

**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'imua 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 Julia 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 **Q.** Kia ora.

2 **A.** Kia ora.

3 **CHAIR:** Thank you, Tyrone, you're now free to go, and again, thank you very much for your
4 contribution. We'll take the lunch adjournment.

5 **Lunch adjournment from 1.03 pm to 2.16 pm**

6 **CHAIR:** Good afternoon everybody, welcome back. Good afternoon, Ms Toohey, do you wish to
7 say something?

8 **MS TOOHEY:** Yes, I just wanted to introduce you first to the witness, Mr Carr.

9 **CHAIR:** Yes.

10 **MS TOOHEY:** And also to Ms Amanda Hill who will be leading the next witness.

11 **CHAIR:** Excellent, thanks Ms Toohey. Good afternoon Ms Hill.

12 **MS HILL:** Tena koutou katoa, counsel for Mr Carr.

13 **CHAIR:** Yes.

14 **COMMISSIONER ERUETI:** Tena koe.

15 **MS HILL:** I'll leave you to do the affirmation.

16 **SCOTT AARON CARR**

17 **CHAIR:** I will, thank you. How would you like me to refer to you, Scott or Mr Carr?

18 **A.** Yeah, Scott will do.

19 **Q.** Scott will do, that's good.

20 **A.** Yeah.

21 **Q.** And I believe your wife Sarah is in the witness box?

22 **A.** Yeah.

23 **Q.** Welcome Sarah, thank you for coming and supporting Scott. I'll just ask you to take the
24 affirmation. Scott, do you solemnly, sincerely, truly declare and affirm that the evidence
25 you'll give before this Commission will be the truth, the whole truth and nothing but the
26 truth?

27 **A.** Yes, I do.

28 **Q.** Thank you. Ms Hill.

29 **QUESTIONING BY MS HILL:** Scott, can you just confirm your full name for me?

30 **A.** Scott Aaron Carr.

31 **Q.** What year were you born in?

32 **A.** 1983.

33 **Q.** Can you tell me a bit about your home life and where you grew up?

34 **A.** I grew up in Feilding in the Manawatu, I suppose it was a normal childhood, just, yeah, not

- 1 much to do, parents were working all the time, just, yeah, early 90s sort of thing.
- 2 **Q.** What was school like for you?
- 3 **A.** There was no high school, intermediate was sort of intermittent, I was basically there just
4 for the sports.
- 5 **Q.** If I could just bring up the first document from Scott's records, that's document number 2.
6 This is an excerpt from your records, Scott, you're 13 years old and you're described as
7 bordering on getting suspended from school and there's a concern there about what home
8 was like and the notifier, as they call them, said that something's not right in the household.
9 What do you think they were concerned about?
- 10 **A.** I don't know, it's kind of left field, because there's never really been a fear of violence at
11 home, so I don't know where that came from.
- 12 **Q.** So there wasn't any violence in your household for you?
- 13 **A.** No.
- 14 **Q.** If we can bring up the second document, that's document 3. There's another notification
15 from a social worker, the concern is that your dad wasn't talking to you, so he'd come home
16 from work and read the newspaper and that you were hanging out for some attention. What
17 do you think about that?
- 18 **A.** Yeah, my dad's not really a talkative person, so there wasn't much to talk about. We'd kind
19 of avoid being at home at the same time as him just out of -- to avoid it.
- 20 **Q.** So if you weren't at home, what were you doing with your time?
- 21 **A.** Just roaming the streets basically. Not so much committing crime, just out and about with
22 mates.
- 23 **Q.** If we can go to the next document, document 4. So this says, and it's dated 11 August
24 1997, that Scott was suspended from school for six weeks, the board has recommended that
25 Scott be reinstated when things get better at school. Do you remember that?
- 26 **A.** Yes, I got suspended from school for smoking a cigarette in half my school uniform while
27 doing my paper run. And but because I wasn't doing the sports they wanted me to do at the
28 school, they told me "Do the sports or get out."
- 29 **Q.** So you were suspended for six weeks?
- 30 **A.** I wasn't going to stop doing my paper run, like it was too hard for me to do the sports and
31 my paper run because the bus timetable to go from Palmerston to Feilding meant that
32 I couldn't do my paper run, so I was going to be losing the money that I had, it was only
33 \$16 a week, but that was my \$16 a week.
- 34 **Q.** So after that six weeks, so you're suspended for six weeks, did you go back to school?

1 A. No.

2 **Q.** What happened with your schooling after that?

3 A. Nothing.

4 **Q.** Did a social worker talk to you about school?

5 A. No, everyone kept on saying that they wanted me to get back to school but nobody would
6 actually talk to the school about unenrolling me.

7 **Q.** If we can go to document 6 that would be helpful thank you. So this is a record of one of
8 your first Family Group Conferences or FGCs as they're called, and it says that you're in a
9 bit of trouble with the Police and you're in Youth Court and the conference or the FGC is
10 adjourned to complete a psychological assessment, and that's in December 1997. Do you
11 remember having a psychological assessment around then?

12 A. No.

13 **Q.** If we could go further down that document please. These are your notes created by CYFS
14 and it says there that the judge had concerns for delays in FGCs being held but realised that
15 human resources in the service were very much limited but stated that the service had a
16 statutory responsibility. Do you remember Family Group Conferences being put off and
17 delayed?

18 A. Yes.

19 **Q.** That notes in February 1998, had you had a psychological assessment by then?

20 A. No.

21 **CHAIR:** Just to get your age clear, were you about 14 at this stage?

22 A. Yes.

23 **QUESTIONING BY MS HILL CONTINUED:** So just taking you to paragraph 9 of your
24 statement, you talk about the first half of 1998, appearing in Youth Court a couple of times
25 and CYFS and the Police increasingly getting involved in your life, and that you weren't
26 coming home very often. What do you remember about that time with Youth Court and the
27 Police, what was that like for you?

