

**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
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TRANSCRIPT OF PROCEEDINGS

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1 **10 MAY 2021**

2 **[9.57 am]**

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

4 **CHAIR:** Rau rangatira ma, tēnā koutou katoa. We will start I think, Ms Toohey.

5 **MS TOOHEY:** Yes, mōrena.

6 **CHAIR:** Mōrena.

7 **MS TOOHEY:** We have the first witness, Mr Tyrone Marks, in the witness box whose evidence
8 is to be led by Ms Sonja Cooper who is here this morning. There is an issue that I need to
9 draw to your attention, Commissioners, which is that I seek pursuant to section 15 of our
10 general restriction order an interim order in relation to the name GRO-C
11 which is mentioned at paragraphs 18 to 23 of the written statement. Also, yes, just
12 GRO-C in those paragraphs. The reason for that is that we have
13 become aware that one of our internal processes needs to be followed in relation to that
14 setting.

15 **CHAIR:** Yes, a natural justice issue.

16 **MS TOOHEY:** Yes, through until 21 May, I believe, if that's accepted.

17 **CHAIR:** Or maybe until further order of the Tribunal might be a good idea.

18 **MS TOOHEY:** Yes.

19 **CHAIR:** All right. I don't know if anybody else has any interest or wishes to make a submission
20 on that application. No? Thank you. This is just an order that protects the rights of
21 individuals who are named in the evidence to give them an opportunity to respond where
22 there have been things said about them that could be adverse. So it's not to close down the
23 evidence, it's just to give them an opportunity to respond, following which we'll make a
24 final order. So pursuant to section 15 of the Inquiries Act, I will make an order forbidding
25 the publication of and public access to the name or any other parties likely to lead to their
26 identification. That includes an institution and an individual named in the paragraphs in
27 paragraphs 18 to 23 of the brief of evidence of Tyrone Marks. That order will be until
28 further order of the Commission and no later than I think 21 May, just to be quite clear.
29 Thank you.

30 **TYRONE JOHN MARKS**

31 **CHAIR:** And all of that legal humbug, Mr Marks, is out of the way and we can now get down to
32 the real business. So welcome to you, you're very welcome. For those who don't know,
33 Mr Marks has been with us on this journey almost from day one, so it's wonderful that
34 you're here to give us evidence today. So before you do, can I just ask you to take the

- 1 affirmation.
- 2 A. Yeah.
- 3 **Q.** I'll read it to you and you can tell me if you agree. So Tyrone, do you solemnly, sincerely,
4 truly declare and affirm that the evidence you will give before this Commission will be the
5 truth, the whole truth and nothing but the truth?
- 6 A. I do.
- 7 **Q.** Good, thank you. Welcome again to Kath Coster who's your supporter. So with that done,
8 good morning Ms Cooper.
- 9 **MS COOPER:** Tena koutou katoa.
- 10 **CHAIR:** Tena koe, and I'll leave you with the witness.
- 11 **MS COOPER:** So we'll just make sure we can hear you in the microphone Tyrone.
- 12 A. Yeah boy.
- 13 **Q.** All right.
- 14 **CHAIR:** We can hear you loud and clear.
- 15 **QUESTIONING BY MS COOPER:** Get you to confirm that your full name is Tyrone John
16 Marks and that you were born in 1960?
- 17 A. Yes.
- 18 **Q.** Just to set some context, you were in care, or at least under notice, from 1963, so from the
19 time you were a toddler, until December 1976. And in terms of your journey in care, you
20 were made a State ward on 22 May 1969 and you were finally discharged from care on 17
21 December 1976?
- 22 A. [Nods].
- 23 **Q.** That's correct, isn't it?
- 24 A. That's correct, yeah.
- 25 **Q.** Just in terms of your family, I'm going to ask you to talk a little bit about family life,
26 because that is highly relevant as to how you came into care. But can we start just by
27 noting that you're of quite mixed heritage. So from your mother's side you have English
28 and Māori?
- 29 A. Yeah.
- 30 **Q.** And from your father's side you've got Sicilian and English heritage?
- 31 A. [Nods].
- 32 **Q.** Your father actually came to New Zealand from the United Kingdom, didn't he?
- 33 A. Yes.
- 34 **Q.** You're one of a large family. And just to start us off, can you talk to us about what it was

1 like growing up in your family from your memory?

2 A. Well, growing up in a large family it's pretty out there, because we are all of similar age, so
3 there's not, you know, there's not big periods of time when another one isn't being born. So
4 I guess from my memories, you know, we were quite a busy type of family, yeah.

5 Q. Just in terms of your parents, your father's described as having a short temper and you
6 yourself report that he was violent, particularly with the older girls?

7 A. [Nods].

8 Q. You need to answer with a yes.

9 A. Yes.

10 Q. And you talk about your father being quite scrappy?

11 A. Yeah.

12 Q. Getting into fights often?

13 A. Yeah.

14 Q. And your records describe your mother as an excessive drinker. What's your memory of
15 her drinking?

16 A. No, I don't have a memory of her being an excessive drinker at all. She probably was more
17 of an occasional drinker, you know. Bear in mind I'm only quite young too, but what I seen
18 is I never seen her paralytically drunk or unable to function normally.

19 Q. So your family then comes to notice from around 1963 and is placed under preventative
20 supervision, so that's where the family's been monitored, and as you know, that's because
21 there are concerns about ill treatment of an older brother and at least one of your older
22 sisters had come to notice for stealing. And then again in 1965 the family comes to notice
23 because your parents are having financial difficulties with the large family. And at that
24 stage an application is made to help with funding.

25 So the first thing I want to look at is the records that show there was a conflict
26 between the Hastings Child Welfare office and the Head Office because the local office
27 was wanting to get a subsidy to support the family and the Head Office was saying no,
28 because your father earned too much. So the first document we're going to look at is
29 293005 and we're looking at page 1 and the first paragraph, if we can call that out. So that
30 reads "While I sympathise with the superintendent's reluctance to repay Mr Marks'
31 creditors, I feel that a society that will allow this astonishing state of affairs to arise must
32 still be prepared to see that children eat." That's what I want to just highlight. So you'll see
33 there that there had been a suggestion that your father apply for bankruptcy and it was
34 noted that he was already an undischarged bankrupt. Do you remember there being issues

- 1 **Q.** Yeah.
- 2 **A.** I have to be honest, in 1967 I'm not aware of, you know, the family, the older ones were
3 actually, you know, being taken or being watched or whatever was happening. We kind
4 of -- I didn't notice any difference at all. What I did notice is that there were people coming
5 to our home, strangers, you know, that were saying nice things and, you know, but that's
6 all, I didn't actually in 1967 realise, you know, the scale of what I know now, what was
7 happening, you know, in terms of that, so I'm unaware.
- 8 **Q.** So you first come to notice yourself in late 1967, because the Police had phoned after you
9 made a fictitious call to the fire brigade and you have a Child Welfare officer coming to
10 visit the home. One of the things I just wanted you to comment on is what the records say
11 about your parents. So, for example, in relation to your mum, she's described as "a Māori",
12 "on occasion drinks to excess". You've already commented on that. Is there something
13 else you'd like to say about the fact that she's referred to as a Māori?
- 14 **A.** Well, clearly it's said in a derogatory kind of racial sort of profiling that, you know, clearly
15 we're distinguishing that, you know, my father's of Pākehā descent and my mother's a
16 Māori, you know. And just that alone tells you that by using that term in that way that
17 they're saying that my mum's useless because she's a Māori and she drinks too much.
- 18 **Q.** And your father on the other hand is described as a "well-meaning, floundering type of
19 person, constantly in debt and in need of constant support from agencies in the
20 community."
- 21 **A.** Look, you know, again, back then I didn't know of his financial situation, I didn't know if
22 he was in debt or, you know, if he had loans or whatever. I mean we're kids, so that sort of
23 thing isn't discussed with children. So yeah, I can't really comment on that in terms of his
24 financial situation.
- 25 **Q.** So we then have you coming to notice again in January 1969, your father heads into Child
26 Welfare and is complaining about your mum, and at that stage plans are being made for you
27 to go down to Nelson. So we're now going to deal with your first placement, which we'll
28 come to. So you say that about this time you remember often being picked up by the local
29 Police. Can you talk about what that was like, because you're only little at this stage, so can
30 you talk about being picked up by the Police and what happened to you?
- 31 **A.** In 1969?
- 32 **Q.** Yes, from that time on you talk about it, so we're at paragraph 17.
- 33 **A.** I'm just checking the documents. Yes, every now and then I was picked up by the -- by
34 Police along with my younger brother.

1 around having enough to eat?

2 A. There -- look, we probably didn't have what is considered as regular meals, you know,
3 every single night. So, you know, I guess at times there probably wasn't. But on the other
4 hand, we lived in Hastings, so which is the fruit bowl of New Zealand, so whatever we
5 were short of we certainly just jumped the fences to the orchards, which had no
6 problem -- I'm not sure if they had no problem because we never got caught. And, you
7 know, we had so much different fruits to pick from, so we never -- I didn't feel that we were
8 sort of undernourished. You know, being so young, I don't have any idea of the way that
9 that actually works. I mean I wasn't starving and none of us in my home, or my memory,
10 were starving or, you know, felt inadequate, you know, we needed something else.

11 Q. And you'll see that the Hastings office made a further request to the head office in June
12 1965 and again the Head Office was refusing to provide any funding to assist with food. So
13 the next document I want to call out is the response of the local office again, so it's 293007.
14 If we can start calling out paragraph 1 page 1. So this is talking about your parents first of
15 all.

16 "I had thought I had made it abundantly clear from the very beginning that these
17 people are irresponsible. But surely we are not limiting our help to the deserving poor, time
18 and time again it is all too clear that it is the undeserving we must help, the deserving poor,
19 because they have this virtue provide their own bridge to salvation."

20 Then I just want to move down to paragraphs 4 and 5 and call those out.

21 "Preventative supervision surely has, as its main aim, the preservation of the family and all
22 the good that can accrue from family life. It is surely not acceptable for an officer working
23 with a family to take them to court unless this step became unavoidable. I am not clear
24 whether the superintendent had in mind supervision or committal when he mentioned
25 making a complaint. Legal supervision would leave the present deplorable situation intact,
26 committal for these children, all 10 of them, would be unthinkable, completely when one
27 bears in mind our lack of provision for families. I then feel bound to repeat my earlier
28 recommendation that financial assistance in the form of food vouchers be allowed."

29 And if we can just go over to the handwriting on page 2, which is on behalf of the
30 superintendent starting, "I have carefully considered your comments." And just read there,
31 "I have carefully considered your comments and those of Ms Page, but I am not prepared to
32 change the decision given."

33 And so the superintendent refused to grant the family funding and the obvious
34 outcome of that, as expected by the local office, was that the family disintegrated. So can

1 you just talk about the disintegration of your family?

