of the staff member you
12 do remember, can you tell us who was there when this happened without giving the names?

13 A. Yeah, umm --

14 **Q.** Was it staff or --

15 A. Oh no, staff, sorry.

16 **Q.** How many were there?

17 A. I think at that time there were three I think.

18 **Q.** And can you tell us what happened?

19 A. As I explained down there, boys used to get taken out of their cells to have what we called
20 rotating turns.

21 **Q.** Sorry, what was that?

22 A. A rotating turn of being abused. But what happened on that day with me was I was
23 sexually abused, I was raped, sodomised, got a bottle shoved up my backside and made to
24 walk around for their amusement, so they can laugh at me.

25 **Q.** Is that what happened?

26 A. Yeah.

27 **Q.** How many staff were there on that occasion?

28 A. I think there were three. Sorry, I can't be accurate, my brain's just --

29 **CHAIR:** It was more than one?

30 A. Yeah.

31 **QUESTIONING BY MS TOOHEY CONTINUED:** You've talked about another time, I think
32 your last time in secure at Ōwairaka, this is at paragraph 53, where you were there for three
33 weeks and you've told us about a disease that you contracted while in secure.

34 A. Yes.

- 1 **Q.** Can you tell us how you got that?
- 2 **A.** I got that through the sexual abuse, through not being able to shower or clean. I was in pain
3 for about two or three weeks, they wouldn't let me see a doctor because otherwise, as an
4 adult thinking about it, because they would have to do a lot of explaining what had
5 happened to me. So I was left there for nearly three weeks before it cleared up. And how
6 I knew it was a sexual disease is it hurt so much so pee, it hurt so much, I've never
7 experienced pain like that in my life. Yeah, yeah, it's -- so I was left there for three weeks,
8 no shower, nothing.
- 9 **Q.** Any medical treatment?
- 10 **A.** No medical treatment, nothing.
- 11 **Q.** And what was the impact of having that sexual disease in secure?
- 12 **A.** The impact for me was I can't father children and that saddens me when I look at the rest of
13 my family and they've got children of their own. And that's a big loss because I can't father
14 children, I never could, relationships have broken up because I can't have children and
15 because I couldn't adopt either because of my record.
- 16 **Q.** You mentioned a moment ago about other children, I think you said rotating for sexual
17 abuse in the secure block?
- 18 **A.** Yeah, the thing is you got to understand about this, I call it the prison, the prison, is you
19 were numbered. You were down there and they were going to teach you a lesson and – but
20 it went by numbers, and what I mean by numbers, everybody had a number and that was
21 because if you had the number, I don't know – oh sorry, yes, if you had the number 1, if
22 two or three of you were number 1, you were the most hated ones by these guards and the
23 most hated ones were always, always myself and Māoris and any other Islanders. So we
24 were done by numbers, we were raped, we were physically abused, we were mentally
25 abused by numbers because they didn't like us, they didn't like our colour. Sorry.
- 26 **Q.** I'm going to ask you now about some of the other things that happened at Ōwairaka.
27 You've mentioned about boxing on the weekends. Can you tell us about that?
- 28 **A.** They had a gym there and they would put up the boxing ring and in the weekends you
29 would have to box. Now the thing is, it wasn't your regular boxing match. The guards
30 would line you up, they put the bigger boy with the smaller boy and they would stand there
31 and laugh while you were beating up the smaller boy. And if you didn't do that, then you
32 can guarantee you're going to get a couple of them, they're going to come and kick the shit
33 out of you.
- 34 **Q.** Who would?

- 1 A. The guards.
- 2 Q. What about at other times, was there any other times when boys were asked to hit other
3 children?
- 4 A. Yes, the bigger ones were told, told to go and smash up other boys. And I'm a culprit to
5 that. And the thing is, we knew what our punishment was if we didn't follow orders. We
6 would get beaten up. But it came to a stage when I was there I looked around and I had
7 enough, I had enough. Why am I beating these small boys up for? So ever since then
8 I refused to and ever since then I just got the beating of my life.
- 9 Q. Who from?
- 10 A. From the guards for refusing to follow their orders. You know, at this stage, you know, if
11 any of those survivors are watching, I want to say sorry, because you fellas were small boys
12 and you shouldn't have ever had to go through that, and I apologise for my part in it.
- 13 Q. In terms of the other forms of punishment from the staff, you've talked about a wooden
14 bucket that was used to stand on.
- 15 A. Yeah.
- 16 Q. Tell us how that was used, this is paragraph 62.
- 17 A. The buckets, yeah. You were made to stand on buckets as punishment and we're not just
18 talking about it now, we're talking about all day. Most of the day, all day. And if you fell
19 off, you would start again, but you would get a hiding first, then you'd have to – but I felt
20 sorry for some of the boys because they weren't as strong as some of us others and, you
21 know, when you watch these fellas get a hiding all the time and made to stand back up on
22 there, it's unbelievable. Yeah, that all was done by the guards, housemasters, screws,
23 whatever you like to call them, but I call them guards because no such thing as a
24 housemaster, not in my day.
- 25 Q. Did you run away from Ōwairaka while this was happening?
- 26 A. Yes, I did, two or three times. I didn't want to be there. I had enough. I ran away two or
27 three times.
- 28 Q. Where did you go?
- 29 A. Anywhere, anywhere, we used to run away just to get away from the place.
- 30 Q. What happened when you got caught?
- 31 A. Cops pick you up, take you straight to secure wing and it all starts over again. But I think
32 for a lot of boys that kept running away from that place, it was – for me it was – I was away
33 from there in that short time doesn't matter, I wasn't being abused, I wasn't being raped,
34 I wasn't being beaten up. For a runaway like me and many boys, that time was bliss to us.

- 1 **Q.** Was there another punishment when you got back to the home apart from being put in
2 secure, from any particular individual?
- 3 **A.** Where are we, sorry?
- 4 **Q.** Paragraph 68, 67, 68 of the statement.
- 5 **A.** Oh yeah, yes, Wakefield, every time you used to get put in secure or get brought back by
6 the Police they used to call him, this is the one we call Hitler. He's the one that used to dish
7 out the majority of punishment which was the strap or what we called the paddle, and a
8 paddle is a handle and it's got a – it's a piece of wood with a handle and, yeah, so the paddle
9 sort of hits every part of your backside including your scrotum, so -- but he was the main
10 man they would call and say yeah, so and so's back, so and so's back. Didn't matter what
11 time of night or day, he'd be there.
- 12 **Q.** He'd come in?
- 13 **A.** Yeah, it's something that he loved.
- 14 **Q.** Is he the one I think you said before might have been called Mr Waetford?
- 15 **A.** Yeah, yeah.
- 16 **Q.** Was there any social workers who worked with you during your time at Ōwairaka?
- 17 **A.** No, I never saw a social worker in my life there, no, never. I mean when I got my –
18 through the historic claims, when I got my files and I read them and when my brother got
19 his, you know, I cried because those files are lies. Who are these social workers? I've
20 never met them, I've never talked to them, you know? And yet they're writing all this
21 bullshit about me. You know, how are they?
- 22 **Q.** Do you recall seeing any of them?
- 23 **A.** Pardon?
- 24 **Q.** Did you see them, do you recall any of them?
- 25 **A.** No, no.
- 26 **Q.** I want to talk to you now, I'll just show you a document that's on your file that's referred to
27 at paragraph 77. It will come up on the screen in just a moment. While we're getting that
28 up, can you tell us whether there was any talk of foster home or family home placements
29 for you?
- 30 **A.** No, not that I know of. The only time I knew about that was, as I says, on the files.
31 Because when you're put in those places like Ōwairaka, Epuni, Hokio, Kohitere, there is no
32 contact, you don't get told anything.
- 33 **Q.** So have you got in front of you on the screen a document, the text that's been brought out,
34 it's a letter dated 11 April 1972 to the Acting Assistant Director of Social Work for