28 A. I didn't really expect to be in that situation, because I thought I would be too young to be all
29 in the court and all that. It was, yeah, troubling times.

30 **Q.** And there's reference in your records to you being held in the Police cells when you were
31 that age, 13, 14. What do you remember about the Police cells?

32 A. There was numerous times that I was left in the Police cells, for numerous reasons,
33 whatever, but yeah, it was never good. Always by yourself, well, yeah, they still make you
34 shower in the shower block same as everyone else, as the adults and everything, didn't treat

- 1 you different.
- 2 **Q.** How long were you held in the cells when you were that age?
- 3 A. They'd play games and only hold me for just less than 24 hours.
- 4 **Q.** How often do you think you went into the cells?
- 5 A. I was in constant trouble basically, so I was in the cells basically once a week, if I was out
- 6 in the community.
- 7 **Q.** And you've said in your statement that eventually you ended up at Epuni?
- 8 A. Yes.
- 9 **Q.** And this was still in 1998, wasn't it?
- 10 A. Yes.
- 11 **Q.** How many times did you go to Epuni?
- 12 A. I think it was like three times.
- 13 **Q.** And you've said in your statement that the longest of those times was about a month and a
- 14 half?
- 15 A. Yeah, I think so, yes.
- 16 **Q.** Sounds about right?
- 17 A. Yeah.
- 18 **Q.** So tell me what you remember about first arriving at Epuni?
- 19 A. On the ride down there the social workers were saying that it's just like a strict boarding
- 20 school in the sense of rules and that, but as soon as we got there get strip-searched, get
- 21 demoralised get, walk past everyone on the way to your room, just put on show. Basically
- 22 the start of the breaking you down so they can build you up, I suppose.
- 23 **Q.** I'll just go back to you mentioned a strip-search.
- 24 A. Yes.
- 25 **Q.** I'm just going to get you to take me through what the process was for that, like where did
- 26 those happen?
- 27 A. In the same room that we used to use for the phone calls and that, they just pull you into
- 28 there. Certain staff members would hold a towel up in front of you, but other ones
- 29 wouldn't, they'd just tell you to strip down and squat and cough.
- 30 **Q.** Squat and cough?
- 31 A. Squat and cough.
- 32 **Q.** How often do you think you were strip-searched at Epuni?
- 33 A. 10 to 15 times.
- 34 **Q.** How did the strip-searches make you feel?

- 1 A. The first few really awkward, but then just become like having toast for breakfast, it was
2 just normal.
- 3 Q. What were the other boys like at Epuni?
- 4 A. There were some, there were some that were quite aggressive, quite violent, quite
5 intimidating, they want to make a name for themselves and then you got the ones that just
6 kind of follow suit. So it's just a mixture of confused young people.
- 7 Q. You said that there's some that want to make a name for themselves. Can you tell me a bit
8 more about that?
- 9 A. Talking about 14, 15 year old guys -- children that have got facial tattoos, gang signs on
10 their face and everything, they're not hiding from anything, they're ready for the life of
11 being in the system. So they're going to take your shoes, take your jacket, take your food,
12 take whatever they want.
- 13 Q. So when you say that they take your food and your jacket, were those things happening to
14 you?
- 15 A. The -- no, there was some problems with some shoes, but, yeah, they didn't get them.
- 16 Q. So what were your interactions with those boys like?
- 17 A. I kind of stayed away from them. I tried to stick to myself, I got dragged into some stuff
18 and that, and, yeah, ended up getting beaten up for it. Yeah, they were pretty crazy people.
- 19 Q. So if another boy's beating you up in Epuni what did the staff do?
- 20 A. It was kind of -- if it was ongoing problems they'll let you fight it out so that it stops the
21 problem instead of it escalating and dragging other people into it and it going on, like so
22 they'd encourage you to fight to sort it out.
- 23 Q. They'd encourage you to fight?
- 24 A. Yeah.
- 25 Q. So what sort of things would they say when that happened?
- 26 A. "We'll just go for a win out."
- 27 Q. A win out?
- 28 A. Yeah. If you didn't really do that, you end up being picked on and sort of victimised by the
29 supervisors themselves.
- 30 Q. In your statement you talk about a small group of Pākehā residents, can you tell me like
31 that?
- 32 A. From what I can remember there was only about four or five of us white boys there.
33 Instantly I was expected to join the White Power, and because I wouldn't salute them, yeah,
34 I got beaten up for it, multiple times by the same person, just for not, yeah, not

- 1 acknowledging and saluting White Power to them, yeah.
- 2 **Q.** At paragraph 18 of your statement you've talked about some violence from a staff member.
- 3 **A.** Yeah.
- 4 **Q.** While we can't name the staff member, I was wondering if you can tell me a bit more about
- 5 that?
- 6 **A.** Yeah, that happened after an incident from the same person that I wouldn't salute to, he
- 7 attacked me from behind when we were lining up to go back to the common room and I got
- 8 separated and then pulled down the hallway and then assaulted by him.
- 9 **Q.** So you got separated by the?
- 10 **A.** By the group, from the group.
- 11 **Q.** By the staff member?
- 12 **A.** Yeah. Yeah.
- 13 **Q.** So the staff member took you down the hallway?
- 14 **A.** Yeah.
- 15 **Q.** What happened next?
- 16 **A.** Basically manhandled me up against the wall, everything that I was doing he was telling me
- 17 to stop doing but he was making me do it. So it's like screaming "stop resisting" while he's
- 18 thrashing me around when I wasn't resisting, yeah, and he smashed my knee through the
- 19 wall.
- 20 **Q.** And you talk about the damage that caused and the punishment for that, can you tell me
- 21 about that?
- 22 **A.** Yeah, in Epuni I think, I can't remember the exact amount, but we used to get pocket
- 23 money. I think we were allowed to spend \$5 and save \$5 so that when we got out we had
- 24 money, but if any damages occurred in the residency while we're there they'd take it from
- 25 our money. So they just took my money.
- 26 **CHAIR:** Was that for having your knee smashed through the wall?
- 27 **A.** For the damages done to the wall, yeah.
- 28 **QUESTIONING BY MS HILL CONTINUED:** So you had to pay for the damage to the
- 29 property?
- 30 **A.** Yes.
- 31 **Q.** Were there other times when you had problems with staff members?
- 32 **A.** There was -- well, it varied really, like you could have problems with them just because
- 33 they were having bad days, we having bad days like not, yeah, not really.
- 34 **Q.** In your statement at paragraph 20 you talked about drugs at Epuni.

