

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
FAITH-BASED REDRESS INQUIRY 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  
Ms Sandra Alofivae  
Ms Julia Steenson

**Counsel:** Mr Simon Mount QC, Ms Hanne Janes, Ms Katherine Anderson, Mr Winston McCarthy for the Royal Commission  
Ms Jenny Stevens, Mr Matthew Gale and Ms Jaime Laing for The Salvation Army  
Mrs Fiona Guy Kidd QC, Mr Jeremy Johnson and Ms India Shores for the Anglican Church  
Ms Sally McKechnie and Mr Alex Winsley for the Catholic Church

**Venue:** Level 2  
Abuse in Care Royal Commission of Inquiry  
414 Khyber Pass Road  
AUCKLAND

**Date:** 16 March 2021

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**TRANSCRIPT OF PROCEEDINGS**

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

2 (10.00 am)

3 **CHAIR:** Tēnā tātou katoa. Ngā mihi mahana o te rā ki a koutou katoa. Morning Ms Janes.

4 **MS JANES:** Tēnā koutou Commissioners.

5 **QUESTIONING BY MS JANES CONTINUED:** And good morning to you Colonel.

6 A. Good morning.

7 **Q.** Yesterday afternoon we concluded on talking about that if people were not aware of redress  
8 processes being available, that could be a gap in The Salvation Army system and you said  
9 "I can see that most definitely yes, that could be the case."

10 Carrying on with that topic, on The Salvation Army website it talks about no  
11 tolerance for abuse of positions of power and The Salvation Army has a very strong  
12 presentation in the social services sector; correct?

13 A. Yes.

14 **Q.** And would you also agree that by virtue of those social services being offered and  
15 delivered, that you are dealing with some of the most vulnerable people in the community?

16 A. Yes.

17 **Q.** And so there is a special duty of care owed to them because of those vulnerabilities as  
18 either children, young adults or adults?

19 A. There is.

20 **Q.** And just noting your 2020 annual report when it talks about those social services it says  
21 "The Salvation Army is known for its work with vulnerable people." And it also goes into  
22 the range of services that are offered by The Salvation Army.

23 So in your evidence you talk only about claims that have been received from  
24 within the corps, this is at paragraph 4.1 just to orientate people. So you talk about abuse  
25 claims that have occurred within the corps or congregational setting and within your Bridge  
26 Programme. And you talk about the fact that there have been 36 claims that pre-dated  
27 2000, ten of those with financial settlements; correct?

28 A. Yes.

29 **Q.** So it doesn't talk about contemporary claims since 2000. Just very quickly looking at the  
30 range of programmes, looking at that imbalance of power and the vulnerability aspect we  
31 know that, human nature being what it is, abuse can occur in any setting; would you agree  
32 with that?

33 A. I do.

34 **Q.** And so the range of social services, and you will know that much better than myself, but we

- 1 certainly have the Bridge Programme which is drug and alcohol addiction services, we have  
2 the community ministries working with families; correct?
- 3 A. Yes.
- 4 **Q.** We have welfare assistance through food parcels which again is interacting with vulnerable  
5 people; correct?
- 6 A. Correct.
- 7 **Q.** Budgeting advice, people under stress, vulnerable?
- 8 A. Yes.
- 9 **Q.** Life skills, parenting courses?
- 10 A. Yes.
- 11 **Q.** Youth development?
- 12 A. Yes.
- 13 **Q.** Transitional housing and rough sleepers?
- 14 A. Yes.
- 15 **Q.** And so in any of those environments, abuse could occur?
- 16 A. Yes.
- 17 **Q.** Overnight – you've talked about that on the website there is information about contacting  
18 The Salvation Army and I and my right-hand man have run some searches. We were able  
19 to find under "Contact" that if there were complaints or feedback to contact The Salvation  
20 Army; correct?
- 21 A. Yes.
- 22 **Q.** But we also ran other searches putting ourselves in the shoes of somebody who had had an  
23 experience that they felt harmed by, how would they find out whether there was any way  
24 they could interact with The Salvation Army on a healing journey. And we couldn't find  
25 anything under "redress", apart from references to the Royal Commission, would you  
26 accept that as correct?
- 27 A. Yes, I do.
- 28 **Q.** We ran searches on "compensation", again could not find any information that would give  
29 guidance; correct?
- 30 A. I take your word at that, but that would be my interpretation.
- 31 **Q.** And given that we're relatively sophisticated in terms of this is our daily bread, if you like,  
32 using technology, again, putting yourself in the shoes of a vulnerable person, assuming they  
33 do have access to technology, would you accept that it's actually very difficult for  
34 somebody to understand that A, there was a process available to them for redress?