- 1 Auckland.
- 2 A. Yeah.
- 3 Q. And it's from Mr Waetford, the Assistant Manager who you've referred to before.
- 4 A. Yeah.
- 5 Q. Just looking at that first paragraph, "Mr X – as we've called you – is a sly and cunning
6 individual and could be for some time yet." What is your reaction to seeing those words
7 written about you now?
- 8 A. I mean when I first saw it and those words written about me I just couldn't believe it. I just
9 couldn't believe that a human being could write lies about a child. I can't fathom why
10 adults do this to children. That there "sly and cunning", they covered their arses because
11 they made us do things, so out comes a report like this which is total shit. They covered
12 themselves. They made us do things and they covered their arses.
- 13 Q. You'd been in the home then for around four and a half months on the records?
- 14 A. Yes.
- 15 Q. Had there been any opportunity for you to complain about what had been happening to
16 you?
- 17 A. Oh no, no, no, no. The thing is in there we tell one another, we tell the boys do not
18 complain, because, you know, at the end of the day who are they going to believe? But not
19 only that, it's what punishment you would get, you know, if you try to open your mouth.
20 You know, you daren't open your mouth and that's what we would tell, even I, I told young
21 fellas, shut up, say nothing, back off.
- 22 Q. He's noted at the bottom of that letter that you may well succeed in a foster home or family
23 home and he recommended you be given another trial in the community, or if that failed,
24 proposals for long-term training could be reconsidered. So there was no foster home or
25 family home arrangement for you, was there?
- 26 A. No, no.
- 27 Q. And Mr Waetford himself, do you recall what ethnicity he was?
- 28 A. I thought he was a Māori but we called him, as I says, we called him Hitler and my opinion
29 back then was that he thought he was a white man, let's put it that way, because I couldn't
30 understand as a kid why do you do it to your people? Why are you like this? You know?
- 31 Q. Do you recall an occasion when you had to go to hospital for a problem with your hip when
32 you were at Ōwairaka?
- 33 A. Yeah.
- 34 Q. And what was happening with your hip?

- 1 A. They called it an irritable hip, if I remember.
- 2 Q. We're going to bring up on the screen a letter from Middlemore Hospital. This is 19
3 September 1972. I think you'd gone into hospital on 1 August?
- 4 A. Yes.
- 5 Q. I just want to bring up a particular paragraph there you can see, it's going to come up on the
6 screen. This is coming from the orthopaedic registrar going to the home. You'll see it says,
7 "His general behaviour in the ward was cooperative but at times rather bizarre. His signs
8 did not change despite the continued use of skin traction in hospital and he was observed
9 secretly getting around with quite some facility after he was eventually allowed up, but this
10 disappeared when he was aware of medical observation." What was happening there for
11 you?
- 12 A. For me I played on it quite a bit because that was a place where I felt safe, that was a place
13 where nobody abused me or anything.
- 14 Q. What were the nurses like?
- 15 A. They were – they were good.
- 16 Q. Did you think about telling anyone what had been happening at Ōwairaka when you were
17 in the better environment in hospital?
- 18 A. I had thoughts of it but then I thought better of it because, as I said, I still had to go back
19 there. So you daren't, you know, so the code of silence, as we know.
- 20 Q. What do you think would have happened if you had?
- 21 A. I would have been shoved straight back down to the prison and gone through all that abuse
22 again and would have been locked up longer.
- 23 Q. One of the other things you've talked about in your statement from paragraph 80, two boys
24 who went missing at different times at Ōwairaka?
- 25 A. Yes.
- 26 Q. Can you tell us a bit about that?
- 27 A. Well, we would wake up in the morning, you generally wake up to everybody being there,
28 but we noticed one of our mates were missing. So we thought, when we talked to the
29 guards and asked them, and they would say that the social worker came and picked him up,
30 came and got them, or otherwise they would be in secure and that, we would know. But the
31 funny thing about it is was we didn't say much, we just look at each other and say yeah
32 right, because when we go to bed they're there, when we get up they're gone.
- 33 Q. What time would you get up?
- 34 A. Oh, was it 6 or something or -- yeah, lights used to come on at -- yeah, 6 I think it was,

- 1 yeah. But the thing is you go to bed, they're there, you wake up, they're not.
- 2 **Q.** What about on other occasions, would you actually see social workers or anybody else
- 3 come to take – transfer children?
- 4 **A.** No, well at 10 or 11 o'clock at night.
- 5 **Q.** But on other occasions did that actually happen during the day?
- 6 **A.** Oh yeah, yeah, during the day only, in between certain hours. But not at night, you never
- 7 see a social worker at night, no way in hell.
- 8 **Q.** Now in about, I think in about August 1972 you got transferred to Hokio Beach School in
- 9 the Horowhenua. Can you tell us about what happened when you were transferred? Did
- 10 you get any warning that that was happening?
- 11 **A.** No, no, there was no warning. The night before I got sent they came and dragged me out of
- 12 my bed and locked me up in secure.
- 13 **Q.** Did they say why?
- 14 **A.** Not really, just – I knew something was going on, I mean to be dragged out like that, you
- 15 obviously done something or they think you've done something or whatever. But I –
- 16 **Q.** Then what happened the next morning?
- 17 **A.** The next morning I was handcuffed.
- 18 **Q.** How old were you then?
- 19 **A.** I must have been about 12 or 13, 13 I think. I was handcuffed, put in a car, taken to an
- 20 airport, walked on the plane with handcuffs, a 13 year old, flown to I think it was Levin and
- 21 then escorted off the plane and put into the hands of a new bunch of guards from Hokio
- 22 Beach School.
- 23 **Q.** I just want to bring up a document around your transfer. This is a letter, this is the second
- 24 page of a letter, I just want to highlight paragraph 5 first. So this letter is dated 18 August
- 25 1972, so shortly after you were in hospital for your hip. This boy appears to be bent on
- 26 leading an antisocial life and in my opinion would benefit from a period of training at
- 27 Hokio Beach School." So again that's not something that was discussed with you or a
- 28 social worker with you?
- 29 **A.** No, no.
- 30 **Q.** And then there's a note, a handwritten note under this. It's a little bit hard to read, but it's a
- 31 note to the Director-General noting that "the Boys' Home considers the admission to Hokio
- 32 merits priority over some of those already approved. He has leadership ability and is a bad
- 33 influence in the institution." What's your reaction to reading that now?
- 34 **A.** Well, no, I'm disgusted in these reports because the thing is you know they're writing about

1 being a bully or whatever, it's because they made us do it, you know? They've made us do
2 this and now they're writing saying that I'm a bully, I was never a bully. You know, as
3 I said to Anne, you have a look at my record, right through to adult, there's no violence,
4 I wasn't a violent man, you know? And this is what I say, that when I read these files it's
5 just another path of abuse to us survivors, because it's lies, it's bullshit.