- 1 A. Yeah.
- 2 Q. Can you tell me about that?
- 3 A. It was the first time that I'd ever snorted or anything, any prescription drugs, the first time
4 that I'd ever taken prescription drugs illegally and basically the start of marijuana, heavy
5 marijuana use was from there.
- 6 Q. In your statement you also talk about the secure unit --
- 7 A. Yeah.
- 8 Q. -- at Epuni. Can you describe the secure unit for people who don't know what that would
9 look like?
- 10 A. It's just a small corridor with cells either side and a little day room at the end, that's what I
11 can remember.
- 12 Q. And if you were in the secure unit, what does your day look like?
- 13 A. Basically locked up all day, I don't think you're supposed to be, I think you were supposed
14 to have access to the day room, but never really would do it because the supervisors
15 wouldn't let you.
- 16 Q. So what is in the room with you, when you're locked up all day, what have you got with
17 you?
- 18 A. I was -- on one of the occasions there was nothing. It was a broom, a towel wrapped
19 around a broom and put on the outside of the window so that it was darkened, so the whole
20 room was dark and the only light that you had was from the slot on the door. But in the
21 other room I think it was just basically like a concrete bed that they take the mattress and
22 the blankets out during the day.
- 23 Q. What about access to a toilet and things like that?
- 24 A. No, in one of the rooms there was no toilet, it was like it was beaten to a pulp and that was
25 the room, like if you'd really pissed them off that's where you'll get put for the first 24 hours
26 of your 72 hours.
- 27 Q. So if there's no usable toilet in that room, what are you doing for toilet?
- 28 A. There was a container for you to go pee in and you'd have to wait until they let you out to
29 go for number 2s.
- 30 Q. What about schooling while you were in the secure unit?
- 31 A. There was a school there and we were going down there to have school, but we were just
32 doing bone carvings and playing on the computers.
- 33 Q. So that's schooling at Epuni, did you do that while you were in the secure unit?
- 34 A. No, no.

- 1 **Q.** So just talking more about schooling, because you hadn't been to school for a little while
2 eh?
- 3 **A.** No.
- 4 **Q.** So you said you did bone carving?
- 5 **A.** Yeah.
- 6 **Q.** What about maths, English, those sorts of school things?
- 7 **A.** Nothing.
- 8 **Q.** Do you remember going to school, like sitting in a classroom and things?
- 9 **A.** Yeah, but we were all just waiting to go on the computer because there was a couple of
10 computers, and basically all just doing bone carving and that, I think, I can't remember.
- 11 **Q.** So did anything change at Epuni over the three times that you were there, did anything
12 become different for you or did you change while you were at Epuni?
- 13 **A.** I developed I suppose what you'd call jail mode, where you just, you just don't give a fuck,
14 you know, you just end up being a different -- that bad person that you know you're not
15 supposed to be ended up being the natural sensation, natural, just, you know, completely
16 different, out of your comfort zone, yeah.
- 17 **Q.** And before we talk about Whakapakari, I wanted to ask you about the decision that ended
18 up with you going to Whakapakari and how that decision was made. Was there a Family
19 Group Conference?
- 20 **A.** Yes.
- 21 **Q.** So how was the decision to send you to Whakapakari made?
- 22 **A.** The -- someone produced a brochure of people abseiling, kayaking, doing outdoor
23 adventurey-type things and things, showed my mum that and saying that that programme
24 would be the best idea for me, and she agreed to it.
- 25 **Q.** So it looked a bit like an adventure programme?
- 26 **A.** What I needed, physical, you know, the energy, the physical exertion and that, instead of
27 being cooped up, yeah, she thought it was going to be a good thing.
- 28 **Q.** So your parents thought that Whakapakari --
- 29 **A.** Yeah, they were behind it to start with, yeah, yeah.
- 30 **Q.** So you've said in your statement that you went to Great Barrier Island on
31 21 October -- sorry, 21 August 1998 and if we could just bring up document 8 please. So
32 this is from your records and it's an account of your social worker taking you to
33 Whakapakari on Great Barrier Island. And I'll just read that middle part there. "Arrived
34 Auckland 9.30 and departed on Great Barrier flight approximately 11.45, arrived Great