1 A. I accept that that could well be the case. We do have in a number of our areas, and you  
2 touched on the work we do in addiction space, we have consumer representation around  
3 our – in our centres. In fact on our nationally-managed programme management board we  
4 have a consumer representative who represents the interests of consumers, but that isn't  
5 right across the whole organisation. That is an example of where The Salvation Army is  
6 endeavouring to engage and be more client-centred in terms of how we deliver our services,  
7 how we engage with our – the people we serve, as I like to describe it, versus clients, and  
8 how they have an avenue of speaking into our service delivery. In terms of what you're  
9 specifically talking about, no, we do not presently.

10 Q. Would you accept that because you've said that there's no written policy, there is nothing on  
11 the website, it's in the minds of probably yourself and Murray Houston primarily, would  
12 you accept that the consumer representatives actually are not aware that this is something  
13 they could be talking to the people they serve about?

14 A. You're talking consumers in the context of those that have been abused, survivors?

15 Q. If somebody says, "While accessing these services I have been harmed, somebody has  
16 abused me, there's been this imbalance of power, what can I do about it?" How do they  
17 know that there is actually a process that is available to them and should they engage with  
18 it, what it would look like. There seems to be this complete absence of any information,  
19 except in the children's home context perhaps?

20 A. If a person has engaged with, say, our community ministries, one of our centres or through  
21 one of our Bridge Programmes, we do have information that is actually printed on the wall  
22 to say what client's rights are and their opportunities to, which include a complaints  
23 process. So that is available, it is not just located on the website. So if a person has  
24 engaged with the Salvation Army already, and that would include in a corps setting, but  
25 predominantly I would think in this case through one of our social services, we do have  
26 information and it is publicly displayed explaining what the rights are of a client in terms of  
27 accessing our services and the ability to complain if they have a complaint to make. So it is  
28 not just located on the website.

29 So if you went to one of our centres I would expect that you would see that  
30 information publicly displayed and available, and is included in our material when people  
31 come into our Bridge Programmes, our material is provided to them and, as I said, we have  
32 consumer representatives in each of our bridge centres.

33 **CHAIR:** Slowly. I appreciate you're anxious to explain but we must keep it slow.

1 A. Sorry, I'll slow down. Who are there to also support the clients as they journey through our  
2 programmes.

3 **QUESTIONING BY MS JANES CONTINUED:** Would you acknowledge, though, that the  
4 ability to complain, which I accept on your evidence that that is information available, but  
5 the ability to make a complaint is a very different process or different information to know  
6 that the next step following a complaint there is a journey that you can travel with Salvation  
7 Army on to healing, which is your redress process. Do you accept that it's one thing to be  
8 able to complain, but in the absence of any information about what that may look like, what  
9 the outcomes may be, that you don't know what you don't know until, you know, it's made  
10 evident to you?

11 A. My personal experience, because I've dealt with complaints over my 18 years, and my  
12 knowledge of our processes is that if a person has a complaint to make and they make that  
13 complaint to, say, the manager of the particular centre, that that manager would then  
14 engage in a conversation which would cover off what you've just outlined as being a gap.

15 So I don't accept that it is a gap in our system, it would be part of the journey of  
16 saying okay, this is what we're going to do, we're going to undertake an investigation into  
17 your complaint. This is how it's going to operate, someone's going to talk to you. And we  
18 will then sit down, consider the outcome of that investigation, and then work to a point  
19 where we're mutually agreeable about the outcome.

20 **Q.** Would it not be more helpful, as the Australian Salvation Army has done in its Centre for  
21 Restoration, to have very transparent, easily available, doesn't take a lot of searching, why  
22 has New Zealand resisted taking that step?

23 A. I don't believe we have resisted. We take the learnings, and this is a learning so I will  
24 certainly go away and pick up on what we just talked about. Because we are very much  
25 focused on being client-centred and we are all aware, I mean I dread having to approach a  
26 Government agency like IRD and start pushing buttons on a phone hoping at some point I'll  
27 get a human voice. So I think we can all attest to that kind of experience.