6 **Q.** At Hokio Beach School, when you got there, do you recall what happened when you first
7 arrived?

8 **A.** Where are we?

9 **Q.** This is around 87, around paragraph 87.

10 **A.** Oh.

11 **Q.** Perhaps just generally talking about was there any differences that you noticed with
12 Ōwairaka when you got there?

13 **A.** No, it was just the same, I mean as I said, you know, just the bullying and everything else,
14 the sexual assault, you know, it was nothing different, nothing new. You just – they've just
15 sent me from one place to another place.

16 **Q.** Did they also have a secure unit?

17 **A.** Yes. They had two cells there, which you – the window was very small, but it was right up
18 over there and steel door and mattress on the floor.

19 **Q.** Could you see out the window?

20 **A.** No, and no toilet either in the cells. No sink, no toilet.

21 **Q.** Did you say there was a mattress on the floor?

22 **A.** Yes, that was where you slept.

23 **Q.** Once again, was the door locked?

24 **A.** Yes, definitely.

25 **Q.** Was there anything to do while you were in the secure unit?

26 **A.** No, nothing at all.

27 **Q.** In terms of the general layout of the home, did some of the staff live nearby?

28 **A.** Yes. I think most of the staff lived, because Hokio Beach School was by the beach itself
29 and that little community and most of the staff lived around there.

30 **Q.** Now in terms of school, were you able to attend school at Hokio?

31 **A.** Yes, at –

32 **Q.** This is about paragraph 93.

33 **A.** My head's going around.

34 **Q.** I think you've said in your statement that school was a privilege?

- 1 A. Yeah, it was, yeah. For me there was nothing different between Ōwairaka and Hokio. You
2 had to be like a privileged kid really, or change the colour of your skin, either one.
- 3 Q. I want to bring up on the screen the next document. If you have a look at the paragraph 2
4 there, which we're going to highlight, this is a report, a school report about you in 19 March
5 73, sorry, May – no, March 1973, "oral and written expression, probably the best in the
6 class. Oral expression in particular is very good. Articulate and well conversant with
7 language." Is that what you recall while you were at school? Were you good at school?
- 8 A. I've never seen it so I didn't really know. I mean, but like most things in life, throughout
9 my life I mean I've taught myself and I consider myself a good speaker, good writer, I'm
10 good at maths and things like that, but –
- 11 Q. Just in the last – sorry to interrupt.
- 12 A. But at times I went to school they allowed us to go to school, maybe that's what the teacher
13 thought what I was, I don't know, because as I say, until I got the files from the historical
14 claims people I've never ever seen any of this, so – yeah.
- 15 Q. There's another paragraph there noting that you'd made amazing progress, that you had a
16 good attitude to schoolwork.
- 17 A. Yeah, I think there was a time where I wanted, well in my own mind, wanted to do
18 something worthwhile for myself and – but when I was at school it takes like – I used to get
19 in the zone and it just blocks out anything else.
- 20 Q. So just moving through this to the next document, because I just want you to explain what
21 happened with your schooling at Hokio. So, if we look at the next document and these two
22 paragraphs here, so they're again referring to that school report that you'd made amazing
23 progress, and then they refer there having moods of moroseness and cheekiness, we'll come
24 to that shortly. That was in March 1973. Then I want to come to the next document, 11
25 and if you have a look here they've recorded, this is in July 1973, so a few months later, it's
26 recorded here that you wanted to go and live with your paternal grandparents and it was felt
27 that a school exemption which was required due to your age was fully warranted. And then
28 further down at the foot of the page is a recommendation and it notes that you do not wish
29 to continue with your schooling beyond your 15th birthday. Did anyone ask you whether
30 you wanted to continue with your schooling?
- 31 A. No. Nobody ever asked me if I wanted to continue or not continue with my schooling. All
32 I know is when I was discharged from there that I didn't have to go to school.
- 33 Q. We'll come to that, let's go to that document just to finish this subject. The next document,
34 this is a letter from Mr Doolan, the principal –

1 A. Yeah.

2 **Q.** – of Hokio Beach School, noting that he wanted to apply for school exemption because you
3 were 14 and otherwise would have had to have attended school and to return to Auckland,
4 and it notes at the bottom that you're well developed physically and you aspired to
5 labouring work. Did you aspire to labouring work?

6 A. Well, I mean you could say that, I suppose, because we did a lot of labouring work for
7 these fellas, you know, cleaning, mopping, gardening, sweeping, so you know, to say that
8 I'm thing to labouring, I most probably was, but that's what they made me do, that's not
9 what I wanted to do. Nobody ever asked me if I wanted to carry on with schooling.

10 **CHAIR:** Ms Toohey, before you carry on, I'm aware there's an order in place relating to
11 anonymity in relation to –

12 **MS TOOHEY:** That's in relation to a slightly different issue.

13 **CHAIR:** Not related to this, I was just double checking. Thank you.

14 **QUESTIONING BY MS TOOHEY CONTINUED:** Did you ever have any schooling later on
15 after you were discharged as a State ward?

16 A. No.

17 **Q.** How do you feel now about not having had an education beyond this period?

18 A. I feel very disappointed, I feel angry, I feel a lot of hate because you've got to remember,
19 you know, 47 years I've had this in my life and I've just had so much hate and anger
20 towards these people.

21 **Q.** Just on the screen there is that final exemption where you were exempted by the District
22 Senior Inspector of secondary schools in July 1973.

23 A. Yes.

24 **Q.** Can we turn now to a different subject, this is at paragraph 102. This is in relation to
25 Mr Ansell, or in relation at least to a cook.

26 A. Yes, yes.

27 **Q.** You've talked in your statement about sexual abuse from the cook at Hokio. Do you want
28 to tell the Inquiry about what happened?

29 A. Yeah, the sexual abuse was prevalent in these places, but this cook used to take you in and
30 he used to do things to you, but he used to make you do things to him. The thing is, what I
31 can't understand is they used to reward us for this bullshit, they used to take us out the back
32 and give us smokes. I wasn't a smoker, but that's what they did from Ōwairaka, they turned
33 me into a goddamn smoker. And they did the same again at Ōwairaka – I mean at Hokio
34 Beach School. Your reward, it doesn't matter, you know, and let me make it quite plain and

1 clear. I was never a willing participant, nor did I ever want this shit in my life. But that's
2 what the cook was like. And –

3 **Q.** Whereabouts did this take place at the home or outside the home?

