

Witness Name: **Hanz Josef Erwin FRELLER**

Statement No: WITN0516001

Dated: 3 May 2021

**ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE**

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**WITNESS STATEMENT OF **Hanz Josef Erwin FRELLER****

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I, **Hanz Josef Erwin FRELLER** say as follows: -

**1. INTRODUCTION**

1.1 My full name is **Hanz Josef Erwin FRELLER** was born on **GRO-C** 1974, and I am 46 years old. I am an Operations Manager at a Courier company based in Christchurch.

1.2 I was a resident at the Hebron Trust between October 1990 and September 1992. I was sexually abused by Bernard McGrath at the Hebron Trust. This is the first time I have publicly disclosed the full extent of my abuse and the impact that it has had on my life.

1.3 I am open about my abuse as a teenager. I have authored a book called Walking on Glass, which mentions that I was abused, but does not go into detail and does not disclose the full extent of my abuse. It is not anyone else's business to know all the details. However, for the purposes of the Royal Commission of Inquiry, I am sharing the full extent of my abuse. It is important to ensure that others are not treated the same as me.

1.4 The Hebron Trust was a youth ministry set-up and administered by the Order of St John of God and situated at a residential home at 187 Halswell Rd, Halswell, Christchurch. Bernard McGrath ran the organisation, along with several social workers and other employees.

## 2. MY EARLY YEARS

2.1 I was born in Christchurch, and lived with my mother, father and brother. My parents separated when I was about 2 years old because my mother [GRO-C] and my father [GRO-B]. This was in about 1976.

2.2 For a short time, my brothers [GRO-B] and I were cared for by my mother's sister, [GRO-B]. My two other brothers [GRO-B] and [GRO-B] remained in her care. Between the ages of 2 and 4 I was taken into care at Cholmondeley Home in Christchurch, but I have no real memories of this part of my life. [GRO-B]

2.3 I remember that on my 5<sup>th</sup> birthday I was living with foster parents [GRO-B] and [GRO-B] in [GRO-B] Christchurch. [GRO-B] [GRO-B]

2.4 Dad picked me up from [GRO-B] one day. Although I was told that he was my father, I did not recognise him. I then moved in with my father at a house in [GRO-C] Christchurch. We later moved to [GRO-C] in Woolston,

Christchurch and I attended Woolston Primary School from age 6 to when I was in standard 4. I was then moved to Ellesmere College and was living in [GRO-C]. Dad had met and married another woman named [GRO-B]. [GRO-B] had two kids of her own named [GRO-B] and [GRO-B].

- 2.5 We all lived together in a house in [GRO-C] for about 3 years until I was 14 or 15 years old. My brother [GRO-B] lived there too. [GRO-B]. [GRO-B] I do not know what happened but all-of-a-sudden one day [GRO-B] was no longer living with us. Up until that point we had been close because we shared a bedroom. I was never told what happened and I assumed that [GRO-B] had gone flatting.
- 2.6 After he left our family felt divided. It felt as though it was my step mum and her children, and me and dad. Dad discussed the possibility of him and I moving to Australia, but this never happened. Instead, I remember that he disappeared one day, without a word of warning. This was when he decided to move to Australia. I was 14 years old and in the 4<sup>th</sup> form at Ellesmere College.
- 2.7 I remember that day because it changed my life. I was always an early bird. On that day, I got up early as usual, I remember seeing dad's car in the driveway, and as I headed from my room (which was a sleepout) into the main house, I heard him leave. This was normal, so did not think anything of it. I continued my morning routine of walking the dog, having breakfast, and getting ready for school. I picked up my friend on the way to school and went to my classes.
- 2.8 On the way home, I was about a block away when I saw a vehicle pull into what looked like was our driveway. I remember thinking that it was strange because we never got visitors. When I got home, I was greeted by my stepmother's parents. Since they only ever visited a couple of times a year, and normally on the weekend, I was on edge wondering what had happened. All six of them were

crowded round the kitchen table, all eyes were on me and in the centre of the table was a letter.