- 1 Barrier Island 12.30, got a taxi to Whangaparapara where the boat was waiting for Scott.
2 Was met by John da Silva and young persons, Scott knew one of the young persons,
3 discussed with John some of Scott's problems, ie A and D -- that's alcohol and drugs -- and
4 anger. John very receptive, appears to have a lot of mana. After loading stores the boat left
5 to go to Whakapakari which is about 2 miles further around the coast. I departed from the
6 Island about 4.15 pm." So you're taken by your social worker to Whangaparapara?
- 7 A. Yeah.
- 8 Q. And you meet John da Silva?
- 9 A. Yeah.
- 10 Q. What do you remember from that first meeting?
- 11 A. The whole thing was pretty bizarre. Go from -- go from the airport on to the back of a ute,
12 sitting on the back of a ute, go down to the wharf, then there's the boys there, meet them
13 and then start heading around and, yeah, started crapping myself really because I knew
14 what we'd been told was completely different to what I was seeing.
- 15 Q. So you're taken to the camp site?
- 16 A. Yeah.
- 17 Q. What did it look like to you back then?
- 18 A. Flax bushes, that's all you could see when you come around, like there was guys either side
19 of the bay doing the haka as you're coming in, really, really intimidating, echoing through
20 the hills, and then you come around and all you could see was like very Māori, like very
21 Māori, sort of flax bush with a powhiri area and all that, yeah.
- 22 Q. So when you landed, what happened next?
- 23 A. I think there was -- there was a powhiri, a quick meet and greet with everyone and then got
24 strip-searched.
- 25 Q. Who strip-searched you?
- 26 A. John da Silva.
- 27 Q. Can you tell us what that was like, or what happened then?
- 28 A. It felt really degrading to have another man grabbing my genitals and lifting them up. I
29 never expected that something like that was going to happen, so it was quite -- I was quite
30 blown away by it.
- 31 Q. Did you think he was allowed to do that?
- 32 A. I never questioned it, we can't question it, we can't say no. Like up until being an adult
33 I didn't know that it wasn't allowed, so I've gone half my life not even knowing that I've
34 been wronged.

- 1 **Q.** Tell me about the food at Whakapakari.
- 2 **A.** There wasn't much, yeah, porridge for breakfast every day, soup, fish head and fish tail
3 soup for lunch and fish for tea and vegetables for tea every night. If we didn't catch any
4 fish that day we'd just have potatoes.
- 5 **Q.** And what about showering and cleaning your clothes. Tell me about that.
- 6 **A.** Going from Epuni where we had heaps of food, access to the showers and that and going to
7 a situation where the complete opposite, no food, no access to showers, we weren't allowed
8 to shower, it was like every four days I think it was we were allowed access to clean clothes
9 and to shower and to brush our teeth.
- 10 **Q.** So what are you doing each day? You've talked about the meals and obviously fishing as a
11 part of things, but describe the daily routine at Whakapakari?
- 12 **A.** We're all split off into groups, our tent groups and each group had different roles for the
13 week. There was laundry and gardening, there was fishing, there was cooking and there
14 was firewood. And you just -- you're supposed to do a bi-weekly rotation between the tents
15 so that everyone has a turn at doing everything. But that's what you do from, I think it was
16 like half past 7, 8 o'clock in the morning to about 5.30, 6 o'clock at night.
- 17 **CHAIR:** You were sleeping in tents?
- 18 **A.** Yes, sleeping in tents.
- 19 **Q.** How many in a tent?
- 20 **A.** I think it varied between like five and eight. There wasn't that many. It was just a small
21 military tent, just a square tent with a pole in the middle.
- 22 **QUESTIONING BY MS HILL CONTINUED:** You've talked in your statement about the
23 toilets at Whakapakari. Can you tell me about those?
- 24 **A.** Revolting, it was truly disgusting. The faeces were like higher than ground level and there
25 was a pile of rocks outside the toilet that you drop in the toilet first to level it out so you
26 wouldn't get no splash-backs, sorry. But you had to do it, like it was truly disgusting.
- 27 **Q.** We talked before, we saw a record about your social worker dropping you off at the wharf.
28 What sort of contact did you have with your social worker once you got there?
- 29 **A.** That was the last time I seen him, and I can't remember talking to him after that.
- 30 **Q.** Can we bring up document 16 please. So this is a progress report from your social worker,
31 from your records, and I've spoken to a person who's filling in for John da Silva for a
32 couple of weeks. It says, "He reports that Scott appears to be doing well and fitting into the
33 programme. I was unable to speak to Scott directly as he was out on a field trip on the
34 other side of the Island." So we'll come back to who that person was, who they were

- 1 talking to; but what do you think that field trip might have been?
- 2 A. Might have been Alcatraz. There's no field trips from Mangati Bay, there's no field trips,
3 nothing.
- 4 Q. We'll come back to Alcatraz as well. So the person that that record refers to, there's a name
5 redacted and at this point I'll pause because we've since discovered that person has died,
6 and we've alerted the Counsel Assisting to this that the person in that record, who's filling
7 in for John da Silva, is Mita Mohi. So that's a name that Scott will use as we continue, but
8 we have confirmed that he's deceased.
- 9 **CHAIR:** That he's no longer with us, all right, thank you.
- 10 **QUESTIONING BY MS HILL CONTINUED:** So as that record says, John da Silva's gone
11 away. In that period before he went, what was it like?
- 12 A. The feeling out period for me wasn't too bad while John was there. Everyone, it was kind
13 of smooth sailing, I suppose you could say, like the supervisors had a good run on things.
- 14 Q. Just before we talk about what happened next, I guess I just wanted to talk about your
15 interactions with the other boys on the programme, what they were like towards you when
16 you first got there.
- 17 A. Yeah.
- 18 Q. So what can you remember about when you got to the Island, what were the other boys
19 like?
- 20 A. It must have been the second day or something like that I got attacked, someone tried to
21 take all my smokes and that. I was treated like shit because I was white, I was the only one.
22 For some reason they blamed me for colonialism, you know, for the white people coming
23 to New Zealand, it was all my fault.
- 24 Q. So you got attacked within the first couple of days?
- 25 A. Yeah, must have been the first 24 hours, yeah, it was -- I just got there.
- 26 Q. Was there any violence from the other boys after that?
- 27 A. Like more intimidation and stuff like that, but not so much from the other guys, because the
28 guy that had tried to take my smokes, he was the one that the supervisors would use to beat
29 the other boys up, he was like the KP sort of thing. I didn't take to him too kindly trying to
30 take my cigarettes so I fought back and then everyone else kind of jumped in and beat him
31 up. And then that kind of nullified the camp, the aggressor.
- 32 Q. So when John da Silva left, you've talked in your statement about an incident with a
33 supervisor and that's at paragraph 27 of Scott's statement. And I'll just get you to talk
34 through that incident with me. So we can't name the supervisors, so we'll just call him the