2 **CHAIR:** Before you do, I'm sorry to interrupt this, but there's something really important in this
3 document and I wonder if you would just read out the whole of this justification for not
4 providing help to the family.

5 **MS COOPER:** Okay.

6 **CHAIR:** Thank you.

7 **QUESTIONING BY MS COOPER CONTINUED:** "Mr Marks receives an adequate income
8 and his first duty is to provide necessities for his family. The creditors should receive
9 consideration only after that. It is not the State's job to support a family while he pays the
10 debts. The needy family scheme was never intended to help families on an adequate
11 income who squander their substance on a highly expensive TV set, a radiogram, venetian
12 blinds and other luxuries." Actually, that's a good point, did you consider a TV set and a
13 radio and venetian blinds luxuries?

14 A. No, can I just go back to -- this is really bothering me, because I know that my father at one
15 stage, he was a labourer in what was called the PNT, which is the post office that used to
16 run the lines companies. Now, he wasn't a qualified electrician or anything to do with that.
17 And we knew, I heard my mother and others say that his wages, or whatever he was
18 getting, was inadequate in terms of the size of our family. So I remember that exclusively.
19 That he wasn't making that sort of money that's mentioned in there, you know, high wages,
20 he wasn't on high wages. And it wasn't until later, some years later, that he actually got a
21 position of, you know, doing -- working in the actual lines, you know, power lines and
22 where his earnings increased. But back then it wouldn't have still been sufficient enough to
23 cater for this large family anyway, so I'm just -- I have to bring it back, because I've seen
24 this and I don't know where they got that he was on high earnings.

25 **CHAIR:** That's why I wanted it highlighted, Mr Marks, I think it's really important, thank you.
26 Thanks for that. Sorry for calling you Mr Marks, I don't know why I became all formal
27 there.

28 **QUESTIONING BY MS COOPER CONTINUED:** So as I said, as predicted by the Hastings
29 office, the family disintegrated?

30 A. Yeah.

31 **Q.** And can you just talk about that from your memory at that time?

32 A. Well, you know, of course in 1969 --

33 **Q.** So this is 67 I think.

34 A. 1967.

- 1 **Q.** So you're 8 or 9 at this stage?
- 2 **A.** Yeah, yeah. And we'd been out doing stuff.
- 3 **Q.** Getting into trouble?
- 4 **A.** Getting into a little bit of trouble, nothing too serious, but so we -- I think, you know, we
5 might have been lighting some fires or, you know, driving someone's tractor or just having
6 fun, you know. So we get picked up and we're held in the Hastings Police Station in the
7 cells and sometimes for four, three, four, five days along with other young youths as well
8 until we appeared in court, and someone from DSW, Department of Social Welfare came in
9 and took us into their custody. So yeah.
- 10 **Q.** And you describe that in your statement as being terrifying, playing with your mind, but
11 also being the start of your institutionalisation.
- 12 **A.** Yeah.
- 13 **Q.** So why do you say that?
- 14 **A.** Because when you're very young, especially that, and you watch kind of programmes and
15 you see people getting locked up and they're usually not children, they're adults and stuff.
16 And so it was hard to imagine that this is turned around and children are being locked in
17 Police cells for, you know, one day is long enough; four or five? Yeah, that's pretty bad.
18 And you -- that was the start of me actually thinking that I need to adjust to this sort of
19 thing because I just felt that moving forward this could be a long process. And incidentally,
20 me and my brother GRO-B were in at the same time, we attempted to
21 escape through -- we managed to get a fork and we got caught trying to take the grill off the
22 window in the cell, so the great escape was avoided.
- 23 **Q.** So we're now going to deal with GRO-C, which --
- 24 **A.** Yeah, the flying GRO-C.
- 25 **Q.** Yes.
- 26 **A.** Yeah, okay.
- 27 **Q.** So we're going to call out another document which is 293010 and just the top paragraph,
28 call that up. So that says "The above-named" --
- 29 **CHAIR:** Just a moment, do we need to adjust ourselves in terms of the record? I'm seeing
30 anxious looks at the back of the room. Is it all right? Sorry, this is the bit about the
31 non-publication.
- 32 **A.** Oh this is the part where --
- 33 **MS COOPER:** Yes, it needs to be redacted for now.
- 34 **A.** Shame.

1 **CHAIR:** It's not that it's hidden, it's just held for a little while just to give them a chance to
2 answer. I'd rather get it right now than get it wrong and mess things up.

3 A. Yeah boy to that.

4 **Q.** Right, I think we've got things sorted out, that's great. Sorry to interrupt you.

5 **QUESTIONING BY MS COOPER CONTINUED:** That's all right, that's why I heralded we
6 were coming in case that needed to happen.

7 So we're just looking at that top paragraph, Tyrone, "The above-named has been
8 reluctantly accepted on a three month trial basis to [GRO-C], Nelson,
9 by, [GRO-C] Director of [GRO-C]." Just talk about how you came to
10 go there, because I know it's a source of grievance for you.

11 A. Yes. Well, this social worker came around to my home, her name I recall was Mrs Sprey,
12 she was talking with my parents and then she focused her attention on to me. She said to
13 me that "We would like to buy you some new clothes. And how would you like that?
14 We'll go into Hastings and we'll buy you some brand new clothes." I said show me the
15 way, let's go, you know, brand new clothes, I hadn't -- I don't think I ever had brand new
16 clothes that I remember. And so that's the start of the lies, because I ended up in the
17 afternoon being put in this car and I was taken to the airport in Napier, which is not in
18 Hastings, and I was put on an airplane, which I'd never ever been on an airplane before, and
19 I thought oh okay, oh well, I guess they're going the long way to get me some new clothes.
20 And I was on this plane for two, maybe three hours, and I didn't know where I was, and
21 I ended up in Nelson in a place called [GRO-C]. Nelson, I didn't know where that
22 was, I didn't know if it was -- I didn't know the difference between the North and the South
23 Island, I only knew Hastings where I lived.

24 So anyway, I thought well, it seems that I'm a long, long way from Hastings and
25 perhaps they don't have my size in Hastings, so I was put in this [GRO-C] and when
26 I got to the airport I was picked up by these [GRO-C]. I'd seen [GRO-C] before
27 because, you know, my dad was a [GRO-C] and he was, you know, quite into the
28 [GRO-C] thing and there were always, you know [GRO-C], so I wasn't
29 unfamiliar with [GRO-C]. So they picked me up and I thought jeez I must be
30 special, I'm getting picked up by the [GRO-C]. And all I had on my mind
31 was that I've travelled a long way and I must be going to be measured up shortly for some
32 new clothes. I wasn't aware that this, whatever was happening to me, had already been
33 discussed somewhere else. And so as it turns out I never got my new clothes. And just
34 quickly, I'm now 61 and I'm still waiting for these bloody new clothes which I still haven't

1 got. So there I end up in this [GRO-C] place, no-one's explained to me why
2 I'm there, what I'm doing. I'm starting to now realise that I need to get home, you know,
3 but I didn't know where I was and which direction to go home, so -- do you want me to
4 carry on?

5 **Q.** Yeah, so tell us, I suppose, what you remember the most about your brief time at [GRO-C]
6 ?

7 **A.** Okay, well, I still don't know why I'm where I am and I'm being told that this is my room
8 and this is where we eat, we don't talk where we eat, and this is the school and basically
9 nothing else. So I'm not happy about being there and I've pretty much realised that I ain't
10 getting no new clothes. So things there from the -- basically the time I arrived to the time
11 they threw me out, weren't good.

12 **Q.** And you talk about the [GRO-C] having the older boys hold you down?

13 **A.** Yeah.

14 **Q.** While you were strapped around the legs or on the hands?

15 **A.** Yeah.

16 **Q.** How often was that?

17 **A.** Pretty often.

18 **Q.** And talk about the underwear.

19 **A.** Well, this is probably the most strangest thing that I'd ever encountered as a kid. First of
20 all, we never wore underwear as kids, we wore shorts and that's it. This new thing with
21 underwear was a bit, you know, bit of a side-mare. The very first time that everyone -- it
22 kind of reminded me like something out of Pink Floyd, Another Brick in the Wall. You've
23 got all these kids lined up and they're all showing their underwear to the [GRO-C]
24 . Now if you had gold in them, you know, you haven't used toilet paper properly, then
25 they made you scrub them. And of course I always had gold in mine because I never wore
26 undies before and I guess I wasn't a professional at wiping my own bum. So every night
27 for about a week, you know, the same thing happened and I got sick of doing the scrubbing
28 business.

29 So I decided I've had enough of this, and so I -- when it was my term to throw my
30 undies I threw them in the [GRO-C] 's face and then I laughed and ran and just took
31 off because I knew what was going to happen after that. And so I was caught, held down,
32 you know, given, you know, quite a severe hiding from them, and as a result of that I let all
33 their cows out of the paddock on to the road, I smashed their [GRO-C] windows
34 and basically I was kicked out. They packed me up and threw me -- took me to the airport

1 and left me there. Of course I was delighted, but I kind of sort of didn't know where -- how
2 do I get home, where am I? So then that starts the next chapter.

3 **Q.** Yeah. So we then move on to the next chapter, so we're finished now with GRO-C
4 . So 8 May 1969 a complaint's laid that you're indigent, in other words out of control and
5 needing Care and Protection, and then you go to Epuni boys' home in the Hutt for the first
6 time. So before we deal with Epuni, you had three admissions there, so the first time
7 between 9 May and 24 June 1969, then between 2 February and 22 February 1971, and then
8 between 4 and 16 September 1973. So we're just -- because you were in lots of institutions,
9 we're just going to talk now generally about your experiences at Epuni. So talk about first
10 how you were admitted to Epuni.

11 **A.** The first time I just appeared, I went there, I'm not sure who sent me there, but I was put in
12 a secure, their secure, their secure unit.

13 **Q.** So can you describe what that was like? Just you're 8 at this time, aren't you?

14 **A.** Yeah, yeah. Given that my experiences previously in the Police cells and going into this
15 new place and straight into the secure, yeah, I had, you know, as I just said to you
16 previously, my thoughts on the future were this is what's going to happen to me. So what I
17 was thinking is I'm not quite sure, you know, why I'm here, what have I done this time?
18 And why, you know, so no-one's explained to me, you know, why I'm here and why I'm in
19 the secure and how long I'm going to be there for.

20 **Q.** And you talk about being there for a minimum of four days each time, that's your memory?

21 **A.** Yeah, yeah.

22 **Q.** What was the daily routine while you were in secure?

23 **A.** None, none at all. I stayed in that cell for all that time, I had nothing to do. I had no-one
24 come and see me, I had absolutely nothing, you know, I'm just -- I'm in no man's land, and
25 just stuck there, you know, I was -- I just wanted to go home, you know? Yeah.

26 **Q.** Did you have anything to read or did anyone come and teach you anything, any schooling?

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

28 **Q.** And did you have to go to the toilet in that room?

