



# JUSTICE & RACE

*Campaigns against racism and abuse  
in Aotearoa New Zealand*

**Oliver Sutherland**

*In memory of John Hippolite, 1929–1993*

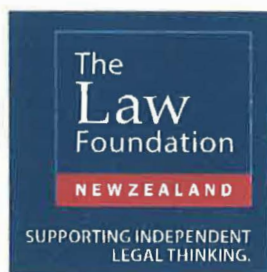
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*Macrons:* for consistency and accuracy, these have not been used in this book, as they were not in common use in the period covered, and were not used in the names of groups such as Nga Tamatoa and the Maori Organisation on Human Rights.

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isn't particularly conversant with the law and the language and is under stress, she is the one who needs understanding and help. It is positively monstrous and inhumane for a government official to waltz in, label her a bad parent and whip away her children. If that is acting "in loco parentis" then it is time our wonderful welfare state substituted a little warm red blood in place of its inhumane cold red tape.'

### The panel's conclusions

Following the day-long hearing, the ACORD/Nga Tamatoa/Arohanui Panel issued a report which noted that the submissions had alleged cruel and inhumane treatment in Owairaka, Melville and Wesleydale boys' homes, Bollard and Allendale girls' homes, and Cornwall Park, Market Road and Tower Hill receiving homes.<sup>28</sup> The panel found evidence to sustain ten categories of cruel and inhumane treatment in various of the homes: secure units (physical conditions), violence and assaults, venereal disease examinations, delousing and stripping down, blistered feet, no underwear, ill-fitting clothes and wearing pyjamas and shorts all day and night long, spirit-breaking procedures (e.g. the 'nodding system' and enforced hours-long PT or mowing of lawns and sports fields), health and hygiene (use of same rags for toilet and handbasin, four squares of toilet paper per day, lack of fire drills), and lack of communication, stimulation and education (in secure units). It also found three major breaches of staff regulations regarding (1) close custody and secure units ('generally regarded to be an emergency procedure'); (2) constructive use of time ('children and young persons restrained in close custody [should be] constructively occupied as far as practicable'; 'if held in secure conditions for more than three days must be visited by a teacher'); and (3) health and hygiene ('where practicable it is expected that meals will be taken together').

The panel noted that in most of the homes, Maori and Pacific Islanders comprised 70-80% of the inmates, while Maori comprised just 1 to 5% of the administrative/managerial staff. It concluded: 'the administration of the system is mono-racial; and if these institutions are ever going to deal with Maori and Pacific Island children they are first and foremost going to have to implement an immediate programme of affirmative action for Maori women and Maori men in these institutions. This would be the first measure necessary to help eradicate the inherent racism within the homes.'

The panel sheeted home responsibility for the appalling occurrences described by the witnesses to the Department of Social Welfare and the staff of its homes: 'By stripping children of all their support systems and making them dependent on the internal system within the home, and its staff, the institution makes the child obey in order to survive. Authorities are aware of this "environmental counselling" for they practise it in every Social Welfare Institution spoken of in this report. Nothing short of restructuring the race and sex composition, administration and policy of the present institution is needed. A cottage system of smaller units based on a family type of home set-up would be better ... A family system with Mother and Father people, Maori and Pakeha, is implicit in this alternative to the present threatening system.'

Newspaper reports of the inquiry gave the minister an opportunity to state again, in the face of all the evidence, that 'there was no such thing as solitary confinement of children in state institutions.'<sup>29</sup> He was, however, prompted to write to us just a week after the inquiry.<sup>30</sup> He first stated that 'You will be pleased to know that an independent visiting committee has been appointed to Owairaka and given absolute right to enter the home at any time, discuss any matter with the staff or the wards, and report to the Director General of Social Welfare.' It was an initiative which had the potential to be a positive step.

Then with a hint of sarcasm, Bert Walker went on: 'Another matter that should be of interest to you is that Mr Arthur Ricketts, B.A., Dip. Ed., Director of Owairaka Boys' Home, is a recognised world authority in this kind of work and enjoys my absolute confidence.'

### Visiting Committees

Implementation of the Visiting Committees — which the Minister of Social Welfare first announced on 10 June 1978, the day before our inquiry was held — was the most obvious response by the Department of Social Welfare to the stream of complaints ACORD had made. While the minister was quick to advise us of the Owairaka Committee in his letter of 19 June, twenty-three committees were established throughout the country in every location where the department's Social Welfare homes were located. Their role was to visit and examine standards at the institutions.<sup>31</sup> In fact, the committees had been provided for in the Children and Young Persons Act 1974, but the department had seen no reason to establish

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them until 1978. The committees were a response, the minister said, to the 'ill-informed griping which had made Social Welfare institution principals and district directors appear like sadistic monsters whose sole pleasure in life is making life unbearable for captive youngsters.'<sup>32</sup> Staff had been upset, he went on, when they 'saw and heard the distortions and innuendoes which are paraded as fact.'

It soon became apparent, however, that the Visiting Committees would simply be extensions of the department itself. For example, ACORD's contacts in Palmerston North advised us of the membership of the committee in that city — all were ex-employees of the Department of Social Welfare.<sup>33</sup> We immediately sent a telegram to the minister asking him to reveal how many members of Visiting Committees throughout New Zealand were also ex-employees of the department.<sup>34</sup> At the same time we issued a press release stating that no one would expect impartiality from a committee such as that in Palmerston North. We noted the close relationship between Roly Magness, chair of the Owairaka Visiting Committee, and Arthur Ricketts, principal of that home. The two had been fellow members of the Mt Albert Rotary Club for a number of years, and this close acquaintance alone should have disqualified Mr Magness from the committee.<sup>35</sup>

Walker's response came by return telegram in which he noted that he had appointed 'sensible, concerned and mature people who can be relied upon by the community to ensure that the best interests of the children and young persons who have to be in institutions are being met.' He went on: 'Those appointed are well qualified to serve and have my full confidence. I view your comments as totally irrelevant and intend to take no further action in regard to them.'<sup>36</sup>

But, as historian Bronwyn Dalley later pointed out, the Visiting Committees had done little to monitor residents' welfare and had failed to report inappropriate conduct by staff. The committees had not worked properly and some had not functioned at all. She continued, as ACORD had said at the beginning, 'The composition of some committees had limited their objectivity.'<sup>37</sup> The committees, Dalley said, stumbled along until 1987, when they were phased out.

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