28 Now for someone who's experienced trauma in their life, that just compounds it  
29 immeasurably, I can't even comprehend that personally. So we do want to make this as  
30 transparent and as easy for people to access, so I will certainly go away and look at where  
31 we have any gaps in our system and fill those gaps and continue our journey of being  
32 client-centred in our approach.

33 **Q.** I hear you acknowledging, and correct me if I'm wrong, that you understand that lack of  
34 information is a barrier to access to the redress system?

1 A. I do agree with that.

2 **Q.** And overnight I have the consent of Ann-Marie Shelley who was listening to the live  
3 stream yesterday and said "I had no idea that there was a redress process that I could  
4 engage with with The Salvation Army." And private sessions without any privacy  
5 breaches, there have been a number from the Bethany homes that have come to the Royal  
6 Commission and they may well be had a similar position to Ann-Marie Shelley in just not  
7 being aware.

8 So again, do you accept that because of that higher duty of care and the ethical and  
9 moral responsibility to the people who come within the care of the Salvation Army,  
10 transparency and removing barriers to access is really important and needs to be a first  
11 priority?

12 A. Definitely.

13 **Q.** Very quickly going backwards, it's a tangential topic, we talked yesterday about some of  
14 our high flyers in terms of perpetrators. There were two instances that we spoke about, one  
15 was John Gainsford and one was GRO-C-130. Just going to a topic related to those. In  
16 terms of your evidence at paragraph 5.5 in your supplementary brief, you did say that there  
17 was no existence or policy or practice to destroy records relating to complaints or  
18 allegations of abuse. You recall that being in your evidence?

19 A. Correct.

20 **Q.** If we can go to document NZP ending in 6979, and just as that's coming up I'll orientate our  
21 operator to page 2 paragraph 2.3. If we can go to page 1 just so that we can see the date  
22 and the nature of the document. They are Advisory Board minutes, just to orientate you  
23 before it comes up. Perhaps I can paraphrase then you can confirm once it hits. But  
24 effectively it talks about, and you'll remember it was in the media at the time in the Timaru  
25 Herald and it talks –

26 **CHAIR:** It's come up now.

27 **QUESTIONING BY CONTINUED:** This is the New Zealand Police report, yeah. And there is a  
28 Timaru Herald article as well. So just if we can call out the highlighted.

29 **CHAIR:** For the record this is a Police summary, is that right?

30 **MS JANES:** Can you quickly go back, Felix – so it's a Police interview summary and do we  
31 have a date? It was at the time of the Gainsford – prior to the Gainsford trial which  
32 concluded in 2006, so –

33 **CHAIR:** So it's sometime between 5 October 2005 when he was arrested and 2006 when the trial

1 was over?

2 **MS JANES:** Exactly, and the point is, so in this document and also in the Timaru Herald it reports  
3 on information that the Police provided during the John Gainsford trial.

4 **CHAIR:** There we have the date.

5 **MS JANES:** TA Miron is a police officer who has taken this statement of this interview and also  
6 provided an affidavit to the court.

7 **MS STEVENS:** Sorry, can we just be clear as to the nature of the document? My understanding  
8 is this is an internal Police memorandum setting out the evidence that they may or may not  
9 call at trial. So it's not an interview transcript, it's just collating that information ahead of  
10 trial.

11 **MS JANES:** Just to establish that that was the Police view and then we're going to go to the  
12 Timaru Herald which is what was reported. I think that might be the simpler way forward.

13 **CHAIR:** Right.

14 **MS JANES:** This was the view of the Police that they had found information about the records  
15 that they provided to the court.

16 **CHAIR:** The point of this question is about the retention or otherwise of records, okay, so we'll  
17 move then to –

18 **MS JANES:** Correct, we'll move on.

19 **CHAIR:** – go to 2.3, are we going to call out 2.3 so we can read what it says.

20 **QUESTIONING BY MS JANES CONTINUED:** So that just talks about "It may also be  
21 deemed necessary to produce some Salvation Army records such as the Advisory Board  
22 committee meeting minutes, which will show that entries have been removed from this  
23 book for the relevant time period."

24 Then if we can go to NZP0007287 page 1 paragraphs 1 to 6 and, Colonel Walker,  
25 that's just clearly the Police did produce that evidence to the court, the court found that  
26 evidence to be reliable and it's then reported in the media after the trial.