29 **A.** Yeah, yeah, it had a toilet.

30 **Q.** So we're just going to call out another document which is your second admission to Epuni.
31 This is when you missed the boat to Campbell Park. So if we can call out 293013 and
32 paragraph 3 page 1. So it says, "His behaviour at the boys' home in the last few days has
33 been so bad that following his absconding and influence on two other boys the manager
34 was forced to place Tyrone in the secure block to contain and detain him in one place safely

1 until his departure to Campbell Park School. Tyrone, with the assistance of another boy,
2 started a serious fire on the boys' home property, damaged a boat and trailer owned by a
3 staff member and absconded. We have no doubt that Tyrone was the leading light behind
4 these activities." So you're just 11 at this stage?

5 A. Yeah.

6 Q. Comment on that?

7 A. Well, actually what happened there, the person that's making these comments on behalf of
8 the staff member that owned that boat and that trailer had assaulted me previously and
9 I knew that he had -- that he had bought, you know, a brand new trailer and stuff, so
10 because of what he did to me I decided to burn his trailer as payback. Yeah, and the other
11 boys that were with me, I think they were horrified, but I was just showing -- and those two
12 were -- had been abused, you know, had been hurt as well, so -- but done nothing about it,
13 so I was kind of just showing them that, you know, if someone touches you then you have
14 to touch them back in some way. And so that was my way of getting back.

15 Q. So we're just going to talk about your experiences now at Epuni. The first thing I want you
16 to talk about was what the staff were like there. So we can talk about some of them by
17 name. So mention Mr Chandler, what do you remember about him?

18 A. Mr Chandler, he was quite a -- he was a housemaster there, quite a short guy, he was -- he
19 was known as Chingy, we called him Chingy because he apparently was a black belt in
20 either judo or karate. He wore like Roy Orbison, if anyone knows Roy Orbison, big thick
21 glasses, and he had a wicked temper, and he would be always disciplining the boys that
22 were in the home that upset him, which didn't take much. And so, you know, I'd seen him
23 so many times just whacking boys and putting them over his knee and, you know, pulling
24 them by the hair and all sorts of things. I had probably a number of incidents with this guy
25 and, yeah, I kind of laughed at the guy because he just -- he was -- I've never met anybody
26 that was so, you know, that went off for just the smallest of things and he'd be whacking
27 people so hard that his glasses would fall off and, you know, yeah, so that's -- but he had a
28 bad temper and he was always, you know, sort of an angry guy.

29 Q. Then you talk about an uncle being there?

30 A. Yeah.

31 Q. What was your experience with your uncle?

32 A. Well, you know, my uncle he was, you know, he was quite violent towards us, he
33 was -- because life for his side of his whanau, you know, they were, you know, never got in
34 trouble, they never wanted for anything, they weren't poor and because we were related and

1 we were the opposite, he treated us just like that, you know, he discriminated against us,
2 family members, and he was well-known to discipline me in quite a severe way.

3 **CHAIR:** Can you just bring your microphone forward a wee bit? We're just having trouble. We
4 don't want to miss out on anything here.

5 A. Okay.

6 **Q.** That's better.

7 A. Is that better?

8 **Q.** Yes, thank you?

9 A. Yeah, so where were we at?

10 **QUESTIONING BY MS COOPER CONTINUED:** So you were saying about your uncle and
11 he said things to you, calling you useless like your family and that you were going to be
12 locked up.

13 A. Yeah.

14 **Q.** So this is when you're still a little boy.

15 A. Yeah.

16 **Q.** Talk about the school teacher also.

17 A. Yeah. I only had one or two experiences with this guy, but what I seen him, he was
18 physically almost always violent towards other children and I mean severely violent, you
19 know, he'd use his fists, punch, whatever, and for the smallest of things. He had what I
20 would call an extreme, you know, extreme -- extremely demented in terms of his
21 behaviour. And yet I always wondered, is this the sort of -- I've never met a teacher like
22 that before. This was one of a kind, believe you me, yeah.

23 **Q.** Then you talk about Mr Bartle who's another staff member you can name.

24 A. Yeah.

25 **Q.** So what do you remember about Mr Bartle?

26 A. He -- this guy, I think he was a senior, he was a senior housemaster at the time. He also,
27 you know, he was pretty horrible as well in terms of, you know, name-calling and different
28 things. He was quite handy with his fists and wrestling people, including myself. He
29 would use derogatory terms, racism, in my case he called me a tar baby, you know, he used
30 the N word quite a bit, you know, same thing, "useless" and if you swore, and I swore at
31 him one time, probably heaps of times, but this time he filled my mouth up with toothpaste,
32 you know, which was -- yeah, so, there's not a lot to really add to that.

33 **Q.** And did you see him treating other boys in the same way?

34 A. Oh yeah, yeah, yeah. I'd seen him with punch-ups with boys and, you know, wrestling

1 them. Of course I also seen him get knocked over as well and, you know, that's the sort of
2 thing I liked to see. You know, I'd be the first there to, you know, stomp on him, you
3 know, whatever. But, yeah, so that's -- you know, this guy's in a senior position and I do
4 remember on some occasions, others, housemasters kind of questioning the way that he was
5 dishing out stuff, you know, he would remind them of his seniority and, you know, that
6 they are just, you know, "You're just a worker here, you don't have any power." So I'd seen
7 those sort of things every now and then and heard that, yeah.

8 **Q.** So we've talked about the staff, so a lot of violence with the staff. What were the other
9 boys like?

10 **A.** Well, you know, the thing is there's different age groups of children, you know, from very,
11 very young to, you know, 15 or maybe 16 year olds. So, you know, no-one's divided in
12 terms of your age, you're pretty much in the same, you know, although in the wings or, you
13 know, they might -- you might be in an area where there are younger ones, but that's only
14 for sleeping. But in terms of general, you know, the general workings of, you know, you're
15 all -- it doesn't matter about your age, you're mixed with from an 8 year old to 16 year olds,
16 all in the same thing. So -- and in terms of violence and that sort of thing, basically
17 anything goes. And, you know, bullying and that sort of thing is rife. We're talking like a
18 pecking order type thing. If you can fight then you're okay, you know, if you can't then
19 you're not okay. And so in terms of bullying and that sort of behaviour, it's rife all the way
20 through. And that would go in, you know, any boys' home, probably girls' homes as well,
21 same thing.

22 **Q.** So you talk about there being a kingpin there.

23 **A.** In Epuni.

24 **Q.** In Epuni.

25 **A.** Yeah, yeah.

26 **Q.** So just kind of explain what that role was in terms of the hierarchy?

27 **A.** Well, you know, the -- I suppose the best way for me to describe it is using this as an
28 example. Let's just say Coral Shaw here, she's the Chair, so she's the leader, okay? If she
29 decides that this person down here or that person over there needs to be punished, or
30 whatever reason, well, she's the boss, she's the toughest and she'll have followers that
31 would be under her or -- and so that's how that works. But that works in every single
32 institution is the same thing.

33 **Q.** And what was the staff relationship with the kingpin?

34 **A.** Usually they had a relationship in terms of, you know, obviously the staff could most

1 probably give instructions and this person over there and that person over there's not toeing
2 the line, perhaps you should get involved and kind of sort it out. That's, you know, that's
3 that role. It's kind of favouritism, you know, which is rife through this, the whole thing.

4 **Q.** You talk about having to do lots of personal training or PT at Epuni.

5 **A.** Yeah.

6 **Q.** So that included the usual running, star jumps, climbing ropes, having medicine balls
7 thrown at you?

8 **A.** Yeah.

9 **Q.** Was that your first experience of that kind of exercise?

10 **A.** Yeah, yeah, that one was, yeah.

11 **Q.** And was it always just exercise or was it used as punishment?

12 **A.** It was -- the word "exercise" was used but it was a routine, but it was more a punishment
13 than -- it's something that they decided that you should be doing.

14 **Q.** So you talk about staff using PT as a punishment for the whole wing?

15 **A.** Yeah.

16 **Q.** And that they'd name the wrongdoer as being the cause of the PT?

17 **A.** [Nods].

18 **Q.** What happened to that person?

19 **A.** Well, put it this way, they weren't given flowers and chocolates. That person could
20 potentially be harmed and probably most probably would have been if -- it depends on the
21 circumstances or how long this PT had to, or -- had to go or how severe it was. So -- but
22 generally the person or persons involved would have to suffer some of those consequences,
23 so yeah.

24 **Q.** And you talk about the staff member in charge, you say that if boys gave up during PT he
25 would punch, knee them, give them full-on hidings?

26 **A.** Yeah, yeah, I seen that.

27 **Q.** Did that happen to you?

28 **A.** No, no. I was pretty fit anyway and, you know, I could keep up and probably, you know,
29 and then when everyone was out of breath I'd be saying "Come on, let's go again", you
30 know, or "Let's do this." So yeah, it didn't affect me, you know.

31 **Q.** So you say that you were able to smoke cigarettes there?

32 **A.** Yeah, yeah.

33 **Q.** That page and onwards. How was that?

34 **A.** Well, I got quite dizzy after smoking cigarettes, of course, but the older boys were allowed

1 to smoke, and although they had to do it in front on a, you know, in front of staff, the staff
2 would just wander off and, you know, of course we weren't allowed to smoke because we
3 were too young, but when the older boys threw their smokes away we'd just pick them up
4 and there usually was half left or something and we would just smoke it. And on occasions
5 staff saw me smoking but did nothing, you know, they didn't care, I didn't care either, you
6 know. So yeah.

7 **Q.** Was that the first time you'd smoked?

8 **A.** No, I think I -- I think I participated in that on a few occasions because my mum used to
9 smoke and I used to sneak her smokes sometimes. But she wouldn't allow that, you know,
10 the rules were pretty, you know.

11 **Q.** So just, could you have reported abuse to staff?

12 **A.** Not really, because there was kind of trust issues, you know, around, you know, telling
13 people, you know, especially staff about other staff or, you know, other things that might
14 have happened to you. And I'd seen others that had done that and the results of, you know,
15 from telling.

16 **Q.** What were the results from telling?

17 **A.** Well, usually someone, either if it was by staff it was just denied, emphatically denied, and
18 if it was about another boy or bullying, then that boy was told by the staff and then the boy
19 that told would, you know, subsequently be, yeah, dealt to.

20 **Q.** So we'll move now on to Campbell Park. So you go to Campbell Park in June 1969 and
21 you're there on and off until December 1971. And you describe it as a terrifying place for
22 you where you were sexually and physically abused by staff?

23 **A.** Yeah.

24 **Q.** So can we start with the sexual abuse. So you talk about sexual abuse by the GRO-B
25 , so what happened there?

26 **A.** Well, there was an incident a night before in terms of the cottage that we were in. They
27 used to have this matron who used to wash, wash down us when we were in the shower,
28 and my privacy was, you know, as a boy growing up, I don't want to be, you know, being
29 touched and stuff by this matron, and others felt the same. So a little bit like the GRO-C
30 , I did something that was probably -- she took as inappropriate, and I got whacked with a
31 wet towel and stuff. And do you really want me to tell you what I did?