- 1 supervisor.
- 2 A. Yeah.
- 3 Q. But tell me how it came about.
- 4 A. My supervisor loved doing firewood, just loved it, he loved the chainsaw. So we basically
5 used to swap weeks with everyone so I was doing firewood basically all the time. And he
6 woke us up, it was still dark in the morning, and told us we were going to go wash our
7 clothes in the stream because that's where we done our laundry, and I was questioning it,
8 and he told me to keep my ballhead shit to myself, I told him to get fucked and then, yeah,
9 he just attacked me, yeah, crazy.
- 10 Q. What did you understand by "ballhead", what did that mean to you?
- 11 A. Being white, being Pakeha.
- 12 Q. So you said that he attacked you, can you describe that for us?
- 13 A. That was the first time that I stood up for myself against a supervisor in any form of
14 aggression, and he just let loose, headbutted me, choked me, he was screaming he was
15 going to kill me, threw me off the balcony that our tents, because we had a balcony on the
16 front of our tents, he threw me off the top of that and I landed on the back of my head, I've
17 got all the scars on the back of my head from it. Yeah, in my eyes he tried to kill me.
- 18 Q. And you talk in your statement about being knocked unconscious next to a punga tree.
- 19 A. That's where I woke up.
- 20 Q. What happened next?
- 21 A. I was just on self-defence mode. I was so confused, just didn't want to be there anymore,
22 wanted to kill myself, wanted to kill them, just didn't know how I could put the flags up so
23 that people knew. At the same time I thought it was my ticket home, so I thought, you
24 know, ride it out, I'll be going home soon anyway, but I didn't.
- 25 Q. I'll just get you to put up the next document please, that's document 15. I'm just going to
26 show you a record, Scott, that we've obtained. This is your medical history from your time
27 at Whakapakari. And it says at the bottom there, and I'll just bring that into a bit of -- there
28 we go. 10 September 1998, "shoulder painful after running into tree."
- 29 A. Yeah.
- 30 Q. Did you run into a tree?
- 31 A. No.
- 32 Q. When do you think that shoulder injury happened?
- 33 A. In a fight I think.
- 34 Q. So after this assault by the supervisor, what did you do next?

- 1 A. I was -- I went down to the filleting table, I stayed there, stayed down there, I can't
2 remember how long it was, because that was the only place where there were sharp knives,
3 that's the only place I felt safe. So I stayed there until I was hungry enough to go back
4 inside. I was just -- yeah. I ended up snapping one of the chains, taking a knife and I hid
5 that for my own protection.
- 6 Q. So you kept a knife with you?
- 7 A. Yeah.
- 8 Q. In your statement at paragraph 32 you talked about writing home to your mum?
- 9 A. Yes.
- 10 Q. Can you tell me what happened with that letter?
- 11 A. The first two letters that I wrote got ripped up and thrown in the fire because I was giving
12 too much information about what had happened at the camp.
- 13 Q. Who ripped them up?
- 14 A. Mita Mohi.
- 15 Q. What happened after he'd ripped them up?
- 16 A. Before he burned them he took my mum's address down and her name and told them if
17 I told anyone about it he was going to send his nephews around and kill her.
- 18 Q. Did he do anything else?
- 19 A. He grabbed me by the scruff of the neck and manhandled me in a little bit of a choking sort
20 of action. There was days of real bad intimidation from Mita Mohi.
- 21 Q. What sort of things would he do?
- 22 A. He made me sit knee to knee with the person, with the supervisor what assaulted me and
23 apologise to him for why his family's land has been taken. I had to apologise to him for
24 making him attack me and for making him be the one that has to leave.
- 25 Q. So one of the other things that you talked about in your statement was doing kapahaka
26 classes.
- 27 A. Yeah.
- 28 Q. And in your statement at paragraph 36 Mita Mohi had told the residents to call you
29 something.
- 30 A. Yeah.
- 31 Q. What was that?
- 32 A. My nickname was "white bread". That's what everyone had to call me, they couldn't call
33 me Scott.
- 34 Q. In your statement you talked about doing physical labour as punishment and carrying sacks

1 of stones?

2 A. Yeah.

3 Q. Can you tell me more about that?

4 A. I suppose as part of progress for the camp they use punishment as a way of making and
5 maintaining the tracks. So they'd fill up sacks, potato sacks full of stones on the beach,
6 then you run it up a track and dump it, spread it out, and then the track goes further and
7 further and that, and I think one swear word was five bags. So if you get in an argument
8 you'd just laying it out and they're just sitting there just marking lines down. I think from
9 one argument I had 70 bags of stones.

10 **CHAIR:** This was used as a punishment?

11 A. Yes, yeah.

12 **QUESTIONING BY MS HILL CONTINUED:** You talked about your parents sending you a
13 new pair of gumboots.

14 A. Yeah, my -- yeah.

15 Q. What happened with those?

16 A. My shoes fell apart pretty quick and then my parents sent me some gumboots and then they
17 were slightly too small, uncomfortable for me, I could wear them, but my supervisor took
18 them off me and gave them to this other chap who had broken down shoes, so that left me
19 with bare feet.

