

Never Again

E Kore Ano

Historic Abuse in State Care

An Open Letter to the New Zealand Prime Minister

We, the undersigned, call on the New Zealand Government to:

- initiate an independent inquiry into the abuse of people held in State care in order to identify the systemic issues that permitted this to occur and the broader impact of these events on our communities;
- publicly apologise to those who were affected, including those who were abused, their families and whanau.
- take other appropriate steps to acknowledge the harm that has been caused to the victims and to provide them with appropriate redress and rehabilitation; and
- take action to ensure this never happens again.

We know from their stories that many New Zealanders who were placed in government institutions suffered sexual, physical and psychological abuse inflicted by staff, social workers, caregivers, teachers, clergy, cooks, gardeners, night watchmen and even other children and patients. We suspect that institutional abuse has had a disproportionately negative impact on Māori and disabled people, including those with intellectual/learning disabilities. We are yet to establish this with certainty because of the difficulty obtaining relevant data and information.

It is important to determine the full extent and nature of the abuse that occurred. We must understand what took place and learn how and why vulnerable children, teenagers and adults could be abused within the system that was supposed to care for them. Until we know the full story and until we have the answers to these questions, we are not in a position to learn from what happened and to prevent it from happening again.

Although steps have been taken to provide resolution for some individuals through existing claims processes, these processes do not address the underlying systemic questions and do not help us ensure that events like this are prevented from occurring again in future. The intention is not to relitigate the past or to usurp existing settlements – it is to find the truth and make changes for the benefit of the next generation.

Some New Zealanders who have survived abuse while in State care have told us they want an apology, accountability and, most of all, they want decision makers to learn from the past and to ensure that future generations do not suffer as they did.

What needs to happen

We want the Government to ensure that:

- the voices of those abused while in State care are heard, and the ongoing impact the events have had on their lives is understood and acknowledged
- there is official acknowledgement of the abuse that occurred
- a general public apology is provided to all those affected, including an apology for any systemic failings of past governments
- the experiences of those who have been affected are recognised and validated
- the full impact on disabled people, including those with intellectual disabilities, is identified and recognised
- the impact on Māori, of both prevalence of placement in State care and incidence of abuse is adequately assessed and considered
- effective and adequate support is provided for those who have been affected
- lessons are learned from the past and action is taken, to prevent future abuse so that this never happens again.

What should be considered?

There are many ways to ensure that the above outcomes are realised. One of these is through an independent inquiry which should consider the following matters:

- a) The treatment of children, young people and vulnerable adults in State care in psychiatric and psychopaedic hospitals and wards, health camps, child welfare care, youth justice facilities and special education homes
- b) The extent of physical, sexual, psychological abuse and of neglect experienced while in State care
- c) The impact on individuals and groups of the processes that placed people in State care, including those in foster care and other environments outside State run facilities
- d) The adequacy of laws, policies and practices of the day in protecting those placed in State care from abuse and any systemic issues arising from this consideration
- e) Whether, at a systemic level, complaints of abuse have been sufficiently and appropriately dealt with by other official responses, investigations or criminal or civil proceedings.

Action sought

We, the undersigned, call on the Government to initiate a robust and independent inquiry into the above matters and to take other appropriate steps to ensure that the victims of abuse receive a comprehensive public apology and appropriate redress for what took place.

We seek urgent engagement with the Government to discuss the process and methodology in more detail. It is important for all New Zealanders to understand the full extent of what took place and to work together to prevent future abuse of people while in the care of the State. Action is required now.

Signed

Paul Gibson	Disability Rights Commissioner
Karen Johansen	Indigenous Rights Commissioner
Dame Susan Devoy	Race Relations Commissioner
Dr Jackie Blue	EEO Commissioner
David Rutherford	Chief Human Rights Commissioner
Richard Tankersley	Human Rights Commissioner
Keith Wiffin	Former resident Epuni Boys Home and other homes
Anne Helm	Consumer Panel Member, Confidential Forum
Gary Williams	Former resident of Pukeroa
	Laura Ferguson Trust Wellington
	(Ngati Porou)
Naida Glavish	Iwi Leaders Forum
	Co-chair, Whanau Ora Partnership Group
Rahui Papa	Iwi Leaders Forum
	Co-chair, Whanau Ora Partnership Group
David King	National Chairperson, People First New Zealand Inc - Ngā Tāngata Tuatahi
Pati Umaga	President, Disabled Persons Assembly
Prue Kapua	National President, Maori Women's Welfare League
Vivien Maidaborn	Executive Director, UNICEF
Kim Workman	Social Justice Advocate, Kim Workman and Associates
Areta Kopu	Panelist on the Confidential Listening and Assistance Service Former Human Rights Commissioner
Judi Clements	Independent consultant, health and social care; Former Chief Executive, Mental Health Foundation of NZ
Dr Elizabeth Stanley	Associate Professor of Criminology, Victoria University of Wellington
Judith Aitken	Public Sector Consultants Ltd
Professor Mark Henaghan	Dean of Law, Otago University
Dr Brigit Mirfin-Veitch	Director, Donald Beasley Institute
Professor Judy McGregor	EEO Commissioner (2003 - 2012) CNZM

Rosslyn Noonan	Chief Human Rights Commissioner (2001-2011) Director, NZ Centre for Human Rights Law, Policy and Practice
Robyn Hunt	Disability Rights Commissioner (2002-2010)
Joris de Bres	Race Relations Commissioner (2002-2013)
Mary O'Hagen	Mental Health Commissioner (2000-2007)
Materoa Dodds	Distinguished Fellow in the Humanities, Te Whare Wananga o Awanuiarangi
Ruth Jones	Ngati Porou