32 **Q.** Only if you want to, it's in your statement.

33 **A.** Well, she was washing me down and -- oh shit **[phone interruption]** sorry.

34 **CHAIR:** I think it's telling you to speak up.

1 A. So anyway, she was washing me down and I had enough of -- and I turned around and
2 I said -- I told her to look at this, my, you know, my manhood thing, and "Stick this in your
3 face" or something like that, you know. Anyway, she whacked me and stuff and it was
4 quite bad, it marked me up quite a bit, then sent me off to see the [GRO-B],
5 which is -- which is -- he -- I went to see the [GRO-B] the next day, so he
6 asked me what had happened and I told him and then he wanted a demonstration and
7 I went, you know, I sort of thought no, I'm not going to -- and then he started taking my
8 pants down and then, you know, he kind of made a move on me and I just pulled my pants
9 up and then just left. He didn't pursue me after that, there was nothing ever said after that,
10 but I just remembered it, you know. So that's him, and, you know, like I said, there was no
11 more, no more interaction from that [GRO-B] ever again.

12 Q. And then the worst sexual abuse you had was from Mr Drake who shifted around a number
13 of residences. So talk about that.

14 A. Well, we -- this guy Drake, he was a senior housemaster in a cottage which was called
15 cottage C in Campbell Park. Cottage C was for the younger children that were housed
16 there, and then they had a different cottages for different age groups. So he was there and
17 there were other staff as well, he mainly had the running of that cottage with those young
18 children. He was probably, turned out to be one of the probably most prolific paedophiles,
19 sexual paedophiles that I've ever known. And he did this to, you know, sexually played
20 with children in my entire time that I was in Campbell Park. And with me he had sexually
21 assaulted me many -- on many occasions, as he did with other children as well.

22 Q. So you talk about upwards of 25 to 30 separate occasions?

23 A. Yeah. That's probably minimising, but, you know.

24 CHAIR: And just to confirm, you were about 9 years old at this stage, 9, 10?

25 A. 9 maybe, 9 or 10.

26 Q. You went in in 69.

27 QUESTIONING BY MS COOPER CONTINUED: 1969, yes.

28 A. Yeah.

29 Q. And left in 1971.

30 A. Yeah.

31 Q. Would this happen in front of other children, or was it usually --

32 A. He would start it like that, you know, and then when it's bed time, which we all slept in
33 separate beds, but we had cubicles between each bed. So you had the privacy of each
34 cubicle where your bed was, so the other stuff that took place would be not in front of

1 everybody, it would be in an individual basis, so individually. And the reason I say that is
2 because we heard other children complaining, yelling and screaming and stuff, and because
3 they are our friends, you know, they're just part of this thing, and we all knew why that
4 was, and that this Drake guy just had a clear run, unsupervised for all that time. And he
5 lived in the premises, so the matron also lived in that premises. But she never ever came
6 out and attended anything unless it was her time to work or do whatever she had to do. So
7 yeah, I mean this guy had been doing this for a very, very long time, yeah.

8 **Q.** And tell me, because you also talk about photos that you saw?

9 **A.** Yeah.

10 **Q.** So just talk a bit about that?

11 **A.** Well, this guy Drake that we're talking about, he was a -- also a photographer and he had
12 his own cameras, and he had his own dark room where he developed his own films and I'd
13 seen with some other boys there were pictures that had just -- were hanging up like on a
14 line that were just -- they had obviously been there for a while because they were fully
15 developed and it was pictures of naked boys. And sort of got -- he didn't know that we'd
16 seen all those things, and so we sort of got out and -- because he always had cameras and he
17 was always taking pictures, and, yeah, so that's -- yeah.

18 **Q.** So that's going on throughout your time at Campbell Park?

19 **A.** Yeah.

20 **Q.** Then you also talk about the physical assaults by staff.

21 **A.** Yeah.

22 **Q.** Including Mr Drake?

23 **A.** Yeah.

24 **Q.** So can you just talk to that a bit?

25 **A.** Well, you know, I was, you know, I was physically assaulted on a -- what I would call a
26 regular basis, you know, slapped, you know, hit around by Drake and GRO-B by
27 and some others and, you know, in the face, in the head, you know, legs, strapped, and
28 quite severely too, you know, at times. I also, I also fought back, I just didn't stand there
29 and, you know, and let anybody just do that, I'm in fists and boots, you know. But I'm a lot
30 smaller than they are, so I'm not standing there and just letting them do this to me without
31 me giving my, you know, because my dad, one thing I know about my dad, he was a
32 fighter, and, you know, no-one ever did that to him, you know, trying to fight him, and I
33 was the same. My back's up against the wall, you know, so there's no-one, there's no-one in
34 my corner, I'm the only one in my corner. So yeah, so that's what I done, but, you know,

1 I'm small, so I'm not, you know, if I go down I get back up again. The only time I'll stay
2 down is if I'm knocked down. And so this sort of violence is, you know, is quite rampant,
3 especially on me, it seems to be me.

4 **Q.** I was going to call out a document because there were concerns --

5 **A.** Yeah.

6 **Q.** -- at head office level about the amount of corporal punishment you were getting.

7 **A.** Yeah.

8 **Q.** So if we can call out 293015. And call out first paragraph 1. It says there, "I note with
9 some concern that since August 1970 Tyrone has appeared on your punishment return six
10 times for offences which vary from being cheeky and threatening staff to being the
11 ringleader in attempted car conversion. Punishments have varied from three to six strokes,
12 a total of 25 strokes being given over the period, although his name did not appear on the
13 return for the four months from November 1970 to February 1971, part of which was
14 school holidays."

15 Then if we can go down please to the bottom of that page 6 and then over to the
16 next page. "From the punishment returns it appears that Tyrone's behaviour is not
17 improving, that he is still not responding to the training at Campbell Park and that severe
18 corporal punishment is having no effect. It seems appropriate that his placement with you
19 should now be reviewed in an attempt to ascertain what more can be done to help him and
20 if he might be more adequately helped in another setting. Please let me have your
21 comments and suggestions for his future placement."

22 Had you seen that, or did you know there were concerns about the amount of
23 corporal punishment you were receiving?

24 **A.** Not at that time, no.

25 **Q.** And just knowing that that document was created, can you recall that things got different
26 for you at any time?

27 **A.** In terms of punishment?

28 **Q.** In terms of punishment, yes.

29 **A.** Well, you know, it was just getting more severe and more regular, and the, you know, you
30 know, the thing is that I'm -- that's my reaction from an action, from their actions, that's my
31 reaction. And the thing is, is that obviously it's not working for them, and so they get more
32 severe in the way that they're giving me this punishment. And obviously when you look at
33 these comments, it's really, really concerning to others that they're out doing this. When
34 you talk about severe corporal punishment, that means that there's no holds barred on the

1 sort of punishment that they're issuing.

2 The other thing that I laugh at is that what training? After it says that the training
3 hasn't worked. And I wonder what training that is? What is it? Abuse, sexual abuse,
4 assaults, you know, getting mistreated, is this the training that they're talking about? Oh
5 my God. And the other thing is, the punishment, it stops because now I'm on holiday and
6 that's it. So if I hadn't been on holiday, let's go back and let's do this again, you know?

7 So yeah, I was aware that, you know, I wasn't going to give in to this, you know,
8 you're not going to break my spirit because that's all you're after. You're after total
9 compliance in terms of how you decide to dish that out, and I'm sorry, but Tyrone Marks
10 doesn't buy that.

11 **CHAIR:** Tyrone, just again, out of this document, the Head Office seems to be concerned that
12 you're getting -- there's obviously a punishment record there somewhere.

13 A. Yeah, yeah.

14 **Q.** And it talks about strokes; what, was that a cane or what was that that they were using?

15 A. Well, no, it wasn't a cane, it was a strap.

16 **Q.** It was a strap, okay. So they're counting the straps?

17 A. Yeah, it's common.

18 **Q.** And so I get that, and that's in a register and Head Office is looking at it and commenting
19 and saying it looks as though it's too severe and it's not working.

20 A. Yeah.

21 **Q.** You've talked about other forms of punishment. Smacks, fists?

22 A. Whacks around the -- yeah, fists, you know, wrestling to the ground, arms up your back,
23 you know that sort of stuff.

24 **Q.** Do you know if they were recorded in any register?

25 A. No, no, I don't think so. I'd seen that happen many times and I don't think there was anyone
26 around to umpire it and write those sort of things down. Things like this, obviously it's
27 different, I don't know, you know.

28 **Q.** I think the point I'm trying to ascertain here, I think it's reasonably obvious, that Head
29 Office thought that the straps you were getting, which might have been in policy at that
30 time, you know, standard practice, that was too severe, but it wasn't even taking into
31 account all the other treatment you were getting.

32 A. Mmm.

33 **Q.** Would you agree with that?

34 A. Yeah, yeah, I'd agree with that, yeah.

- 1 **Q.** Thank you.
- 2 **A.** And I was such a lovely guy. [**In jest**]
- 3 **Q.** Quite obviously.
- 4 **QUESTIONING BY MS COOPER CONTINUED:** So you've mentioned that you saw this
- 5 happening to other boys as well.
- 6 **A.** Yeah.
- 7 **Q.** And was it, you know, would you say that it was frequent or was it -- like was it every
- 8 week or was it just every now and again?
- 9 **A.** Oh no, it was very frequent, it was frequent, yeah. Again, if you're talking, you know, the
- 10 different age groups, so, you know, there's, you know, some different, you know, I seen it
- 11 at school, you know, at the school, wherever, it just happened. And Campbell Park
- 12 particularly there was I think pretty much over 120 boys there at any given time, so you had
- 13 the very youngest, then the juniors and the seniors, so yeah. It was quite a big
- 14 establishment.
- 15 **Q.** So you talk about one staff member filling your mouth with shaving cream as punishment
- 16 for swearing?
- 17 **A.** Yeah. I deserved that, because I challenged them and I liked that guy, he was a new
- 18 teacher, yeah, so I deserved that, I take that.
- 19 **Q.** So what were the other boys like there?
- 20 **A.** Again, you know, as we just previously talked before, you know, it's the same, the same old
- 21 same old, you know. There's the tough -- there's the toughest, there's the tough and then
- 22 there's the not so tough and then there's the weak, and so if you fit into one of those
- 23 categories, that's how it works.
- 24 **Q.** So you talk about being regularly punched, hit, kicked, slapped by other boys?
- 25 **A.** Yeah.
- 26 **Q.** And that you'd have the odd bleeding nose, scrapes, bruises?
- 27 **A.** Yeah.
- 28 **Q.** Do you agree that by that stage violence just seemed normal to you?
- 29 **A.** Yeah, totally, yeah.
- 30 **Q.** So there are a couple of other things that we'll talk about about Campbell Park and then it
- 31 might be sensible then to take the break. So you talk about being placed on a trial of
- 32 amphetamine drugs while you were at Campbell Park, just talk about that?
- 33 **A.** Well, I'm glad we come to this. You know the other word to amphetamine what it's called
- 34 now, it's methamphetamine. So you take away the word "meth" and it's pretty much the

1 same thing. It's -- I don't know who the hell authorised, or who gave consent for me to be
2 having drugs, because I know my parents didn't give consent, they gave consent only to
3 immunisation stuff, vaccinations, things like that. They didn't consent to me being put on
4 drugs. And so I mean I'm having no choice, they're giving me things like this sort of drug.
5 There wasn't just that, there were other drugs as well, and it was all around behaviour,
6 modifying my behaviour. Trying to keep me in, you know, you should be seen but not
7 heard, and by using these sort of drugs, that's what they done.