20 Q. You've talked about doing these sacks of rocks in bare feet?

21 A. Yeah, I done three weeks straight no shoes on the whole island doing everything,
22 everything that had to do, carry firewood, do the whole lot in bare feet.

23 Q. And what were your feet like after that?

24 A. They were screwed, they were -- yeah, I've had foot problems, I had foot problems for
25 years after that. They were cut up, they were just big masses of raw skin, it was -- yeah,
26 took a while to actually get back to wearing shoes because my feet went flat from having
27 no side supports, yeah, it was -- yeah.

28 Q. And you talked in your statement about some things that were used as threats at
29 Whakapakari.

30 A. Yeah.

31 Q. Can you tell me about that?

32 A. The supervisors would openly brag about the chaps that had to dig the graves, they would
33 openly brag about the people that had been given to the gang members, they would openly
34 brag about dumping people on Alcatraz. If you like challenged them with anything where

- 1 they felt threatened, they'd, yeah, they'd put you in a whole different realm of unsecure.
- 2 **Q.** In your statement you talked about being made to dig holes in an urupa.
- 3 **A.** Yeah, I still -- I still don't know if that's something that they've done to psychologically
- 4 affect us, or if it was actually what we were doing, like reburying their ancestors or
- 5 whatever, but they took us to an urupa and we reburied like half a person, and all took turns
- 6 and all this. And it didn't seem real, but it seemed like real enough to respect at the time,
- 7 you know, because potentially a human being. But I couldn't understand why though.
- 8 **Q.** And you mentioned a place called Alcatraz earlier.
- 9 **A.** Yes.
- 10 **Q.** Do you remember its original name?
- 11 **A.** No.
- 12 **Q.** Whangara Island.
- 13 **A.** That's Alcatraz.
- 14 **Q.** Tell me about Alcatraz?
- 15 **A.** It's not much, it' rocks, some grass, some oysters, some old fire pits, it's not much, it's not
- 16 very big. Probably about the size of this room.
- 17 **Q.** So was there any shelter on it?
- 18 **A.** No, no, you'd just be on the other side from the wind. If the wind's coming one way you'd
- 19 be on the other side.
- 20 **Q.** Right.
- 21 **A.** Yeah.
- 22 **Q.** Is there any way to wash yourself other than in the sea or anything like that, toilets?
- 23 **A.** There was no running water, there was -- most of the time at the camp there was no running
- 24 water but there's no water at all on Alcatraz, they'd give you a 20 litre container of water if
- 25 they were taking you over there.
- 26 **Q.** So in your statement you talked about being taken to Alcatraz once.
- 27 **A.** Yeah.
- 28 **Q.** Do you remember why?
- 29 **A.** No, I think it was -- it was -- there was a group that stayed behind and then a group that got
- 30 dropped off and we stayed on Alcatraz for the day, and just left to explore basically,
- 31 and -- but when we come back everyone else was all beaten up, so I'm not sure what
- 32 happened.
- 33 **Q.** What about for the time that you were there, what about things like food?
- 34 **A.** We were just cracking oysters. We had hand lines for the fishing and that, try that. Couple

1 of the Māori boys were pretty good at diving down getting mussels and kinas and that so,
2 yeah, we were just eating that.

3 **Q.** You talked earlier about sending letters to your mum and having them ripped up.

4 **A.** Yeah.

5 **Q.** But then in your statement you talked about a new supervisor that came to Whakapakari,
6 we can use his name. Can you tell me about Simon and what happened?

7 **A.** In my eyes that man saved my life. He was the first supervisor that I had that was a
8 genuine, caring person. He told me if I started playing the game, doing what I got to do,
9 he'd send a letter out for me, so I did it. I was just like if he said go that way I'd go that
10 way, if he said go that way I'll go that way. He was the only one that I ever really listened
11 to, because he was the only one that would listen to me, no-one else would.

12 **Q.** And so he sent a letter out for you?

13 **A.** Yes, he did.

14 **Q.** And you've still got those letters, don't you?

15 **A.** Yes, I do.

16 **Q.** Can we bring up document 17 please. Scott, we've agreed that I'll read them out, haven't
17 we?

18 **A.** Yeah.

19 **Q.** It's a bit hard for you?

20 **A.** Yeah.

21 **Q.** Okay. So I won't read the whole thing, but it says -- so you can see that you've named a
22 supervisor there and halfway down the page it says "You probably won't believe me but we
23 got up one morning to do washing and we don't do washing in the morning so I asked him
24 why, and he replied with 'Keep your ballhead comments to yourself' and I said 'You can
25 call me anything but not a ballhead'. He came up to me, he headbutted me, and started to
26 choke me, and when he was choking me it got to stage where I couldn't breathe and
27 couldn't see anything. Then he let me go, then he came down to camp and he was saying
28 'Don't tick me off like that or I will kill you'. And I said 'Well don't call me a ballhead'. He
29 got me in a headlock and then he pushed me down a steep hill and I have done something
30 bad to my shoulder. You don't have to believe me, but it is true." That was the letter you
31 wrote to your mum?

32 **A.** Yeah.

33 **Q.** There's a second letter that survives from that time and I can bring that up. I know how
34 hard it is for you to see that.