4 **A.** Used to see him take a boy outside the home sometimes or within the kitchen area, because
5 he could lock all the doors and, you know, nobody could get in, nobody can see, and the
6 thing is, you know, your life is always threatened because they threaten you, you know, as a
7 child you look up to these fellas and say oh, yes, you know, 20 sizes bigger than me, there's
8 nothing I can do. So you've got to go along with it. To survive, for survivors like me and
9 other survivors, you had to learn how to survive in there. And that's what we did. You had
10 to learn how to, let's put it this way, they taught you how to be a better criminal so you can
11 survive out on the streets and that's what they gave me. They didn't give me anything else.

12 **Q.** Is there anything else you want to say about that cook?

13 **A.** Let me see.

14 **Q.** This is at paragraph 104. The Commissioners have your written statement. So if you don't
15 want to say it during the hearing you don't have to.

16 **A.** Oh, yeah. At one time when he took me in there he took his pants – he took his pants off
17 more or less, he knelt down and gave me a strap to smack him around his arse while
18 playing with himself. Sick.

19 **Q.** Was there ever any comments to you along racial grounds when you were being abused at
20 Hokio or Ōwairaka?

21 **A.** Yeah, yeah. Yeah, they used to call you a "little nigger boy" or a "little black bastard",
22 "this is all you're worth, this is all you're good for", you know, "you're just a piece of shit,
23 you don't belong on this earth, this is your punishment for being the colour that you are,
24 because nobody wants you, not even your family wants you." So you – for me personally,
25 that's how I felt.

26 **Q.** I want to now ask you about hospital at Hokio. That problem with your hip, did you end up
27 going to a hospital in Palmerston North in relation to that hip injury?

28 **A.** Yes.

29 **Q.** And I think that was for quite a long time, for six to eight weeks I think between mid-
30 September 1972 and the end of October 1972. Do you remember being there for quite a
31 long time?

32 **A.** Yes.

33 **Q.** And did the same thing happen at Palmerston North Hospital in terms of what you told us
34 before about playing on the injury --

1 A. Yes.

2 Q. – to stay in hospital?

3 A. Yes. That was my safe place.

4 Q. I just want to show you a document. This is a letter you'll see from Dr Leeks, a child – oh
5 you can't see it? I'll give you a copy of the document. **[Copy provided]**

6 **CHAIR:** Yes, give him a copy of the document. Mr X, it's also up on the big screen there too.

7 You can't see that. Cling to the bit of paper then, it's probably best.

8 **QUESTIONING BY MS TOOHEY CONTINUED:** This is a letter to the Hokio Beach
9 residents from Dr Leeks, a child psychiatrist who is connected with Lake Alice Hospital.
10 Do you recall seeing him when you were at Palmerston North?

11 A. Yeah, yeah, I did. I didn't realise it was Dr Leeks, I knew it was a –

12 Q. He talks in this letter about, in about the middle of the page, that he painted a whitewash
13 story of why he was at Hokio, spoke of his dislike of both Hokio and hospital, although
14 rather less of hospital. What was your experience in the hospital?

15 A. My experience, it was good. You just had people that actually cared about you.

16 Q. He then goes on that you "wish to be back home where he could do as he liked, the large
17 family from which he comes and the elderly indulging grandparents have not been an ideal
18 background for Mr X and I would feel he has overcome the unpleasant aspects of his stay at
19 Hokio with physical symptomology." Is that how you'd describe your grandparents?

20 A. Indulging, my grandparents? One, I just say this now, that there's no way in hell I would
21 have gone back to that hell-hole. There is no way. So I don't know where he's getting this
22 from. At any time I did not want to go back there. Because I knew what it was like, I knew
23 what it was going to be.

24 Q. He says that he told you that this may be the last time he gets to hospital with this type of
25 illness, especially as it would seem it is a response to discomfort and anxiety. Did anyone –
26 was there any change between the previous physician, was there any opportunity in
27 hospital, or did you feel that you could talk to anyone about what was happening to you at
28 Hokio?

29 A. There was Sister Sales there and –

30 Q. At the hospital?

31 A. Yeah, at the hospital, and she become a, well, a very good friend or even a mother figure, if
32 you like, and she was really kind and that, but I mean I wanted to tell, but, you know, but
33 the thing is once again, just got to think of the consequences of telling someone, because
34 I still had to go back to that place.

- 1 **Q.** Did you ask her to keep you in the hospital for longer?
- 2 **A.** I think I did at some stage. Where are we?
- 3 **Q.** The letter ends, "I will see him – you – when next I am there at Hokio." Do you recall
4 seeing Dr Leeks again or not?
- 5 **A.** Not that I recall. The only thing I recall is the guards used to say there was a rumour about
6 me being transferred to Lake Alice. Because at the time I didn't know who this Dr Leeks
7 actually was, so, yeah, I mean the rumours was – yeah, but I never ever got transferred
8 there, but that was the rumours that I was going to get transferred to Lake Alice from there.
- 9 **Q.** I want to take you to just a final letter which you might need a copy of that. This is a letter
10 to the school from a person who – called David who had written to the principal of Hokio,
11 he'd met you in the hospital and he was trying to take you out. You can see there he notes –
12 he says he met you in the pharmacy there and he said that you had asked if he could
13 possibly come down sometime and see you before the holidays. Do you remember that
14 person?
- 15 **A.** Yes, I do, he was – yeah, he worked in the hospital but he had a couple of friends that were
16 actually in hospital who I met and I spent a lot of time with them.
- 17 **Q.** Was he someone you would have liked to have seen?
- 18 **A.** Yes, yes.
- 19 **Q.** Did that happen, were you able to see him?
- 20 **A.** No, I didn't even know about these letters, I didn't know about them, I mean the first time
21 I saw them really was when you showed them to me. They're not even – I don't know
22 whether I even got them in my files that I received. So no, I've never seen these letters
23 before and I didn't know that he was writing.
- 24 **Q.** Okay. I want to take you now to another letter on your file, this one – moving away from
25 the hospital, this time a letter that you wrote?
- 26 **A.** Right.
- 27 **Q.** So this is a letter that you were writing to Miss Jenkins in March 1973?
- 28 **A.** Yeah.
- 29 **Q.** It seems from this letter that you were asking for the welfare officer's name and address of
30 his department. Do you recall what you were trying to contact the welfare officer about?
- 31 **A.** Yes.
- 32 **Q.** What was that?
- 33 **A.** At the time when I wrote the letter I was – I wanted to tell somebody, I was in that part of
34 my life where I'd just had enough, I just wanted to die, so I wrote this letter.

1 **Q.** And I think Mr Abolins, the social worker, wrote back to you and invited you to go and see
2 him in Auckland when you were due to go and stay with him in the holidays with your
3 grandparents. But I think your leave was cancelled?

4 **A.** Yeah.

5 **Q.** Because of the truck incident?

6 **A.** Yeah.