8 But the problem was, is that I mean you can see it in the evidence, they stopped or
9 they lowered the dose because my gums were bleeding, and, you know, there's other issues
10 concerned with this. And there's also other drugs that they're giving me. But, of course,
11 they're having no effect, they're not having the desired effect obviously so it's frustrating for
12 them.

13 **Q.** Just to kind of round out Campbell Park, you talk about it not all being bad?

14 **A.** No.

15 **Q.** That there were some good things?

16 **A.** Oh yeah.

17 **Q.** So let's finish the discussion about Campbell Park with some of the good things.

18 **A.** Yeah. The -- I mean I never seen snow before in my life and hills and mountains like that.

19 And in between not being abused and assaulted and all the other things that we've talked
20 about, there were some fond memories I have of, you know, going down in the snow and
21 having fun and also goldmining. I'm not talking like the underpant incident at the

22 GRO-C goldmining, I'm talking about real goldmining here. You know,

23 things like that. You know, it had some enjoyable experiences, it wasn't, you know,

24 this -- we can't minimise, you know, what happened there and even though I say there's,

25 you know, there's -- there are -- there were some positives out of that. And there were staff

26 there that weren't happy with what was happening, but they weren't in a -- they didn't have

27 the power to effect change. They were just low, you know, they were just like kind of the

28 labourers of, you know, a permanent staff.

29 **Q.** So before we take the break, I know you had a short -- a few admissions to Lookout Point?

30 **A.** Yeah.

31 **Q.** Which was down in Dunedin. So there were holidays in May 1970 and then May 1971. So
32 just contrast Lookout Point, your experiences there, with your experiences of Campbell
33 Park and Epuni?

34 **A.** Lookout Point is probably the only place that I never ever suffered any sort of abuse,

1 whether it be sexual or violence or anything else. That place was fantastic. And I didn't
2 want to leave there when I left. And there I was on holiday there and I managed to achieve
3 conquering Coronet Peak and the staff and the people running that institution were
4 fantastic. I had a woman, her name was -- I only knew her as Ms Perkins, who used to take
5 me in her Mini car that I didn't steal and she took me to families and things like that. It was
6 fantastic, it's like, you know, and I was -- went to camps and stuff. This place was run by
7 DSW as well. And obviously whatever they -- whatever their processes were and their
8 implementation of how they, you know, how they're going to do things, worked, you know,
9 and it's a shame that they -- the others didn't take that, you know, from -- didn't take that out
10 of their book, because -- and the people that I was around, the other boys, were happy as,
11 you know. And schooling, I had no schooling while I was there, mainly because it was
12 holiday period, but anyone that did stay there for -- they went to outside school and
13 everything was, it was just mean, it was a good place, yeah.

14 **Q.** And that's probably a good place to stop, because we're going to go on to Hokio.

15 **CHAIR:** All right, we will. Just a little question out of that. How was your behaviour, as far as
16 you remember, at Lookout Point?

17 **A.** I was lovely.

18 **Q.** Did you set anything on fire or steal anything?

19 **A.** No, no, no, I loved the place, you know, it was -- yeah, I was just taken back by it, you
20 know, it's just, you know, you're around all this other, you know, this negative and, you
21 know, there wasn't even any negative energy there, it was all positive, and fantastic, you
22 know, and I had a big smile on my face for ages, and I miss the place. And I just always
23 wondered why the other places weren't just like this. It was very small, but it was just -- the
24 staff were good, they were just out there and they looked after the children that were there.

25 **Q.** You've given us one of the first positive experiences in the last week of evidence, Tyrone,
26 and it's a good note to take a break on, we're going to take 15 minutes or so, okay with you?

27 **A.** So you don't need a whiskey now, you can just grab a coffee.

28 **Q.** Not yet, no, thank you.

29 **Adjournment from 11.26 am to 11.51 am**

30 **CHAIR:** Welcome back. Thank you Ms Cooper.

31 **QUESTIONING BY MS COOPER CONTINUED:** Thank you, Madam Chair. So Tyrone,
32 we're now going to lead off with Hokio. So you had two admissions there. First a
33 reasonably short one between 23 December 1971 and 17 February 1972. Between
34 8 January 1974 and 12 July 1974, and although it's somewhat out of place, we're just going

1 to show why you were discharged from Hokio. So if we can call out 293018 and paragraph
2 2 please. "While we may sigh with relief at Tyrone's departure, we will do so with a
3 feeling of concern and interest. Tyrone has been a client of our institution over a long
4 period of time and is as ready as he will ever be for a trial in the community."

5 Then if we can just call out the next paragraph 3. "With pressures on this institution
6 to accept admissions from the Auckland district, we have now to create vacancies and once
7 again I appreciate your willingness to take Tyrone in order for us to do this."

8 So the point there is you're being discharged from Hokio not because you've
9 finished a programme there, but because they need to let other boys in. Hokio was another
10 place that you had adverse experiences in and I should have said actually, this was one of
11 two residences, Epuni being the other one and Hokio being the second one where you gave
12 evidence in the *White* trial about your experiences there. So you start off by meeting the
13 principal, Mr North. What is your recollection of Mr North?

14 A. Well, Mr North was the, from my understanding, was the principal of Hokio Beach School,
15 so in terms of what he did there, I didn't quite understand because I seen very, very little of
16 him. So I had very little interaction with this principal.

17 Q. So you then talk about Mr Davidson. What are your memories of Mr Davidson? One of
18 your first interactions is complaining to him about your new boy's stomping which I'll get
19 you to talk about a bit further on. So tell me about Mr Davidson.

20 A. Well, Mr Davidson was actually from my very first interaction with him wasn't of
21 a -- wasn't of a positive experience. He immediately didn't -- disliked me, I don't know for
22 what reason, and so I felt, I felt a little bit concerned in terms of his actual attitude towards
23 me in the way that he spoke to me. And of course as we go along, my experiences with this
24 Mr Davidson actually turned out to actually be a lived experience in terms of what
25 I thought might happen actually did happen. Mr Davidson was -- he was very violent
26 towards me in terms of anything that I had said, which if I made a complaint about
27 something he called me a liar and then I would have had said something to him that would
28 end up in a violent altercation.

29 Q. And you talk about him punching you with closed fists repeatedly, being kned by him, is
30 that your experience with Mr Davidson?

31 A. Yeah. I -- again, I wouldn't just stand there and take it, I tried to put him on the ground by
32 tackling him. I was only small, so that kind of didn't work, that's where the -- he kned me
33 and stuff. Yeah, and --

34 CHAIR: Again to be clear, you're now about 11, 12, something like that?

1 A. Yeah, yeah. So given -- I tried to avoid and stay away from him as much as I possibly
2 could, but he is everywhere where I am and everywhere where I'm not it seemed. So that
3 sort of clash was inevitable and it played out as it was, so yeah.

4 **QUESTIONING BY MS COOPER CONTINUED:** You talk about him inciting fights between
5 the boys and watching them.

6 A. Yeah.

7 **Q.** By saying things like "So and so said you were a poof", or "So and so says he could beat
8 you up." Did you watch lots of fights that Mr Davidson had incited?

9 A. Oh yeah, a fair number. I mean this sort of behaviour would bring the crowd of other boys
10 there as, you know, it's a fight, there's another fight, and it's kind of like being in a boxing
11 ring where someone's backing this guy and the other one's backing this one, and then
12 you've got Davidson and others just, you know, standing over it and, you know, from a
13 distance, and obviously making comments and just letting it happen, yeah.

14 **Q.** You talk about him also using the older boys to beat you up?

15 A. Yeah.

16 **Q.** So how often did that happen?

17 A. Well, you know, it happened on quite a few occasions. Again, you know, you know, I was
18 always up to the challenge. A lot of the -- there's some pretty, you know, some pretty
19 strong boys that were -- that could overpower me, but nevertheless, I'd still, you
20 know -- but this is his doing, you know, and others like him. And, you know, they'll just
21 come later on to clean up whatever mess there is. But, yeah, he did nothing to intervene
22 until -- and sometimes not at all, you know, he just let the boys sort it out themselves, that
23 sort of thing.

24 **Q.** So you talk about being aware of sexual abuse, so you talk about a Māori staff member who
25 was sexually abusing boys and you saw him touching them around the genital area in the
26 showers.

27 A. Yeah.

28 **Q.** This didn't happen to you, but this staff member was physically abusive. So can you just
29 talk about that?

30 A. Well, you know, there was the staff member that I'm talking about is also a relation of mine
31 and he was well-known in the Hokio community as a paedophile and a sexual predator.
32 There was also another guy as well, but, yeah, I had walked past the showers on a number
33 of occasions and on this occasion I saw this housemaster fiddling with other boys, and the
34 response from that boy was -- he told him to f-off and, you know, kind of asking what he

1 was doing and that sort of carry on. So yeah, that's all I can really say. And, you know,
2 with that sort of thing going on --

3 **Q.** Because you also talk about Mr Ansell the cook?

4 **A.** Yeah.

5 **Q.** That he was also sexually abusing boys as well?

6 **A.** Yeah, yeah.

7 **Q.** And of course we've heard about that when one of the white brothers gave his evidence?

8 **A.** Yeah, I mean this, you know, I found out later on, you know, not when I was there,
9 that -- but while we were there this guy Ansell was regularly taking boys to his home and
10 doing things, you know, sexual things and stuff and later on in life apparently he had been
11 convicted in court before he started at Hokio, so someone never got the memo or didn't do
12 anything about this guy already being convicted of sexual abuse previously. But he still
13 was able to work in that home having that conviction.

14 **Q.** So you talk about other staff members, including your uncle who you had talked about
15 being at Epuni's now at Hokio which is where he regularly works?

16 **A.** Yeah.

17 **Q.** So how was he at Hokio?