- 1 **CHAIR:** Scott, are you okay?
- 2 A. Yeah, nah these letters really rip me eh.
- 3 **Q.** They rip us all.
- 4 A. Yeah, it's the one thing that I've got that takes me back to that little boy that was writing
- 5 those letters.
- 6 **Q.** Yeah, they're very, very sad. If, Scott, if you feel --
- 7 A. No, I'm all right.
- 8 **Q.** If you want a break just tell me, all right?
- 9 A. No, I'm all right.
- 10 **Q.** You're very brave.
- 11 **QUESTIONING BY MS HILL CONTINUED:** I've got one more letter to get through. So this
- 12 one's -- this is the second letter, so it's addressed to your mum and dad. And you've asked
- 13 for some food because you're hungry.
- 14 A. Yeah.
- 15 **Q.** And you've described the daily programme there, so 7.45 wake up, and then PT, at 8.30.
- 16 What was PT?
- 17 A. Physical training, yeah.
- 18 **Q.** Was that -- what was that like?
- 19 A. You get up from the tent, go straight down the track, a little track to a PT grounds, and you
- 20 just do star jumps press-ups, jumping jacks, running around, just the morning wake up.
- 21 **Q.** And you've said breakfast came next and then you'd work until lunch time and then work
- 22 again in the afternoon until you had a bit of free time and then tea. And you've said that
- 23 you were getting really muscly here because the work, it says every two weeks, I'm not
- 24 quite sure, I think you're --
- 25 A. No, "Every two weeks can you send me munchies."
- 26 **Q.** Oh there you go, it carries on. A lot of your letters are seeking more food, more cigarettes.
- 27 A. Yes, I was hungry.
- 28 **Q.** Yeah, yeah. And your mum did send you food, didn't she?
- 29 A. Yeah, every two weeks, yeah.
- 30 **Q.** What happened with that?
- 31 A. They wouldn't let you take it all at the time, like my mum was sending the biggest box that
- 32 they were allowed to, that they would let her send on the plane, it would be full of
- 33 chocolates and lollies and sometimes clothing and that. And that was locked up, we were
- 34 only allowed to get to it every four days, and every four days there was less and less in

- 1 there.
- 2 **Q.** If we can go over to the next part of that letter. You've said there, "My shoes and Army
3 pants have been stolen. Can you buy some more Army pants size XL and dad's
4 steel-capped shoes because they won't let me wear my gumboots because they are too
5 small. We need a" -- I think it's a torch here?
- 6 **A.** Torch.
- 7 **Q.** "Can you send in the yellow torch with a new battery. I have been in two fights so far and
8 one involved a knife." Do you remember those fights?
- 9 **A.** Yes.
- 10 **Q.** Who had the knife?
- 11 **A.** They did.
- 12 **Q.** Was that another boy or a staff member?
- 13 **A.** Yeah, it was -- that was a resident.
- 14 **Q.** Did the supervisor see that happening?
- 15 **A.** No.
- 16 **Q.** And then at the very bottom you ask for people to hurry up and write and say that you're
17 missing your family a lot. And just go to the very bottom of that letter, thanks, or the
18 second page. Yeah, thank you. So you say you just want one more chance on the mainland
19 and that you also again ask for food, that hunger coming through again, and cigarettes,
20 more smokes. So were you allowed to smoke at Whakapakari?
- 21 **A.** Yes.
- 22 **Q.** And did your mum send you cigarettes?
- 23 **A.** Not as much as I wanted. But she did, yes.
- 24 **Q.** And in the middle of the page there you've said, "I have got sore feet from wearing no
25 shoes on stones for three weeks and the munchies" and you keep putting your order there
26 for some wine gums and some king sized chocolates. So those letters they made it to your
27 mum, didn't they?
- 28 **A.** Yes.
- 29 **Q.** Okay. And you've said how hard it is to see those letters, and not long after that you went
30 home, didn't you?
- 31 **A.** Yeah.
- 32 **Q.** What was it like going home after that?
- 33 **A.** Just because of pure timing, I suppose, I had no home after that, my parents had moved,
34 they built a house while I was in custody. So I went back not having a place. So I never

1 really felt like I should be there, I just wanted to be out, just wanted to be off. Felt detached
2 from everyone.

3 **Q.** What about your CYFS social worker, did you see them?

4 **A.** No.

5 **Q.** Did you have any other contact with CYFS?

6 **A.** No, not that I -- no.

7 **Q.** So what was life like after that point, what was life like for you?

8 **A.** Years of creating other victims by my actions while I was trying to hide from the stuff that
9 had happened for me, with the abuse and everything. Just lived on the streets basically for
10 a few years, just roaming around, didn't want anything to do with the Government, still to
11 the day I don't get nothing from them, I just don't want nothing to do with them.

12 **Q.** You've talked about some of the ongoing effects of the things that happened at
13 Whakapakari.

14 **A.** Yeah.

15 **Q.** Can you talk about what, the things like the flashbacks you've described in your statement,
16 can you tell us a bit more about those?

17 **A.** I don't know if it's part of the process of mentally getting better or whatever, but it seems to
18 be escalating as I'm digging deeper into things. So yeah, I get real bad nightmares, sweats
19 every night, yeah, when I'm under pressure and that I can't eat, can't swallow, and then that
20 makes me angrier because I want to keep trying and do it, and I've got anxieties about not
21 having food. So like we've got to have food at home or I'll just feel like, you know, just
22 things from Great Barrier.

23 **Q.** You talk about your alcohol use in your statement.

24 **A.** Yeah.

25 **Q.** Can you tell me a bit about that?

26 **A.** Yeah, I've hidden the vulnerable Scott behind the alcoholic Scott for most of my life. The
27 alcoholic Scott's more confident and safe feeling than the sober Scott. I feel vulnerable
28 being normal.

29 **Q.** Is alcohol still an issue for you?

30 **A.** I don't drink, I'm sober for years and years now, but I still struggle, like every day.

31 **Q.** What about work and education, what's that been like for you as an adult?