7 **Q.** Do you want to tell us about that, what happened with the truck?

8 **A.** Yeah, a few of us, we just want to get away, had had enough, so we took off one night and
9 come across this farm and unfortunately it had a truck on there, and I've never driven a
10 vehicle in my life, anyway I managed to drive the truck so we stole the truck, yeah.

11 **CHAIR:** Were you about 15 at this time? Is that how old you were?

12 **A.** Yes, I think I was, yes.

13 **QUESTIONING BY MS TOOHEY CONTINUED:** I think you appeared in court on 31 May
14 1973?

15 **A.** Yes.

16 **Q.** And what happened when you got – I think you were charged with that, with unlawful
17 taking of a motor vehicle?

18 **A.** Yeah.

19 **Q.** And what happened when you got back to Hokio after that incident?

20 **A.** Oh, got –

21 **Q.** Was that what made the transfer to Kohitere happen?

22 **A.** Yeah, I was – yeah, we were – I was locked up in the cell at Hokio until a room became
23 available at Kohitere, then once again this is where I have a problem, they call it secure
24 wing, I call it a prison because that's what it is.

25 **Q.** Was there a physical punishment?

26 **A.** Yeah.

27 **Q.** What was that?

28 **A.** It was always physical. You get a hiding, you know, you were left in the cell for days
29 without a shower. Before I got transferred to Kohitere, because you've got to remember
30 those cells at Hokio Beach School had no sink, no water, no toilet.

31 **Q.** I want to ask you now about going to Kohitere. Do you remember when you got there, did
32 you have to go to the secure unit there?

33 **A.** Oh yeah, yeah, straight, yeah.

34 **Q.** We're up to the top of page 19 of your statement. Can you tell us what the secure block

- 1 was like at Kohitere?
- 2 A. Yeah, it was all single cells, of course. But everything was running, running, running, you
3 had to run to get your meals, you had to run to your showers and you did PT as well, so you
4 were on – there was no stopping.
- 5 Q. Now in terms of how long you were at Kohitere, do you remember roughly how long you
6 were there?
- 7 A. I think I was locked up for about three weeks.
- 8 Q. And then after that was there a further period at Hokio?
- 9 A. Yeah, yes, yes.
- 10 Q. At some stage I think you went back up to Auckland, is that right?
- 11 A. Yes.
- 12 Q. And were you back with your family for a while or were you living on the streets?
- 13 A. No, on the streets.
- 14 Q. This is at page 20, the bottom of page 20. I think at some stage you actually ended up in
15 Nelson, do you recall that?
- 16 A. Yes, yes, let me just come back to where Auckland is where the reason that I wasn't taken
17 back to my grandparents was because they dropped me at the airport and sent me on my
18 way, okay? And that's how I become a street kid because I had nowhere to go, I had no
19 money.
- 20 Q. So was that at the airport after coming back to Auckland from Hokio?
- 21 A. Yes. And then the street kids become my family, we looked after one another, because
22 most of them been the same and yes, I admit, I've done some skullduggery stuff, I've done
23 things to survive, I've stolen for food. We used to sleep in Myers Park in Auckland or in
24 toilets when it rains, because we have no family. Social Welfare didn't give a shit or they
25 wouldn't have dumped me at the airport. You know, at the age of 15 you dump a kid at
26 Auckland Airport, send him on his way, no money, nowhere to go, what do you expect that
27 person to do? You know, it's –
- 28 Q. I think you talked earlier in your evidence about your experiences when you were living on
29 the street with the Police.
- 30 A. Yeah.
- 31 Q. Do you want to tell us a bit about that vagabond issue that you referred to earlier?
- 32 A. Oh, I don't know how many times they picked me up for vagabond, that was back in the
33 day. But there was no reason. All I had to do was walk down the road and they would pick
34 you up for vagabond.

1 **Q.** What would they say to you?

2 **A.** Oh they'd come up and ask me my name, "What the hell are you doing?" And then, you
3 know, these – and it's always, always white cops, okay? Let's make this quite plain and
4 clear, always white cops. And they would call me all kinds of names like "Get in the" –
5 you know, like they would twist your arm and "Put the cuffs on you little black bastard, you
6 know, we're taking you in." And that's how my record started to get big, because they say
7 "Right, you were there, you done this, you done this", and when you go to court, who's
8 going to believe me? Who's going to believe me over a cop?

9 So unfortunately that's what these cops are like back then, you know, like they
10 were saying like "Listen you're worth nothing, you should be dead, you should be, you
11 know, you should be 6 foot under", you know, all kinds of things. But back in the day
12 there, there was so much racism and not only that, you could see, what really upset me, it
13 wasn't bad enough, they're doing to a child that's barely just coming out of childhood,
14 myself, they were picking on kids in school uniforms. Picking on kids in school uniforms
15 because of their colour.

16 **Q.** I think at the end of this period of being on the street in November 1973 there was an
17 offence that happened in Nelson and you ended up back in Ōwairaka. Do you remember
18 that?

19 **A.** Yes.

20 **Q.** So this is at the bottom of page 21.

21 **A.** Oh yeah.

22 **Q.** And when you were at Ōwairaka do you recall whether you were in secure again?

23 **A.** Yes, I think I – yes, well, yeah, as a general ward you go straight to secure.

24 **Q.** By this stage you were obviously older. Did you experience any sexual abuse when you
25 returned to Ōwairaka?

26 **A.** God, I can't – sorry.

27 **Q.** I think you've told us in your statement that you didn't?

28 **A.** No.

29 **Q.** That you were older. Your file, this is the final document I want to refer you to, shows that
30 you were – this is the final document on your file, that recommends on 30 April 1974 that
31 you be discharged as a State ward.

32 **A.** Where was that?

33 **Q.** It's just in that final paragraph. Sorry, you can't see it?

34 **A.** No.

1 **Q.** [Copy provided]. So you were, I believe, 15 when you were discharged as a State ward,
2 do you recall that?

3 A. Yes.

4 **Q.** Do you recall what happened to you? You've talked about an incident where you were
5 dropped off at a Railway Station when you were 15?

6 A. Yeah.

7 **Q.** Can you tell us what happened when you ended, when you were discharged from the
8 Department's care?

9 A. I was just left there once again, told that I'm no longer, you know, a ward of State.

10 **Q.** Was there any plan about where you would live or how you would get money?

11 A. No, that I remember. Sorry, my mind –

12 **Q.** No, that's all right.

13 A. I'm all jumbled.

14 **Q.** That's all right.

15 **MS TOOHEY:** It's probably a good time.

16 **CHAIR:** I think it's a good time, I think everybody, particularly you, need a break. We're going to
17 take lunch now, is that all right with you?

18 A. Thank you.

19 **Q.** Thank you.

20 **Adjournment from 1.00 pm to 2.02 pm**

21 **CHAIR:** Welcome back Mr X.

22 **QUESTIONING BY MS TOOHEY CONTINUED:** Mr X, we're just going to go to the impacts
23 of abuse. The Commissioners have your written statement where you talk about your time
24 in borstal. So we're going to go to paragraph 178. You mentioned in your evidence this
25 morning that having a criminal record had an impact on you. Can you tell us the ways that
26 that's affected you?