- 2.9 Before I had a chance to read the letter, they asked me over and over if I knew where dad was. I denied knowing that he had planned to move to Australia, I wanted to protect him because it felt like us against them. I opened the letter and do not remember what it said other than "I'm sorry... Love dad." My stepmother asked me again if I knew where dad was, and I said, "he said he was going to take me." It was at that point I realised how alone I was. There was an awkward silence, and I could not take it anymore, so I left for my room (the sleepout). I could hear chatter from the kitchen, but I shut all that out and sobbed.
- 2.10 I have hardly seen my dad since he left. He came back into my life very briefly when I was in my mid-twenties. My mother also phoned me back in the days when my phone number was publicly listed in the phone book. Neither of my parents wanted to discuss how I ended up in State care. I would say that both encounters with them were fleeting.
- 2.11 My dad leaving was the start of everything changing for me. I did not want to spend time at home, I would get up and head straight to school, get home and head to the sleepout. I got fully immersed in school, but my behaviour started slipping and I started to develop a bad attitude – why should I care about them when no one cares about me? My mother, brother and now father had all left me. Since my behaviour was deteriorating, the school counsellor got involved and was a huge support for me.
- 2.12 From there, I devised a plan that I was going to go flatting, I did not want to be at home anymore. The August school holidays were coming up and I told a friend that I was going to move out. I had not been looking forward to the holidays because it meant that I would be spending a lot of time around home.

- 2.13 On the first Friday of the break, I got up early, packed my bags with my favourite clothes and bused into town. From then, it was just me, looking after myself. I thought that I would see my brother in town. I headed to Woolston, I thought he had headed there, but he had not.
- 2.14 I went back to town, hung around in the square and towards the end of the night I headed to my step grandparents' home on [GRO-C], Christchurch. I was not sure about going inside and how they would greet me. My step grandad came outside to smoke his pipe, and when he saw me, he said they had been waiting for me to arrive.
- 2.15 The next morning, I was told by my grandparent's that my stepmother did not want me back. I was happy about that, I thought I would stay with my grandparents. I ended up staying there for about 3 months.

### **3. BERNARD McGRATH - HEBRON TRUST**

- 3.1 My behavioural issues continued at my grandparents. I was stealing money from their money jar to play games at the local fish and chip shop.
- 3.2 It got to the point where they sat me down one day and told me that it was not working anymore and that they were going to organise alternative accommodation for me. I did not know what that meant, just that I was going to be sent somewhere else.
- 3.3 It was 1989, I was 15 years old, and my grandparents were looking at housing for teenagers. The places they had been looking at meant I would have been able to come and go as I pleased, and they did not want that. I am not sure who they contacted about finding accommodation for me, but my story must have been shared, because the second meeting we had involved Bernard McGrath.

- 3.4 Bernard McGrath came to my grandparents' home and told my grandparents that St John of God managed two residential homes for at-risk youths in Christchurch.
- 3.5 One was in Linwood, called Waipuna. The other was at 187 Halswell Rd, Halswell and was called Pampuri. It was the Hebron Trust. Bernard McGrath oversaw and resided at 187 Halswell Rd.
- 3.6 Although my grandparents were there, the conversation was really between Bernard and myself. Bernard told me that the Hebron Trust would like to have me at their residence [GRO-B]  
[GRO-B]
- 3.7 [GRO-B]
- 3.8 Bernard picked me up the following day in his white Mazda 323 sedan and took me into the Hebron Trust Office in the city. There, he introduced me to Laura Dickson, a Social Worker for the Trust.
- 3.9 A white Toyota Hiace van arrived at the Trust not long after I did. [GRO-B] and other Pampuri residents were in it. [GRO-B] Others in the van I later got to know as [GRO-B], [GRO-B], [GRO-B], [GRO-B] and [GRO-B].
- 3.10 187 Halswell Rd, Christchurch was a standard residential home converted for accommodation of the 7 youths and Bernard McGrath. There were four bedrooms, 2 lounges, a bathroom and out the back, two caravans and a sleepout (used as bedrooms). 187 Halswell Rd was opposite the end of Nash Rd, Halswell where St John of God Hospital was situated and where Bernard McGrath spent

two nights a week in the Monastery. He otherwise lived Mondays to Fridays in a room off the kitchen at 187 Halswell Rd.