32 **A.** I went from being retired to be a -- I done my apprenticeship and trade as a
33 painter/decorator, I done that because my wife said that she was pregnant with a son so
34 I pulled finger and done that, because I wasn't on a benefit before that or anything. But

1 physically I can't work anymore, because the PTSD's just taken over me physically. And
2 still to the day I get no benefit, I've got no income, zero dollars, I've got nothing. Nothing.
3 I can't work, can't get a benefit, can't get ACC, can't get nothing. So it kind of leaves me
4 with one option and that's criminal, you know, but I can't do that because then my kid's
5 going to grow up without a father and it's just not worth them having their problems with
6 their kids and so on and so on.

7 **Q.** And you've talked about some other health issues that you think go back to that time?

8 **A.** Yeah.

9 **Q.** Can you tell us a bit about that?

10 **A.** The thing that stopped me from working was my arms, and then I started having issues with
11 neurological things, had lumps on the front of my brain and everything, and on the optic
12 nerves and that's just taken me out of work, can't work. Everything's just steam rolled out
13 of nothing and they're thinking that it's all PTSD.

14 **Q.** Just to cover that off, did you ever go back to school after Whakapakari?

15 **A.** No.

16 **Q.** I know that we've talked a bit about what could have been different for you, but if we can,
17 before we talk about that, is there anything else that you want to say about Epuni or
18 Whakapakari that you think is important?

19 **A.** Not really, no.

20 **Q.** When you look back at your time being involved with the State and with the youth justice
21 system, what do you think should have been different for you?

22 **A.** They should have worked together. It seemed like everyone was just catching up with what
23 was happening on the day of the court or whatever, and then we'd just get passed around
24 and wait for another day for everything because nobody's talking to each other or nobody's
25 like going through with what they said they were going to do last time and, you know, like
26 they were telling me one thing, it was because of my behaviour and my attitude and
27 everything, but then on paper now it says because we were waiting for a report, I spent
28 months in the system for nothing. I could have been at home with my parents who don't
29 abuse me, but just because they worked all day they've been accused of neglecting us.
30 I just don't understand, like they took me from a safe environment and put me in an unsafe
31 environment. How could they do that? You know, like they would have done that to heaps
32 of people.

33 **Q.** We talked earlier, we looked at that record about your social worker dropping you off at
34 Whakapakari and ringing later on but not speaking with you. If you'd had a chance to

- 1 speak to him while you were at Whakapakari, what do you think you would have said?
- 2 A. I would have told him about the assault, straight away. That's why Mita Mohi didn't let me
3 speak to him. I would have been in camp that day. There was no field trips, no nothing
4 like that. You work all day, there's no two ways about it. Especially when Mita Mohi was
5 there.
- 6 Q. As we've been talking and reflecting on your evidence, one of the other questions that has
7 come up is if your own kids ended up in a position that you'd been in in the youth justice
8 system, what would you have liked to see for them?
- 9 A. That's a hard one. I hope my kids are never in any situation like this. I'd fight tooth and
10 nail for them to be, you know, out of the system. I don't really know how to answer this
11 one, like I've really struggled with what could have been, because I don't really know what
12 could have been.
- 13 Q. That's okay. Scott, I don't have any other questions for you. The Commissioners might
14 want to have a chat with you or ask you some questions.
- 15 A. Yeah.
- 16 Q. Or some of the other lawyers here from the Royal Commission, okay?
- 17 A. Yeah.
- 18 **CHAIR:** I think we can put your mind at ease. Scott, we're not going to ask you any questions
19 and neither are the other lawyers, because this is just a place for you to tell us your version.
- 20 A. Yeah.
- 21 Q. And I want to thank you, and the most moving part of all your moving story was when you
22 said that you've hidden the vulnerable Scott from the alcoholic Scott.
- 23 A. Mmm.
- 24 Q. What you've done today is show us the vulnerable Scott, and not just us.
- 25 A. No.
- 26 Q. But through the live stream to the whole of New Zealand who cares to take attention and
27 for me that is a brave courageous thing to do.
- 28 A. Thank you.
- 29 Q. And I want to salute you for that.
- 30 A. Thank you.
- 31 Q. You've been through hell, we know that, probably more than you've even described today.
- 32 A. Yeah.
- 33 Q. And you live with the consequences, so thank you and thank you to you, Sarah, for
34 standing by Scott. And we wish you well. I hope that in the future there will be, as a result

1 of this Royal Commission --

2 A. Yeah.

3 Q. -- a place that you can go to.

4 A. Yeah.

5 Q. That you can get some form of redress and that you will be able to trust it so that you can
6 get the help you so badly need.

7 A. Yeah.

8 Q. So on behalf of the Commissioners, and all in here, thank you very much indeed, we're
9 privileged to have heard your account.

10 A. Thank you.

11 Q. Thank you. We'll take the adjournment. In fact, we will end for the day but we're early and
12 we don't have Papa Tem so if you'd mind just closing off please. We better have a waiata
13 as we normally do.

14 **COMMISSIONER ERUETI:** Ko te mea tuatahi, ko te mihi ki te kaikarakia tēnei ra a Ngāti
15 Whātua nāna te mana o te karakia i kawea a tū nei. Ko te mea tuarua, ngā mōrehu kua tae
16 mai ki te tuku kōrero ki mua i te Kōmihana, tēnei te mihi nui ki a kōrua, ki ngā kaiārahi, ki
17 ngā kaimahi i te reo rotarota, i ngā roia, i ngā iwi katoa, i ngā kaimahi o te Kōmihana, tēnei
18 te mihi nui ki a koutou katoa. So we're just going to close with a waiata and a karakia. So
19 we're just going to close with a waiata and a karakia. I have no idea what our waiata is.

20 **CHAIR:** Our waiata is Te Aroha. Would you all stand for the waiata.

21 **[Waiata Te Aroha, Karakia by Commissioner Erueti]**

22 **Hearing adjourned at 3.20 pm to Tuesday, 11 May 2021 at 10 am**

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