27 **CHAIR:** The question, Colonel Walker, is do you accept that all of that happened?

28 A. I do.

29 **Q.** Thank you. Let's get this ship back on the course.

30 **QUESTIONING BY MS JANES CONTINUED:** Exactly, thank you. So the question arises,  
31 accepting that that did occur and then looking quickly at the GROC-130 case where the  
32 private investigator in their report mentioned that a similar matter had been discovered in  
33 terms of removal of relevant records, do you recall that or do you need to see –

- 1 A. I prefer to see it.
- 2 **Q.** That's absolutely fine. So if we can go to, I think it is SAL0000854. Sorry, it's  
3 SAL0000854. So looking at this, this is the interim investigation report and the date is  
4 2013, can you see that up the top?
- 5 A. Yes.
- 6 **Q.** And then if we can go to page 2 bullet point 6, so details of meetings have neither not been  
7 recorded and when they have been documented pages have been removed from official  
8 records. Do you accept that was the information that he found and provided to The  
9 Salvation Army?
- 10 A. I'm very familiar with this report and Mr Veale who wrote it and I have no doubt that if  
11 that, after his investigation, is what he found, that this is accurate.
- 12 **Q.** So we have two examples of where there have been serious allegations about two Salvation  
13 Army officers, two occasions where it has been found that The Salvation Army has  
14 removed known records, accept that's the evidence that we have from Gainsford and  
15 GRO-130?
- 16 A. I do accept that back then the level of record-keeping was not as good as it is now. We do  
17 have policies around retention of records within The Salvation Army. I wasn't involved  
18 back in the 70s, 80, even early 90s, so I can't speak about what retention policies may have  
19 existed, so I can't comment any further other than, as I said, if Mr Veale in his  
20 investigation, which would have been very thorough, has found this, then I accepted it at  
21 the time and I accept it today.
- 22 **Q.** But it's not a matter of bad record-keeping, it is deliberate removal of records?
- 23 A. That's what Mr Veale has found in that first point, I accept that.
- 24 **Q.** So was there an investigation at that time about how that occurred and what was done to  
25 make sure about the integrity of records going forward?
- 26 A. Just to clarify, you're referring to when Mr Veale wrote this report in December 2013 and  
27 any subsequent conversations about this?
- 28 **Q.** We've got two periods of time, we've got 2006 when it became very public in the Gainsford  
29 trial that that had occurred. At that time did The Salvation Army stand back and look at  
30 itself and its practises and ascertain what circumstances that had occurred under?
- 31 A. I don't know because I was not involved in 2006. I can comment on the subsequent to this  
32 2013 report because I was actually then, shortly after that, became the Secretary for  
33 Personnel and was involved in this particular case.
- 34 **Q.** I suppose taking a step back, was it of concern to The Salvation Army to learn that this had

1 happened on at least two occasions?

2 A. I would surmise that yes, it was. But again, I wasn't involved, so I do make that  
3 assumption.

4 Q. So what comment can you make from your personal knowledge and also representing The  
5 Salvation Army leadership, that this is not something that could happen now or in the  
6 future?

7 A. Some of the records that are being referred to in Mr Veale's report going back to the 70s are  
8 our local corps church books, some of them are called census books where records of  
9 meetings like leadership meetings are documented. Those books are archived and are held  
10 at our facility in Wellington here and – but in terms of the degree of accuracy and whether  
11 they cover the whole period, that's really something we haven't been able to control, that's  
12 historic, we take the books and we store them. The level of record-keeping varies from  
13 place to place and it depends on – we had people who were corps secretaries who it was  
14 their responsibility generally to take the minutes and document. And I think we can all  
15 appreciate that the degree of quality and detail would vary potentially from person to  
16 person, so there are those vagaries that need to feature in the capture of any information.

17 Today, and of recent years, investigations are taken out of that space and are  
18 managed, as I've already shared, at a Territorial Headquarters level and very comprehensive  
19 records are kept and retained at Territorial Headquarters.

20 Q. And so has the message also gone out that The Salvation Army, while concerned for the  
21 souls of officers, soldiers, adherents, that loyalty to the organisation should not protect bad  
22 apples and removal of records to protect reputation is not acceptable practice?

23 A. It is not acceptable practice and never has been acceptable practice. What we have now in  
24 more recent years, certainly from 2000 onwards, as is documented in the evidence, we now  
25 have policies and procedures that actually direct and instruct very clearly what needs to be  
26 done and the process to be accurately followed.