3.11 There were other adult supervisors named Alex, Louise, Andrew, Dave, and another male (name unknown) who used to help at Pampuri.

3.12 **GRO-B** and I were the only full-time residents. The other boys could come and go from their family homes.

3.13 After a while I was moved to my own bedroom across the hallway **GRO-B**. This is when the abuse started.

3.14 I had been at the Hebron Trust for about a year, when I decided that I wanted to re-enrol at school. I enrolled at Hillmorton High School nearby. It was the early 1990's and I was 15 years old. Up until that time I had been doing the standard day programme at Hebron Trust which consisted of day visits to various places around Christchurch. It was more to keep us occupied than anything else.

#### **4. SEXUAL ABUSE**

4.1 I was on an independent youth benefit and paid \$30 of it each week to Hebron Trust for accommodation, but Bernard McGrath started to offer me favouritism over the others. He gave me extra money, taught me how to drive, extended my curfews and gave me permission to do what I liked. I was made to feel special. I got to choose the movies that I wanted to watch.

4.2 He started coming into my bedroom in the mornings to wake me up before school. This gradually developed into him standing at the end of my bed, sitting on my bed to getting undressed and hopping into my bed on the cold mornings. I knew from T.V. and movies that what he was doing was wrong, I was scared to my wits

end. Up until that point in my life, I had never experienced anything like that, I just never thought that what I'd seen on T.V. would happen to me.

- 4.3 This is when Bernard McGrath started indecently assaulting me. It started with him masturbating me and expecting me to masturbate him. The very first time he indecently assaulted me, he got up and left my room, and I was left there wondering what on earth happened. I was expected to get up and go to school afterwards. Bernard was the one who always drove me to school, so it felt like I could not escape him. I felt gross, disgusting, angry and upset. I took the sheets off my bed and chucked them on the floor. I then had a shower and scrubbed the dirtiness away. I scrubbed my body until I was red, because that was the only way I was going to feel clean.
- 4.4 From then on, it started happening once or twice a week. He would leave the room, but before he left, he would often say that "it was alright." I would cry, strip the bed, wash the sheets, and have a shower. The showers had 10-minute time limits on them, but I did not care about that, I would not leave until I wanted to, until I felt clean.
- 4.5 At the same time, Bernard McGrath started increasing the favours to me, I could see friends after school, stay later past curfew, more money, drive the car etc. Others at the residence would ask me about the favours and I was got more than them, but I just brushed it off as "I didn't know." I did not tell anyone about what Bernard McGrath was doing to me. I felt ashamed and embarrassed. He told me to keep it a secret.
- 4.6 He used to call one-on-one meetings with each of the residents in his bedroom. These were short meetings. No one else ever told me that they were being sexually abused by Bernard McGrath. I knew what was happening to me behind those doors, but I did not know about others.



- 4.7 One night after the movie and after curfew, about 18-months after this type of abuse started, Bernard McGrath asked me into his room off the kitchen and asked me to massage his shoulders. He was naked and wanted me naked too. He made me masturbate him and rub his arms and shoulders as he lay on his back. He then put a condom on himself and put a lubricant on it. As I straddled him, he sodomised me and it really hurt. It was the incident that broke me. I realised that I did not want this anymore.
- 4.8 I stopped going to school and did not complete my six-form exams, I was too traumatised. I then declined attendance at the day programme at the Hebron Trust, but I was not allowed to stay on site the entire day that I got dropped off into town and did my own thing. I stayed there for about a year afterwards. During this time, I moved out to the caravans, but this was not an escape from Bernard's abuse. There were other incidents, where Bernard McGrath sexually abused me in the caravans out the back, he would come in and masturbate in the morning. This was every 2 weeks.
- 4.9 The last incident was in the shower. I used to get up early, before everyone else and come into the main house as there was not a shower block outside at the time. It was around 6 to 6.30 in the morning when I showered, and the very last time Bernard abused me was when he hopped in the shower with me. I was at my breaking point, and I just told him to stop, right as he was trying to sodomise me again. He stopped, said nothing, and he never touched me again. By the time I hopped out of the shower, he had left, and other staff members had arrived at work.
- 4.10 It got to the point I took myself out of situations where I could be alone with McGrath. I tied string around the door of my room, acting as a lock, so he was not able to get into my room unless I let him in. He would always come in and wake me up, but I would not get out of bed until I knew others were awake.