27 A. Having a criminal record affects a person from getting a job a lot of times, when the Police
28 stop you, you know, straight away you're under suspicion. I recently, I think it was
29 last year when I got pulled up at a traffic because they wanted to check my rego and
30 licence. One minute there was two cops, next one there were six. Things like that, that's
31 what happens when you've got a criminal record.

32 **Q.** When was your last offence, Mr X?

33 A. Last time I was in jail? About 30 years ago, but the effects 30 years later, doesn't matter,
34 it's there.

- 1 **Q.** Is it something you've had to disclose when you apply for jobs?
- 2 **A.** Yes.
- 3 **Q.** What do you think has been the result of that?
- 4 **A.** On the odd occasion I've got it, but most of the time they look at you and it doesn't matter
5 how much qualifications I've got, you know, you've got a criminal record, they're not going
6 to look at you. It's just black and white, it's just what it is. And for people survivors like
7 us, this is what happens to us. This is the carry-on effect from the childhood.
- 8 **Q.** You've talked a bit at paragraph 183 about what you have achieved. Can you tell us a bit
9 about that, about your trade and the qualifications you've got?
- 10 **A.** What I've achieved in my lifetime is I am a qualified painter, advanced qualified painter,
11 I done a full year carpentry course, I had my MPI, my TFO, I'm a health and safety officer,
12 I have my first aid. So these are things that I done but like with the support of my family
13 and that, but not any help from the Government or anything, me as a survivor.
- 14 **Q.** I want to ask you now about the impact on your mental health and you've talked about this
15 at the top of page 26 paragraph 189. I think you had a recent experience at work. Can you
16 tell us about that?
- 17 **A.** Yes. I had a near death accident at work in 2017 and I thought it was the end for me and
18 out of that I had four containers that come down and crushed my forklift, and out of that I
19 was diagnosed with depression and PTSD, and my psychologist said that's what opened the
20 floodgates because I thought I was going to die and it opened up the floodgates and brought
21 this all to the forefront. And this is the main reason I'm sitting here is because of what that
22 accident done to me.
- 23 **Q.** And do you want to tell us about what happened to you a few years ago when you were at
24 Sunnyside? Paragraph 190?
- 25 **A.** What one?
- 26 **Q.** 190 just at the top page 26.
- 27 **A.** Sorry, yes, at some stage I, in my earlier years, I couldn't cope with life anymore, I couldn't
28 cope with the disappointments, the turndowns, so I tried to commit suicide because
29 I wanted out of this world because I had enough of the abuse. So yeah, many times in my
30 life when I was in borstals, even the boys' home I wanted to end. I just wanted some peace
31 and clarity in my life. Yeah.
- 32 **Q.** We talked this morning about the fact that you don't understand Samoan as well as you did
33 when you were a child. Can you tell us what other impacts you had in relation to your
34 Samoan culture from being in care?

- 1 A. Yeah, the system takes that away from you, it takes your culture and everything away from
2 you, so you become a nobody, so you don't have a sense of belonging. For years and years
3 I used to travel around New Zealand, I'd pick up my bags and go because I had no sense of
4 belonging. They've taken my family away, they've taken my identity away, you know?
5 And what are you left with? Nothing. That's why I wandered this country. I wandered all
6 the way from the top down to the bottom of the South Island because I had no sense of
7 belonging, I belonged nowhere. This is what the system has impounded into my head, this
8 is what the system has done to survivors. Thank you Anne.
- 9 Q. You've also talked about feeling a sense of shame, this is at paragraph 200. Can you tell us
10 about that?
- 11 A. For many years I carried this shame, I carried this embarrassment. You know, when you go
12 to the pub with your mates back then and they talk about their wives and their children and
13 their mums and dads, I used to make up stories about my parents, I used to make up stories
14 because how embarrassing and how ashamed am I to say to them oh, you know, went
15 through the boys' home, this and that. That's what the system has done to us, not only taken
16 away our dignity, but made people like me at times to make up stories, you know?
- 17 Q. Do you think that this has affected you in terms of your relationships with partners?
- 18 A. Yes. Yes, because I had trust issues and I couldn't trust people, I couldn't trust women,
19 I couldn't trust men. I've had relationships break up because we couldn't have children and
20 that was because of the system. There's such a – so much that really, really needs to be said
21 here today to everyone and everyone in New Zealand but this is what's happened, this is the
22 penalty that as a survivor I have to pay every day of my goddamn life. You don't know
23 what it's like to wake up now and jump out of bed sweating, tears in your eyes and think
24 that you're still in that shithole. I still get that. I damn well still get that. And I'm angry
25 and I'm pissed off.
- 26 Q. Shall we talk about the historic claims process that you've undertaken?
- 27 A. Yes.
- 28 Q. That's at paragraph 214. You've said that you contacted the process when you found out –
- 29 A. Yes.
- 30 Q. about it at first?
- 31 A. Yes.
- 32 Q. Do you want to tell us about your experience from that first phone call?
- 33 A. That first phone call is I just couldn't believe my ears. They told me the process and
34 everything and – but the lady on the phone, how callous is this, that all they're interested is

1 what happened in those places, not the effect on your life. Come on people. It's all one.
2 How it affected my goddamn life is because of that place. So why are you saying to me
3 that it doesn't matter. Why? Why? That's what I'd like to know, but nobody can give me
4 answers, nobody. And nobody gives a damn to give me an answer.

5 **Q.** I think your experience in terms of making a claim has also been in relation to the Ministry
6 of Education and Ministry of Corrections?

7 **A.** Yes.

8 **Q.** Has there been an ability to make one claim or do you have to make several?

9 **A.** I've got to make several claims, but then again we've tried to find out the process in the
10 Ministry of Corrections and we're getting stone-walled. I don't know how this works. The
11 historical claims from them, because Social Welfare are saying that because I was in borstal
12 I've got to go through the Corrections. And, you know, so these processes, what needs to
13 be done is these three processes need to be all in one and it makes it easier for the survivors,
14 otherwise you've got to go through one, two, three. You know, I've even rung up
15 Corrections and asked them about the historical claims, "Oh we have to get back, oh we
16 don't think there's such a thing now." Why not? You know, why not? Does this country
17 really want to abuse children for the rest of its natural life or whatever? Why aren't we
18 getting answers? You know, it's not fair. It's just total and utter abuse and that's all we get
19 all our lives. It has to stop people, it's got to stop.

20 **Q.** Apart from the claims process, what would you like to see happen from here?

21 **A.** What I'd like to see is a complete overhaul, of course of State here, faith, it doesn't matter,
22 across the board, because they're all getting abused across the board. All it is, you have a
23 look at State care, you've just changed the name of CYFS, that's all you've done, you
24 haven't changed anything else, you've changed nothing, you're still abusing those kids
25 today. So all – so the complete overhaul of that. You have to overhaul the historical claims
26 because look, I appreciate they put me in front of the line because of my health reasons. If
27 it wasn't for that survivors have to wait four to six years. But the other thing they're waiting
28 for in that time is my God, really? 1,500, 5,000, 8,000, 10,000. So what's this country
29 saying? Is that what children are worth, is that all children's lives are worth? Is that what
30 they're saying? Because that's what us survivors are getting.