18 **A.** Well, you know, he hadn't changed, he hadn't changed from, you know, previous
19 involvement, you know, that I had with him. You know, he was, you know, he was always
20 got in my face and saying the same stuff that he had said to me previously. He was actually
21 ashamed that I was related and that our family were poor and he had a nickname, we called
22 him bung eye because one of his eyes, one turned a little bit to the left and the other one
23 was quite straight. On one occasion we were looking on the board because we got points
24 for, you know, for good behaviour, and of course I never had many points, and he pointed
25 out to me on one occasion that look, see how useless I am? I says "What, are you talking to
26 me or are you talking to the fella next to me" because I was just making fun of his bung
27 eye. And of course I got a bit of a hiding for that, yeah.

28 **Q.** So this hiding's closed fist punches and kicks?

29 **A.** Yeah, yeah, yeah. I think I got a couple in to him too. But he's a big man anyway. You
30 know, size to me didn't matter, you know, it's just the effort really.

31 **Q.** So you talk about this new boy stomping.

32 **A.** Yeah.

33 **Q.** So that's your welcoming to Hokio by the other boys. What did that involve?

34 **A.** Well, it was usually just a number of other residents there coming into your room, usually

1 at night time, throwing a blanket over you and just into it, you know. And so that
2 happened. It happened to me, it happened to probably just about everybody that went
3 through there. And --

4 **Q.** Yeah, we've heard a lot about the sand dunes.

5 **A.** Yeah, yeah.

6 **Q.** What happened over there?

7 **A.** Same sort of thing, you know. You know, fights and different things and, you know, that
8 happened. It just kind of felt that it was just part of the, you know, welcome, welcome sort
9 of thing. I never participated in actually doing that to anybody else. I didn't think it was,
10 you know, I mean other kids were already, you know, they were already broken and
11 horrified by -- and homesick by being placed there in the first place, so I didn't -- I kind of
12 felt sorry for others and did my best to protect, you know, others, so that wouldn't happen.
13 But for some boys it was just -- it's a routine that they just followed. And I don't think a lot
14 of them really realised the actual impact on what they're doing to others. But, you know,
15 generally after that, I mean everybody's everybody, you know, you're all, you know, you're
16 sort of part of that team. There's still that pecking order, of course. But, yeah, I mean the
17 thing is there's -- the thing behind this all, there's no supervision, there's nobody watching,
18 there's staff employed in this place and they're not there, no-one's keeping an eye on things.

19 **Q.** Or they're encouraging it?

20 **A.** Yeah, or they're encouraging it, you know, there's not just -- yeah, it doesn't seem right
21 anyway, you know?

22 **Q.** I just want to call out one of the documents that records one of the incidents you were
23 involved in, that's 293019 and just that under "Brief Details" if we can call out that. So "At
24 approximately 8.20 pm Tuesday evening on the 11 of June 1974 Tyrone was involved in an
25 argument concerning some stupid play-acting during supper and out of this a fight
26 developed with a couple of others. Consequently, Tyrone was defeated and left crying,
27 while other boys stood and laughed at him, he became emotionally upset. Following this
28 he then took a piece of glass that he had in his room and inflicted several cuts to his right
29 arm which were later cleaned and dressed by me." That's Mr Davidson writing that. Do
30 you want to comment on that report?

31 **A.** Yeah, well there's a couple of things that are kind of not right in there. First is the two boys
32 we're talking about, one of them is my -- was a friend and a relation of mine and the other
33 was his friend. And we had an argument about whatever it was, I knocked the first friend
34 down and my cousin tackled me and we started fighting. I hit the table, the little table we

1 had in the room and it had a glass on there and my arm went up, you know, when we were
2 wrestling on the ground, there was no way that I cut myself, that's Davidson's determination
3 of what actually -- what he thought had happened. Because he wasn't actually there.

4 No-one -- I didn't say, you know, what, you know, we just had a fight and that's it. And
5 I ended up, you know, so I need to clarify that that's not actually the case.

6 **Q.** So you talk about being regularly and repeatedly intimidated, bullied, physically assaulted
7 by the other boys. And as you've said, it was extremely easy for boys to beat up other
8 boys?

9 **A.** Yeah.

10 **Q.** So did that go on for your entire time at Hokio?

11 **A.** It happened a lot and the reason, the reason behind it was that I was involved in so many of
12 these things, is because I was protecting other boys, and that didn't know how to fight or
13 they couldn't fight, and so I spent a lot of time, you know, in other's corners. So I didn't
14 care, you know, I'm not going to stand by and see other children that are already
15 traumatised from just being taken away from home and these other boys just, you know,
16 just for no reason at all wanting to beat them up. So, you know, if anything I took from my
17 dad was that, to fight, you know, anything, any fight, any time. And that's what I spent a
18 lot of time doing, that's why I was in a lot of fights, yeah.

19 **Q.** And you talk about it, the bullying at least, being far more severe than it had been at the
20 earlier institutions. Why do you think that was the case?

21 **A.** I think that there's a number of reasons for that, is that again, the staff in lots of ways are
22 encouraging it and not discouraging it, and there's the hierarchy thing of, you know, the
23 kingpin type behaviour and there's always challenges to different ones that are standing
24 there. And then there's also -- there are a number of children that were in these homes, all
25 of these homes, that hadn't done anything wrong to be in there. They weren't
26 criminally -- they hadn't done anything like that, it was through unfortunate circumstances
27 of -- and a lot of it came down to parents giving up their children because it was so easy to
28 do and make all these different excuses why the State need to intervene. And, you know,
29 so a lot of them didn't have that -- had any contact with any sort of criminal, they never
30 stole anything, they never, you know, it wasn't their fault, it was a break-down in the family
31 situation that a lot of them ended up in there. But you can guarantee by the time they did
32 leave they would have been fun-loving criminals, you know, and you know, not of choice.
33 So --

34 **Q.** So you had some time in secure there and I think you say it was pretty much like Epuni?

1 A. Well, the Hokio secure was actually like a dungeon, if I was to compare the secure to
2 Epuni, Epuni would be Grand Central compared to Hokio, which was they had two secure
3 units, two cells in the middle of a wing and they were just old dungeons and they didn't
4 have a toilet in them or anything, so yeah. And it seemed that unfortunately just about
5 everywhere I went I had to spend some considerable time in trying out their secure units.
6 This is what it seems, yeah.

7 **Q.** So you talk about still smoking there?

8 A. Yeah. Well, you know, Hokio, you're under 15 years old, so there's no, you know, no-one's
9 allowed to smoke. But then you've got staff and just about every single staff member
10 smoked, and so they're walking around with cigarettes and, you know, they just throw away
11 or stump out their butts and, you know, you know, the boys would find a way of -- and if
12 not you could get cigarettes in there, it's an open institution, so it's not -- it wasn't that hard.
13 So yeah. It wasn't seriously taken as a serious offence, although, you know, they did have
14 methods of catching you out if you were smoking cigarettes, but we were able to use
15 pumice and you rub it on your fingers and it takes away the smell of nicotine or anything
16 like that. So, yeah, in terms of that, you know --

17 **Q.** Then you go to, sorry, go to Holdsworth. So that's another place you have two admissions.
18 So you go there between February 1972 and about 15 June 1972, and then back there from
19 15 August for a year. Now I think, just part of the context here, is two of the staff members
20 who had abused you at Campbell Park had transferred to Holdsworth by now, and that
21 includes Mr Drake. What was your experience of Mr Drake at Holdsworth?

22 A. Well, it wasn't a very good one, given what he'd done to me at Campbell Park for that -- for
23 a long period of time. And it's not just him, it's the other guy GRO-B as well
24 who worked at Campbell Park. So we just talk about Drake then?

25 **Q.** Yeah, just don't name the other --

26 A. Oh okay, sorry. GRO-C, you're out. Okay, so when I got there and I saw John
27 Drake there, it wasn't a very good, you know, I think I immediately gapped it because of
28 the memories of, you know, I just couldn't believe it, you know, he's come all the way from
29 the South Island and happens to land in a home that I'm now being put into. I just couldn't
30 believe it, you know, so, yeah, it wasn't very good.

31 **Q.** And you talk about having some altercations with him?

32 A. Yeah.

33 **Q.** So no sexual abuse, but still physical altercations with Mr Drake?

34 A. Yeah.

- 1 **Q.** And you actually talk about one fight because you'd complained about him and we'll talk
2 about that, your complaint, where you got actually into a fight after he tried to talk to you
3 about the complaint?
- 4 **A.** Yeah.
- 5 **Q.** So this was an actual physical fight, you were both involved in a fight?
- 6 **A.** Yeah, yeah, physical fight.
- 7 **Q.** One of the punishments that seems to be unique to Holdsworth was the dog box?
- 8 **A.** Yeah.
- 9 **Q.** What was that?
- 10 **A.** Well, I mean doesn't the name speak for itself? You know, it's a dog box, and what it was
11 was a small area that they considered as their punishment for you to be in this dog box. So
12 I guess we're dogs in a box. And that's the way I always used to view it too. And they
13 openly say "dog box", you know, so -- and I spent, with others, some long periods of time
14 in this dog box. Actually I started barking like a dog too after a while.
- 15 **CHAIR:** Do you want to describe it for us? I mean there are good dog boxes and bad dog boxes,
16 I think this is one not so good.
- 17 **A.** No.
- 18 **Q.** For example, how big was it?
- 19 **A.** It would have been -- see where the computer is there, sort of by the end of that computer
20 square, maybe, a little bit less than this square.
- 21 **Q.** No more than 2 metres square?
- 22 **A.** Yeah no, no more than that. It was set by the main stairs, so they can look over the stairs to
23 see you in this box. You weren't contained, you know, it just had a line drawn where you
24 weren't allowed out of that square.
- 25 **Q.** So it had no walls or roof or anything like that?
- 26 **A.** No, it only had one side, two sides, this side of the building at the front of the building and
27 the side of the steps.
- 28 **Q.** So is it a corner?
- 29 **A.** Yeah, yeah, it's sort of like a triangle in there, but it was still done in a box, and so
30 that's -- but it was designed for, so that all the other children could see you in there and
31 make fun of you because you were in the dog box. And so that's the dog box.
- 32 **QUESTIONING BY MS COOPER CONTINUED:** So you talk about there being some good
33 staff there.
- 34 **A.** Yeah.