4.11 From there I was moved into the Hebron Trust's transition house on Mathers Rd, Hoon Hay and started receiving the unemployment benefit. The transition house was designed for those in between the Hebron Trust and flatting life.

## 5. DISCLOSURE

5.1 Not long after the shower incident, within a month, Bernard was whisked away somewhere. I do not know if it was internally within St John of God, or elsewhere. All I know is that after the shower incident, he was hardly at the Hebron Trust, some of the staff members did not know where he was either.

They called a house meeting, and everyone was present, including members of the board. That is how I knew it was serious – board members did not usually attend meetings.

5.2 At the meeting Graham told us that Bernard was unwell and had been taken away because of his health. Everyone in the room was shocked, I looked around and I wondered what was going on here. It did not add up to me, I had picked up a few smarts along the way and I started to wonder if others had come forward and complained about Bernard.

5.3 Laura spoke next and said that there had been statements made and allegations of abuse against Bernard, these matters were serious and been put forward to the police. She told everyone that they were supported and could come forward if they too wanted to disclose anything.

5.4 One of original residents of the Hebron Trust said something along the lines that whatever has been said about Bernard is not true, he is "a stand-up guy" and if anyone says otherwise then they are a liar. I snapped, I could not take it and I lunged at him, knocked him to the ground and hit him a couple of times. I was taken into the office (Bernard's old bedroom) by Graham and told me to sit there and chill out. He left me alone in the room where I felt most vulnerable. I was in tears, an absolute wreck.

- 5.5 It did not take a genius to work out what had happened to me, about 10 minutes later, there was a knock on the door and Laura came in. Alex was there too. I did not want to say anything in front of Alex, so Laura asked him to leave. I told her that I was sexually abused by Bernard McGrath, and she said she was sorry. She said we would go to the police and at first, I was hesitant. We had spoken over the years, [GRO-B] and she said that it was good to be able to speak to them. I changed my mind and agreed to speak to them.
- 5.6 Laura organised for me to tell the police, she sat with me through the interview. I made a statement to the police on 21 October 1993. It was a male police officer who was investigating the matter, but I did not want to talk to him about it. I requested to speak to a female officer. I told her about the indecencies but not about being sodomised – I was not ready. I was ashamed and uncomfortable about it and I did not want to feel any worse.
- 5.7 Laura Dickson arranged counselling for me. I attended counselling weekly for two to three years.
- 5.8 At 19 years old I made a complaint to Christchurch Police. I was aware by this time that other residents had also disclosed sexual abuse by Bernard McGrath on them.
- 5.9 I think the reason I could not disclose the full extent of the abuse at that stage was because I had kept it a dark secret for so long and going from that to telling Laura and then the police in such a short time was too much. I did not feel comfortable in that setting letting it all out. On reflection, if there was a process where I could have built some rapport and trust with the interviewing officer, along with some independent advice from a counsellor (or similar), I think I would have been more likely to disclose the abuse in full.

## **6. CRIMINAL CONVICTION**

- 6.1 In 1993 McGrath was convicted in Christchurch District Court on charges of indecent assault on me. Even during the Court Hearing, I never felt ready to tell the full extent of my abuse to the public.
- 6.2 It was not until I went to therapy that I fully disclosed what happened to me. I disclosed to my therapist John Bishop during the Court case, the full extent of what happened. The case was all through the media and we would discuss what was happening.
- 6.3 Over the years I have seen the various media articles about Bernard McGrath and the charges he has faced for his sexual offending on boys at Marylands School, the Hebron Trust and overseas through other St John of God institutions.
- 6.4 I have watched, as part of Nigel Latta's Beyond the Darklands series, an episode about Bernard McGrath's offending.