31 **Q.** I think you've also talked in your statement about wanting an apology from the
32 Government.

33 **A.** Yes. For me for survivors to start healing properly, listen, for any healing of this country
34 and survivors and to move on I addressed the Labour Party and I addressed Jacinda Ardern.

1 You need to put your hand up, take responsibility and be accountable for your past
2 predecessors. You need to do this and this needs to come down the line for this country
3 and for survivors to truly start healing and move on. Without this, it doesn't matter what
4 the Commissioners recommend and that, it's not going to do anything because the
5 Government's not doing – not taking responsibility or being accountable. State care is
6 Government-owned and that's what I was. You own me, so does that give you the right to
7 treat me the way you did and hundreds of thousands of us? So this is what needs to change.
8 This is what the Government needs to do. And especially needs to do because not only for
9 the survivors' healing, so the Royal Commission can do their job properly and have real,
10 real effect and change.

11 **Q.** You've also talked in your statement about wanting the opportunity to have restorative
12 justice with the people who abused you in the homes?

13 **A.** Yes, I think this goes to a long way of healing anybody we name that is still alive, I want to
14 front my abusers. I want to sit down and ask them why. But not only that, I want to sit
15 down and say to them, "I've got the last word now, because your name is out there. So now
16 you take the shame, you take the embarrassment. You've lived your life under the shadows
17 so nobody knows; not anymore."

18 **Q.** The final thing I want to ask you about, Mr X, is your ACC claim. You've said that you
19 made a sensitive claim to ACC in relation to the sexual abuse that you've told the
20 Commissioners about today that happened at Ōwairaka and Hokio. I think you underwent
21 that process just a few years ago –

22 **A.** Yes.

23 **Q.** – in 2018. Do you want to tell us how that process went for you with ACC?

24 **A.** The process is, what they do is they – 2017 they allocated a psychologist for me, so that's
25 fine. But 2018 I had to go see a psychologist of their picking again. But what I'm saying
26 here is, I'm not going to open up to seeing her once. It took me all this time just to trust my
27 psychologist. I'm not going to open up over one meeting. So you get tested on a
28 percentage, okay?

29 **Q.** So just to go back a step here, so we all understand. So they provided a psychologist who
30 you saw for treatment?

31 **A.** Yeah.

32 **Q.** Is that right?

33 **A.** Yeah.

34 **Q.** Then what was the purpose of the other psychologist they wanted you to see?

1 A. To assess my – what I will get paid for the sensitive claim. And –

2 **Q.** Did you do that, did you talk to that person?

3 A. Yes, I did, but I didn't fully talk to her because for people like us we're not going to open
4 up, one meeting, there's no way. I'm not going to tell a complete stranger what happened to
5 me. I mean I've kept this to me for 47 goddamn years, what makes them think I'm going to
6 open up to a total stranger. So they need to re-think that again.

7 **Q.** What did they end up doing with your claim, apart from paying for the psychologist for
8 treatment, did they end up paying you any compensation?

9 A. The compensation is this, I wasn't eligible for the lump sum, but I am eligible to collect
10 \$387 every three months. So that's what my abuse is worth, is \$100 and something a
11 month. Whoopie. I may sound ungrateful, but what's 387 to a survivor, nothing.

12 **Q.** What if there was an opportunity for the psychologist who's been treating you to do the
13 assessment?

14 A. It will never happen because that's ACC. You've got to go to a separate person. But if they
15 had – if they had done that, it would be totally different, because she knows me, she knows
16 my story, she's been there since 2017 and I see her every week, every week and I still see,
17 as I said, I still see her every week.

18 **Q.** Would that be someone who would have the full picture of the abuse?

19 A. Yes. I mean, you know, in my statement I gave, I give to my psychologist because I trust
20 her totally, she's been there for me, she's helped me. So this other psychiatrist you've got to
21 see once, what's she going to do to you? Oh no, he only comes in the 6% or whatever.
22 How the hell would you know?

23 **Q.** Mr X, that's the questions that I wanted to ask you about your statement. The
24 Commissioners may have some questions and I think you also wanted potentially to say
25 something to the Commissioners.

26 A. Yes.

27 **CHAIR:** What would you like to say?

28 A. If you can just bear with me for a few minutes I've just got a few notes here that I want to,
29 where are we. First and foremost, I would like to thank my family, I'd like to thank my
30 ex-partner who has stood by me all these years and supported me. I'd like to thank my
31 children which biologically they're not mine but they consider me their father. I'd like to
32 thank my grandchildren and great grandchildren for all the love and support they've given
33 me unconditionally.

34 I'd like to especially thank my sister who has been on this journey and will be on

1 this journey with me and my brother right to the very end. I love you sis, you're our rock.
2 I'd like to thank the Royal Commission for allowing me, for allowing me to speak my mind
3 here today. And a special thanks to Anaru because you're part of the reason I'm here. If
4 you remember me I asked you a certain question. I looked at you and I saw your truth and
5 I believed you and you're part of the reason I'm here and thank you, Anaru, I appreciate
6 that.

7 Secondly, I'd like to thank the well-being team, what a wonderful bunch of people.
8 I mean they just look after you so well. I've rung up them and I've been – I've gone off
9 them a couple of times but they listen, you know, and they supported and anything
10 I wanted. Next lot of people I'd like to thank is Anne and her investigation team. How
11 supportive and caring are they. And my personal thanks to you, Anne, for your support and
12 care and for letting me do this, for allowing me to do this my way and in my time. Thank
13 you.

14 Just two things from survivors' side of things here. One is the importance of
15 changing the system, the importance to us that children are not treated like this anymore.
16 They're our future for crying out loud. So that for one thing is the forefront of us survivors.

17 The second thing at the forefront is okay, the claims, they call it they're not -- it's
18 not compensation. The problem is there. There is no redress, no recourse, because they
19 can't take us back to those days. But what I'm saying to them is, you know, don't pay
20 10,000, 8,000, you know, these survivors deserve better than that. Comparison here. You
21 take the Treaty of Waitangi. The Government done wrong, they paid in billions. You take
22 a person who gets locked up and found innocent, they paid them millions. And hello,
23 abused children? 5,000. Hello. So what makes sense to you people? How is that fair?