- 1 **Q.** One of the teacher's taking you out for rides on his motorbike?
- 2 **A.** Yeah, yeah.
- 3 **Q.** And you remember the teachers were concerned that boys would just suddenly go from
4 Holdsworth?
- 5 **A.** Yeah, they were going missing, and when they did return they weren't -- they were
6 basically zonked.
- 7 **Q.** That's because they'd been sent to the Lake Alice adolescent psychiatric unit?
- 8 **A.** Yeah.
- 9 **Q.** We'll talk about that because that was your experience as well, we're only going to briefly
10 refer to that.
- 11 **A.** Yeah, we've got to save that for --
- 12 **Q.** The next hearing, yeah. So you talk about again being regularly intimidated, verbally
13 abused, bullied by the other boys. And, as you said, you gapped it fairly soon after you got
14 to Holdsworth, and you ended up being hit by a car, didn't you?
- 15 **A.** Yes, that's -- there were seven of us that actually decided, you know, that we need to be not
16 there anymore. And the other boys that absconded with me and me with them were -- some
17 of them were being abused by Mr Drake that we're talking about, others had been, you
18 know, mistreated by other staff and by boys and so we all decided that we need to go for a
19 bike ride. And unfortunately for me I got run over from behind on that occasion, and so the
20 other boys witnessed this because they saw it as it happened. So I was severely injured and
21 they thought that I was dead because one of the boys had described that the guy had run me
22 over tried to keep going and I was stuck underneath this car. And he's described to me bits
23 of bike sticking out all through my body, you know, so --
- 24 **Q.** You had then quite a long time in hospital?
- 25 **A.** Yeah, I think I spent some four and a half months recovering. I was actually -- wasn't
26 meant to survive because of the horrific injuries that I suffered, but obviously being a tough
27 bugger that I was I managed to survive.
- 28 **Q.** You've talked about the one occasion seeing a staff member and that's when they're
29 bringing along other kids to see you as an example of what might happen if you run away.
- 30 **A.** Mmm. Okay, well, you know, given the seriousness of the accident, my parents were
31 contacted by the Police and they told them that I'd had this accident and I might not
32 probably make it through the night and that if they needed to -- they need to go and see me,
33 and they chose not to, so they didn't bother. And during my time in my worst part when
34 I -- after about a week or two when I stopped going in and out of consciousness,

1 the -- Drake, Mr Drake, he brought through a number of boys to show them what happens,
2 this is what happens if you run. And it was basically a parade and I never seen one single
3 person in all that time that I was in, that I was dying in hospital, they just left me to die by
4 myself, yeah.

5 **Q.** How old are you now, 1972, so you were 11?

6 **A.** I was just 11, yeah, yeah. This is February 197 -- January/February 1972.

7 **Q.** We're going to call out a document now that talks a little bit about this and your
8 experiences at Holdsworth. It's 293022. If we start with page 1 paragraph (a). This talks
9 about your general conduct and attitude with other boys. "Tyrone was only in Holdsworth
10 one month prior to his absconding and serious accident which put him in hospital. This
11 report will only comment on the one month before his admission to hospital. Tyrone, in his
12 usual cheeky way, used to get himself on the wrong side of the boys. He had no firm
13 friends but used to mix well if he was in the limelight."

14 Then if we can move to (b). "Tyrone gets into trouble very easily with the staff.
15 His cheeky personality is hard to accept. He will do what he is told if he thinks he is
16 getting any special attention. Will try the staff to the end."

17 And then suggestions and proposals which put this into context. "I have known
18 Tyrone since he was admitted to Campbell Park on 24 June 1969 and only the short period
19 he has been at Holdsworth. He is showing his usual behaviour pattern. He has been in
20 institutions for nearly four years now and I cannot see that we are going to show any
21 progress with this boy. I recommend that we give him a period after his release from
22 hospital to show some progress. If this fails I suggest that we ask for psychiatric help."

23 **CHAIR:** Who wrote this?

24 **MS COOPER:** This is one of the housemasters who had transferred from Campbell Park to
25 Holdsworth.

26 **CHAIR:** But who won't be named.

27 **MS COOPER:** He won't be named, this is one of the two, then we get down to Drake at the
28 bottom who can be named. So if we can just pull up, "Tyrone has always been a problem
29 but at Holdsworth he is even more so, being so close to town. Then like -- the unnamed
30 staff member -- I have had Tyrone for the past four years and so far we have made very
31 little impression on him. At the best all we are offering him is custodial care during the
32 periods that he condescends to remain with us."

33 And over the page please, "Various forms of medication have been tried without
34 much success and I think that the time is fast approaching when we will have to consider

1 psychiatric care." Then that last paragraph, "The only other alternative is psychiatric
2 hospitalisation, where the answer to his problem might be found." And we see that's signed
3 by Mr Drake who at that stage is the acting principal.

4 So these are two staff members who've abused you and who are commenting on you
5 at Campbell Park now at Holdsworth. The reason for highlighting that document is
6 because not long after you get back to Holdsworth you go to Lake Alice Psychiatric
7 Hospital on 15 June and then you go back there again in 1973. And as I say, we're not
8 going to talk about that because that's the subject of another hearing, but suffice it to say
9 you had lots of horrific experiences there. The importance, though, is during this time you
10 and some of the other boys spoke to a staff nurse about Mr Drake, didn't you?

11 A. Yeah.

12 Q. So what did you say and what do you understand happened?

13 A. We talked about Drake, and GRO-B some others, but particularly about Drake's
14 predatory and sexual paedophile behaviour, and that the nurse that took down those notes
15 had sent them back off to Holdsworth itself. So this letter was kept obviously internally
16 and shared with Drake, because he hit me up directly about the complaint that I'd made.

17 Q. And that's the fight you're talking about?

18 A. Yeah.

19 Q. But did anything change from your perspective?

20 A. No, nothing, nothing, it was kept internal and, you know, nothing come from it at all. I
21 think from memory we were just liars.

22 Q. And has that complaint that you made ever shown up on any file you've seen?

23 A. Negative, no.

24 Q. So just want to head back to -- so we're moving on in terms of timeframe, but in 1973 it's
25 clear that Holdsworth is having an issue about taking you back there. So if we can call out
26 the next document, 293023, and page 1, if we can just call out the bottom part of paragraph
27 2 please from the "I feel". "I feel that we should have been consulted -- this is about you
28 coming back -- as in my opinion to return Tyrone to the institution without alternative
29 arrangements being firstly pursued ignores the factors firstly that he has already spent close
30 on four years in our institutions, and secondly, that we should be looking towards
31 alternative arrangements for the not too distant future."

32 Then to the first part of paragraph 4 please. "After four years of institutional
33 training Tyrone has made some progress, be it very little, and now we will need to be
34 seriously considering his return to the community." And then down to 6 please from

1 "I envisage." "I envisage that this boy will at least have to spend another 12 months in this
2 institution, bringing the total years of residence in institutions up to five. I do not believe
3 that Tyrone can be simply written off as having to spend the rest of his life within the
4 confines of an institution." Were you aware at all that there were concerns about you being
5 in Holdsworth?

6 A. No, not at all. They didn't share these things that they've written about, they didn't share
7 those directly with me, or even my parents.

8 Q. So then we've got you briefly going back home, things not going well, you have your third
9 admission to Epuni, then you have an overnight placement at Hamilton Boys' Home where
10 you stay in the secure unit before being transferred to Ōwairaka which was in Auckland
11 with another boy. And you all tried to get away?

12 A. Yeah.

13 Q. You were caught, weren't you?

14 A. Yeah, yeah. It was only my brother and our friend that got away.

15 Q. And you've said that when you were caught the staff member punched and kneed you up
16 against the van?

17 A. Yeah.

18 Q. So then you had two admissions to Ōwairaka, so a month, 5 June 1975 and 3 July, and then
19 again for four days in 1976. So just very briefly, what was your experience like of
20 Ōwairaka?

21 A. Well, you know, it was -- I spent all my time in the secure when I was there. I think only
22 on one occasion I actually spent in the open, out in the open, which I'm pretty sure I just
23 gapped it. So that was the end of me being in -- it's just been secure all the time, yeah.

24 Q. You talk about having to do that intense PT again?

25 A. Yeah.

26 Q. But the rest of the time you're in your cell?

27 A. Yeah.

28 Q. Anything to do, given anything to do?

29 A. No nothing, nothing. And, you know, I think there was pretty much 10 to 12 cells there and
30 they were all full, and I'm pretty sure that the last time, the longest period I was there were
31 doubled up, so, yeah, nothing to do.

32 Q. And then you go to Kohitere which is your last stay in your long placement history, so
33 you're there from July 1975 to December 1975. So again, we'll talk about your experiences
34 there, conscious of the time, so we'll go through. So again, you've got some negative

1 experiences with staff, talk about that?

2 A. Again, you know, again, staff were pretty much abusive and, you know, kind of no
3 different than other institutions. You know, psychological, mental, psychological, physical
4 abuse and, you know, just to describe it all instead of going through each thing, is pretty
5 much the same as the same. I ended up in secure there for a number of times and, yeah,
6 that's at an earlier stage. And then I worked on a farm, I was a -- I used to milk cows and
7 plough the fields and stuff, and then one day two of the main people that run the secure,
8 there were two older guys, I decided that -- I used to watch them, because they were pretty
9 mean to everyone that went through the secure block, so I thought I need to catch up
10 with -- I need to square up with these two old fellas, and they reminded me of the guys on
11 the muppet show that would make up those comments and stuff.

12 So as I worked on the farm I thought that -- and they used to jump over the fence,
13 so I decided to electrify the fence, because exactly the same time they both grabbed the
14 fence and jump over it. And I hid under one of the huts and, like clockwork, they both
15 grabbed the fence at the same time and I electrocuted them. I had my hands over my mouth
16 so they couldn't hear me laughing because it was so funny. It wasn't like -- it wasn't going
17 to kill them, it's just a normal electric fence. And, yeah, so that's kind of, you know.

18 Q. And you talk about the boys being the same, so you got a blanketing again --

19 A. Yeah, yeah.

20 Q. -- when you got there. Punched, kicked, hit, stomped, regularly?

21 A. Yeah, it's just the normal, you know, what I become to see is normal sort of -- I mean look,
22 I've been in these places for years, it's nothing different, you've got power struggles and the
23 same thing. I did see some really inappropriate behaviour by boys in terms of, you know,
24 others making others do sexual, you know, sexual things that, you know, I was just most
25 disgusted by, and yeah, so --

26 **CHAIR:** You don't have to describe it in detail.

27 A. No, no.

28 Q. We've got your evidence here and we can read it.

29 A. Yeah, it's just, you know, pretty much the same old, the same old, there seems to be
30 just -- it's just the way these places are. And it doesn't mean by any means that I accept it, I
31 don't accept any of this sort of stuff, and I've always been on -- batted for the other side, for
32 the weaker, for the weaker. And that's probably why I got a lot a lot of -- involved in a lot
33 of fights because, you know, I feel sorry for people, you know? Especially others,
34 and -- but all in all, that's just so wrong, you know? It's just dysfunctional, the whole

1 system, inadequate and not fit for purpose. Unlike, you know, my description of Dunedin
2 Boys' Home at, you know, what I seen, you know, I'm not saying that others may have had
3 a different experience, but, you know, for me that had already been a number of places,
4 I just thought that, you know, someone's getting it right and the rest of it is just out of
5 control. Yeah.

6 **QUESTIONING BY MS COOPER CONTINUED:** So again, you say there were some
7 positives for you at Kohitere?