## **7. HOW SEXUAL ABUSE IN CARE HAS AFFECTED MY LIFE**

- 7.1 I do not often think about how the sexual abuse has impacted me. I believe that it has shaped me and its part of the journey of how I came to be who I am today. I wonder if it had not have been for the sexual abuse whether I would have travelled the world the way I have, or whether I would have stayed in New Zealand as a sheep, following everyone else. In that regard, I truly know who I am and am proud of what I have accomplished.
- 7.2 I believe that had I not been sexually abused as a youth in care I would have completed my sixth form exams at school, and I may now have been a PE Teacher. Earlier at Ellesmere College I had admired the football coach and had

wanted to model myself on him. The sexual abuse completely changed the course of my life.

7.3 The abuse made me question who I was as a person, "who am I? What am I?" I questioned my sexuality too. The abuse shaped me as a person but being around supportive people helped me get through.

7.4 When I first went flatting, I was always very embarrassed when people asked me if I had a girlfriend and I said no, that if they ever found out about what McGrath did to me, I would be labelled gay.

7.5 Additionally, when I went flatting a new male moved in. I did not know that we were going to be sharing a bedroom. I could not share a room with him, so every night I would go and sleep on the couch.

7.6 I have authored a book about my life. It is titled *Walking on Glass*. In it I mention the sexual abuse I was subjected to but not the full extent of the abuse in detail. When drafting the book, I was mindful that my children will one day read it.

7.7 I may have achieved more in sport but no longer wanted others to have control over my life so would not respond to coaches.

7.8 I have had trust issues when considering allowing my children to attend school camps, boy scouts, drama classes etc. I did not want them to be put in a position where there was a power imbalance and no one overseeing what was going on. My ex-partner helped me overcome this fear, as she knows about my abuse. I also had trust issues in respect of the mother of my children and it resulted in our relationship ending.

7.9

GRO-B

GRO-B

7.10 Another Hebron Trust resident and close friend GRO-B GRO-C on 28 October 2005. He GRO-C in GRO-C Christchurch. This impacted me greatly because of our friendship and he had just started a new job that I had helped him get.

## 8. REDRESS

8.1 In 2003 I met with Brother Peter Burke and Michelle Mulvihill from St John of God. I told him about Bernard McGrath's indecencies on me at the Hebron Trust.

8.2 Again, I did not disclose the incident in which he sodomised me. I had buried it too deeply in my memory. I was aware that GRO-B also disclosed abuse by McGrath on him at the Hebron Trust. St John of God made a Pastoral Gesture of \$65,000 to me for the sexual abuse that I had disclosed to Brother Peter Burke.

8.3 I know that my friend GRO-B also received a Pastoral Gesture from St John of God.

8.4 I do not personally feel that \$65,000 was enough to compensate me for abuse that I suffered, but at that time I did not want to fight for more. I did not ask for anything else from St John of God nor did they offer anything further.

8.5 Although I felt believed by Brother Peter Burke and Michelle Mulvihill the redress process that followed was flawed in my opinion.

8.6 The St John of God Order did not provide further assistance in respect of financial advice. I was given a cheque and left to do what I wanted with it. It was like they were trying to get survivors paid compensation quickly to get the claims dealt-

with, so they could close their files and move on. There was no follow-up and no promises about on-going support.

8.7 I subsequently attended ACC-funded counselling.

## **9. LOOKING FORWARD**

9.1 I believe that the \$65,000 would have improved my life if I had had been given some financial life skills. Instead, two days after I received the money, I left the country.

9.2 After I received the money, I never heard from St John of God again. At the time I did not really want to hear from them again. I was hoping that that chapter of my life could be closed. Being a little older and wiser now, I believe that St John of God could have been more genuine in their pathway to healing process.

9.3 A genuine apology and confirmation that changes had been made to ensure that abuse of children and young people in St John of God care could never happen again, is what I really wanted.

9.4 I also would have liked on-going support from them. It feels as though St John of God paid me a cheque and that was the end of their interest in the matter.

9.5 I do not want others to go through what I went through, which is why I decided to share the full extent of my abuse with the Royal Commission of Inquiry.

**STATEMENT OF TRUTH**

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed: \_\_\_\_\_

**GRO-C**

Dated: 3 May 2021