24 So I'd just – I won't go on much longer, I just want to read you something. This is
25 what I wrote after I talked to Anaru. "To my younger self. I am sorry I was not there to
26 protect you from all harm you had to go through, all that pain of not being loved, being
27 sexually, physically and mentally abused, the racism caused by our family, the
28 Governments, the system, and all who works within that system that includes the cops, it's
29 time now to stop hiding, to let go of the shame and embarrassment for that all belongs to
30 the people within the system, Governments, cops, that has done this to you. It is now time
31 to catch up to your adult self, because now you have brothers and sisters, nieces and
32 nephews, cousins that love and care and support you. And whatever you do, you have
33 children, grandchildren and great grandchildren who love you and support you
34 unconditionally, and most importantly you have me who will always love, care and support

1 and protect my younger self no matter what. For now our truth has been told, now we can
2 both start to heal and I make this promise to my younger self and to everyone here. I will
3 carry on the fight for all our brothers and sisters who are survivors, past, present, and the
4 future."

5 Shame has fallen on this country we call New Zealand and home and I thank the
6 Commissioners for allowing me this time to speak. Thank you very much.

7 **CHAIR:** Thank you.

8 **COMMISSIONER ERUETI:** I don't have any questions, I just want to say thank you, to mihi
9 you, ka nui te mihi ki a koe, ki a korua. It's so important in particular to have the Pasifika
10 voice and experience in the homes and it's very brave of you to come and have the courage
11 to come and speak with us, so I want to acknowledge that and acknowledge you and thank
12 you for your time, and it's awesome you've got your sister here too, tautoko you too,
13 kia ora.

14 A. Thank you Anaru, just one thing, I just want to people to know and the Prime Minister. For
15 me, it's not bravery, it's the right thing to do. So Jacinda Ardern, do the right thing. Thank
16 you. **[Applause]**.

17 **CHAIR:** Mr X, I've little to say other than to add to what has been said but to acknowledge you
18 have set us a challenge. It's a huge challenge. We don't underestimate the difficulty of it.
19 But it's only through people like you coming forward and having the courage, I know you
20 say it's not bravery but I'm sorry, I think it is bravery to come forward in public, not just
21 saying it in private, but for you who are able to speak in public you are going to assist us to
22 reach that challenge, to meet the challenge. My grateful thanks to you and the family that
23 surround you and support you. Thank you. I'll leave the last word to –

24 A. Thank you, I do believe in this Royal Commission. I do believe in you.

25 **Q.** Thank you for your confidence.

26 **COMMISSIONER ALOFIVAE:** Mr X, can I just ask you a question. You were born in
27 New Zealand?

28 A. Yes.

29 **Q.** So you're New Zealand-born?

30 A. Yes.

31 **Q.** Do you recall when your parents, as you've described them, when they migrated to
32 New Zealand?

33 A. You've got me there. I'm not too sure.

34 **Q.** So you're born in 58, so maybe –

1 A. Yeah.

2 Q. – they might have come across – are you the eldest in your family?

3 A. Yes, I'm the eldest boy, yeah.

4 Q. So maybe in the 50s or something like that?

5 A. It might have been earlier because I remember my grandfather being in the war,
6 New Zealand war, for New Zealand, yeah.

7 Q. Yeah, was in the Māori Battalion or the Pacific?

8 A. I'm not too sure, all I see is this photo and written down below, but I'm not too sure which
9 one he was in. But I know he was here, so I would imagine we would have, well, the
10 family would have been here before then, I wouldn't even have been thought of then.

11 Q. Thank you so much. Mr X the final word has fallen to me. I couldn't help but feel a real
12 sense of sadness that you lost your language. So you might have heard it and understood it
13 and it wasn't always in a favourable context, but you knew what it sounded like. And so to
14 have something like that stripped away from you and then made to be seen as a very ugly
15 thing over your formative years is incredibly -- there's almost not even a word for it when
16 you're stripped of your cultural identity like that.

17 But I want to say to you in Samoan -- Fa'afetai mo le loto toa., thank you for your
18 indomitable spirit to speak up. Fa'afetai mo lou loto fa'amalosi., thank you for the strength
19 of the warrior that you bring today. And we often say at the Commission that N doesn't
20 equal one. In other words, you are one person but you've told a story that is probably
21 reflective of a number of other young people who were in those residences. So I really
22 want to thank you for answering the call and coming forward and being our first witness.
23 And we know this is a tough week for us as a Commission because of all of the other
24 survivors that will follow after you, but we say but for your courage our work becomes
25 almost impossible.

26 We have to rely on secondary evidence, on people's past research, but this is
27 directly from lived experiences. So I really want to salute you for that courage and thank
28 you – there are many survivors that are here in the room and who are watching on screen,
29 and no doubt they're championing you as well. But I also thank you for the example that
30 you are for our Pacific survivors. Where the courage is not as strong as yours to come
31 forward. So thank you very, very much for that.

32 A. I thank you for that. I think just to survivors, it's time to stand tall and arm in arm and take
33 this by the throat for those survivors that haven't yet picked up that phone, find the courage,
34 find your rock, pick it up because you have the whole bunch of good people here that are

1 looking – that will look after you. So for my brothers and sisters, kia kaha, be strong and
2 let's stand tall. Thank you.

3 **CHAIR:** A fine note to end on. We'll take the adjournment. Thank you very much Mr X and to
4 you your loyal supporter.

5 **Adjournment from 2.37 pm to 2.50 pm**

6 **TONI LEE JAMES JARVIS**

7 **CHAIR:** Good afternoon Ms Lane. Before we start I'll just ask Mr Jarvis will you take the
8 affirmation Mr Jarvis, or can I call you Toni?

9 A. Yes you can.

10 **Q.** Thank you. Toni do you solemnly, sincerely and truly declare and affirm that the evidence
11 you give before the Commission will be the truth, the whole truth and nothing but the truth?

12 A. I do.

13 **Q.** Thank you. I'll leave you with Ms Lane.

14 **QUESTIONING BY MS LANE:** Toni, you want to give a voice to your statement and read that
15 out for the Commission, but there are some matters that you want to highlight before you
16 do that. The first thing you have asked is to be able to acknowledge some people today.

17 A. Yes, I'd just firstly like to acknowledge all my brothers and sister survivors who have
18 passed on that never got this opportunity to have questions, answers or even see a hint of
19 justice. But I particularly want to point out two who are very close to me. One was my
20 stepdaughter who died 11 years ago, her name was, GRO-B and to my daughter-in-
21 law who passed away just over a year ago, GRO-B

22 Now just before GRO-B passed she came to me and said "Toni, I rang the
23 Royal Commission of Inquiry and I've taken my details and I'm going to come forward and
24 tell my story", but unfortunately she passed away. So I just want to acknowledge those
25 two. Also the families of the deceased brothers and sisters, because they have the ongoing
26 legacy of carrying what their family members are not here to do so.

27 **Q.** Up on the screen there's a picture of a little boy, can you tell me about him?

28 A. I refer to him as little Lee and little Lee's story is, without undermining the abuse of any
29 survivors in State care, but his story is from the bottom of what you call the pecking order.
30 There was no bigger boys, he was at the very bottom. And this is the reality. I'm here as a
31 man today turning 60 years old, but this is the story of this little boy and I've asked for this
32 photograph because, as you hear evidence it's hard to connect with the stories and I thought
33 this is reality. This is what we were when the State took us and took us into these places
34 and, although I'm a grown man, this is his story that I tell today.