8 A. Yeah, in terms of -- I ended up, you know, working on the farm with sheep. Kohitere was
9 self-sufficient in terms of having its own milk, vegetables, it had gardens, and they had
10 sheep and, you know, I took the opportunity of being able to do some -- I worked in the
11 forestry as well, but I preferred the farming stuff. And they gave me a big massive tractor
12 and sometimes in my thoughts I was -- one time I thought well I'm going to drive this
13 tractor to secure and just smash the whole thing down, but then I wouldn't, I wouldn't be
14 allowed to drive the tractor anymore, so I decided not to do that, and that's the positives for
15 me.

16 And, you know, it's just you took what you could get, you know, I mean I'm a
17 long-term inmate of theirs, of this sort of thing, so I guess I done my time in terms of where
18 I'm standing in the system, in terms of the boys, and in terms of certain staff that may have
19 seen some abilities. And, you know, if you give me a tractor to drive and let me plough
20 fields and, you know, I can milk cows and stuff, you know, that's taking, you know, that's
21 giving me something. But still, behind it all, I'm still homesick, you know, I don't see any
22 other way out. When am I going home? When am I -- I mean when I did go home it was
23 different, I lost that contact, I lost the, you know, the family thing, it's robbed, it's gone,
24 yeah, I'm looking at my brother and sisters as strangers and they're looking at me in the
25 same light, you know? That's the cost.

26 **Q.** One thing that happened to you was that a family came, started visiting you while you were
27 in hospital with your injuries in Holdsworth?

28 A. Yeah.

29 **Q.** And they were a family that you were able to stay with on regular occasions, they sort of
30 adopted you in a way, didn't they?

31 A. Yeah, yeah.

32 **Q.** And you -- when you were finally discharged, you were able to go and live with them for a
33 while and get some schooling?

34 A. Yeah.

- 1 **Q.** I just think it's important that they kind of found you rather than the Department having
2 anything to do with that?
- 3 **A.** Yeah, yeah.
- 4 **Q.** And they became really quite an important part of your family and have continued to be,
5 haven't they?
- 6 **A.** Yeah, yeah.
- 7 **Q.** So in 1976 you were allowed to go home to your father, and you said to me that when you
8 first knocked on the door he didn't know who you were, did he?
- 9 **A.** No. He asked me who I was and I said "Well, I think I'm your son", and he goes "Oh yeah,
10 okay, come in." You know, I thought oh yeah, here we go, you know, I just felt so -- it's
11 hard to describe, you know, my own father doesn't know me, you know, so that tells you,
12 gives you some idea how long I'd been incarcerated in the system, been lost in the system.
- 13 **Q.** And just the last document in terms of your time in care that I want to refer to is 0293029,
14 so just call out the third paragraph. So first of all just noting that you're called Marks, so
15 you're called by your surname rather than your Christian name. "Marks came in apparently
16 and refused to wait to see me so he shouted obscenities and took off. With a bit of luck he
17 will get himself into borstal before long where he can be catered for." Comment on that?
- 18 **A.** Well, the writer was actually correct in terms of I did end up in borstal, and the -- just the
19 way it's written "with a bit of luck". So --
- 20 **CHAIR:** I take it this was your social worker was it, or a social worker? Who was writing this?
- 21 **A.** I'm pretty sure it was a social worker.
- 22 **QUESTIONING BY MS COOPER CONTINUED:** Yeah, a social worker.
- 23 **A.** That, yeah, because, you know, if you look through everything we've seen, the transition is
24 heading to the next stage, and --
- 25 **CHAIR:** The next stage being borstal?
- 26 **A.** Being borstal, yeah.
- 27 **QUESTIONING BY MS COOPER CONTINUED:** And essentially as soon as you hit borstal
28 social workers were recommending you be discharged as a State ward?
- 29 **A.** Yeah.
- 30 **Q.** And so that happens on 17 December 1976. So I just want to talk in the last bit of time that
31 we have really about your reflection on how your time in care has impacted on you and
32 your life going forward.
- 33 **A.** Yeah, where do I start? I mean I've had a, as so many others, it's been -- always been an
34 uphill battle in terms of just about everything, you know, in terms of employment, in terms

1 of, you know, just family life and stuff. I've -- I bought up two families and my first -- I
2 was left with four children by myself when they were very young, and I raised them by
3 myself. And I didn't want to -- for them to have anything to do with any services, so I put
4 them in this protective bubble and thank God they came through without -- I told them
5 nothing about what happened to me and my life and, you know, I just did the job that
6 I needed to do as by -- as a solo parent, and it wasn't until only a couple of years ago when
7 my friend Aaron had put out a story that my girls had picked up and they were horrified,
8 and they had asked me many questions about why I never told them, and I says "Well, I
9 want you to live your life, this is my life and you don't need to hear this stuff, you know,
10 one day", and so now they all know. So and they're, you know, we're so close, and they,
11 you know, it's taken a lot, you know, for them to hear this about, you know, their dad, but,
12 you know, they're 100% behind me. And so I -- after that then I ended up marrying
13 somebody else and I've got another couple of kids, so primarily I'm the caregiver of those
14 children as well.

15 But before that I trained as a -- to do a counselling and social work, which
16 I qualified and passed, and I also went to university in Waikato and I've got whole papers in
17 sociology, social policy and political and international relations. At the moment I do some
18 part-time work, I'm a support person and a counsellor for some media around podcasts and
19 other documentaries, but it's been hard, because of my past I can't pass vetting. It's all the
20 stuff, particularly Lake Alice, that holds me back from being able to offer my services. I'm
21 qualified just like everybody else is.

22 **Q.** You talk about that just being a barrier right up to joining the New Zealand Army?

23 **A.** Yes, well, I decided to, in 1980, to join the New Zealand Army, I was focused on being in
24 the SAS. I actually did an IQ test and failed, so that told me that I was in a good position to
25 be in the infantry. So I had been accepted and I was waiting on my medical appointment to
26 do my medical and just as I'm coming to do the medical I get a phone call from my sergeant
27 saying that "We can't -- the Wellington Head Office has said no, because you were in Lake
28 Alice." And so obviously they -- their thoughts were they didn't want someone running
29 around with a loaded gun.

30 **Q.** That had been there as a child?

31 **A.** That had been there as a child, so -- and it's been quite hard, because, you know, my
32 background and stuff, I can't even get registration, I can't get registered because, even
33 though I'm fully qualified, and some qualified more than others that have actually qualified,
34 the criteria, the posts have moved so far in a different direction. So I can just -- I just have

1 to do what I do, and that's it. I mean I'm nearly 61 and I'm still having the hustle just to get
2 through life, you know.

3 **Q.** So you talked about in terms of your family being very much splintered as a family?

4 **A.** Yeah.

5 **Q.** You haven't seen many of your siblings for much of your adult life, and four are already
6 dead?

7 **A.** Yeah, yeah.

8 **Q.** One thing that struck me about what you said is "We've all lived shitty lives, none of us
9 have prospered."

10 **A.** Yeah, that's true, yeah.

11 **Q.** But in spite of that you've brought up your own children?

12 **A.** I broke that cycle of the -- there's a cycle that, you know, this lot's gone through this
13 generation and this generation, well, I'm -- I wasn't going to let my kids go and be, you
14 know, go through that same thing as what I did, so as far as I'm concerned I broke that
15 cycle.

16 **Q.** Yeah. So I'm just going to touch very briefly on the fact that even though you've been
17 asking well, you know, part of the redress, I suppose, working with Cooper Legal since
18 2007, you're still waiting for your --

19 **A.** Yeah.

20 **Q.** -- for a final resolution. So that's still tracking on, so you've now been waiting 14 years for
21 an outcome?

22 **A.** 14 years, yeah, yeah, yeah.

23 **Q.** And I guess in the last few minutes that we have, what would you like to say to the
24 Commissioners and, I suppose, to those listening, about your experiences and what can be
25 learned from that?

26 **A.** Well, you know, I mean what's happened to me is my story is the story of my brother and
27 sister survivors out there, the similarities and the differences, we share common abuse and
28 things that happened to us. So what I want to try to put across here is that we -- there are a
29 number of us that, we just want to let the others know that haven't had the opportunity to
30 come forth and do this, that when I talk about my experience I'm talking about your
31 experience too and in terms of the life of a survivor, survivors, this system that we went
32 through and that's basically destroyed so many lives, it has to change and today we're still
33 seeing the same thing, the same practices. The name has changed but the practices are
34 exactly the same. And we need to, we need to put a stop to this now, and I'll keep fighting

1 for all my brothers and my sister survivors and everybody else until I die and --

2 **Q.** One of the comments you made, and again, it resonated with me and because it's similar to
3 some of the things other survivors have said. You've said "Healing is obviously a good
4 thing, but the abuse I've suffered is tattooed right through me. For me healing is not
5 possible because of what has happened. I still carry on, however, as normally as possible."
6 Do you want to comment on that?

7 **A.** Well, you know, I'm just being realistic. You know, some survivors will find healing in
8 different ways. And, you know, that's fine, but, you know, the kind of things that happened
9 to me and many others, it's tattooed into us, it's in, you know, we can never heal from it, it's
10 too late. But what we do need to do is move on in terms of life still does go on. There
11 is -- there's no, you know, the sort of things we've talked about should be quantified not
12 minimised, and not denied. You know, a lot of these actions in here are -- should be
13 quantified, many times over because that's exactly how they were.

14 **Q.** Thank you Tyrone. I have no further questions, I'm not sure if there are any questions?

15 **CHAIR:** Tyrone, I think you've been asked enough questions, and just to reassure you again that
16 we have read everything here, including your statement to other courts and tribunals and
17 thank you for that. I'm going to hand you over to Andrew here to thank you formally.

18 **COMMISSIONER ERUETI:** Tēnā koe, tēnā koe e hoa. Tyrone, tēnei te mihi nui ki a koe, e tū
19 ana koe ki te tuku kōrero ki mua i te Kōmihana, ānei mātou te Kōmihana, tēnei te mihi nui
20 ki a koe. Ki a koe hoki Kath, tō tautoko mō tō hoa. I don't know where to begin, Tyrone,
21 this has been a long journey, I know, and it's kind of slightly surreal sitting here and having
22 this, seeing you here giving evidence and the time that we've spent together.

23 But I think in sum I just want to express admiration I have for your persistence, for
24 all the mahi that you're doing. I know it's not just for you, it's for all survivors. I know
25 you're extremely proud of your children, and they should be extremely proud of you for
26 your persistence. Just going through it's not the first time I've seen this brief of the many
27 institutions you've been in care, but I am constantly amazed every time I look at it at the
28 number of places that you were in, like this little boy is a pinball being bounced from one
29 institution to another when you should have been in a home, and if you weren't at your
30 home then somewhere safe that was a home that was right for you.

31 So really, essential to get your kupu and words out there to the New Zealand public
32 so that they can appreciate what has been done to a little 8, 9 year old boy in these
33 institutions, but yet you know, ka whawhai tonu koe and I wish you the best for the future.

34 **A.** Thank you.

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