27 Q. And that segues us into our next topic, which is independence. Because when you look, as  
28 we have over the last day, and we will look at disparities of outcomes and other matters  
29 relating to the actual processes very briefly with you but more fulsomely with Murray  
30 Houston, but I take it you will accept that survivors have had very mixed experiences with  
31 The Salvation Army, acknowledging that there have been some very good outcomes, and  
32 we did hear from Gloria White who was very grateful for the way that The Salvation Army  
33 had dealt with her and continues to support and contact her. But far more weighing on the

1 other side of the scale is evidence that it has not met survivors' needs and I take it you  
2 wouldn't disagree that that is what we have heard?

3 A. I agree that hearing the evidence of survivors and hearing them firsthand when I sat here  
4 last year that we have — for some we could have done better and we've taken those  
5 learnings and applied those going forward. So many of those situations occurred in the  
6 earlier days of our redress process. But we have been intentional about learning from those  
7 and taking it forward so that today how we engage with survivors and navigate through the  
8 redress process and come to an agreement looks different and is greatly improved over the  
9 years of taking the learnings, and I give credit to Murray for having taken those learnings  
10 and applied those going forward. And that would be the expectation of The Salvation  
11 Army that that would have been the case and Murray has done that well.

12 Q. Interestingly when you had this surge of claims in 2003 which arose from the documentary  
13 and clearly raised awareness about abuse in children's homes, and The Salvation Army  
14 publicly stated that there was a redress process and what it would look like, do you recall, I  
15 think it was Clifton Shaw at that stage who set out some really cornerstones for the redress  
16 process that remain today about face-to-face interviews and investigation?

17 A. Yes, Shaw Clifton did do that and I recall at the time, I just started with the Salvation  
18 Army, seeing that on television.

19 Q. And at that time an appointment was made of The Honourable Roger McClay as an  
20 independent monitor and observer. Do you know why that was put in place and what the  
21 thinking was, because it was a very good idea?

22 A. We thought so at the time and it was to help us to better engage with survivors and to  
23 journey with them and to seek some external expertise which Mr McClay, we believe, had  
24 at the time. Again, I wasn't involved in that, but based on the information that I've read and  
25 has been submitted to the Commission, that would be my assessment of it. As you say, a  
26 very good idea.

27 Q. And I understand from the evidence of Janet Lowe that there were concerns from the abuse  
28 survivor group, but would you accept that maybe because it was an imposed process rather  
29 than a — so the lack of communication being the short point, had that been better  
30 communicated as to what his role was, what he was going to be doing, that it was  
31 independent, it might have been a more acceptable process for survivors to understand what  
32 was happening and why?

33 A. That may well have been the case. I, again, wasn't privy to conversations that led to



1 Mr McClay's appointment, so I can't comment any further.

2 **Q.** And it only lasted for three months as I understand it?

3 **A.** That's my understanding, yes.

4 **Q.** Are you aware of the position that the insurers and/or legal advisors took at that time in  
5 relation to that appointment, were they in favour or did they have concerns about the  
6 independent monitor?

7 **A.** In terms of Mr McClay's appointment?

8 **Q.** Yes?

9 **A.** I don't know what the opinion of either our legal advisors or our insurer was.

10 **Q.** If we can look at SAL0000044, this is the first monitoring report from the Honourable  
11 Roger McClay, November 2003, and if we can look at paragraph 3, so clearly he was able  
12 to meet with the task force and also to hear from the lawyers and the insurers. Actually,  
13 perhaps if we can just pull out from there to the end of the highlighting, that might be  
14 simpler. He talks about sorry that the original letter of introduction was not sent out as it  
15 was aimed at enhancing lines of communication.

16 But the point now is, "I do not agree with the insurers on this issue. They have a  
17 somewhat different set of criteria than does The Salvation Army with these matters.  
18 Insurers will only pay what the policy prescribes for them to pay. The Salvation Army has,  
19 it seems, to bear the brunt of the odium which occurs when insurers will not meet the  
20 expectations of those who have made allegations. Tough attitudes of insurers and their  
21 legal advisors has been affecting attitudes toward The Salvation Army."

22 Given that that was probably the first and only advice received from this  
23 independent person, what did The Salvation Army do in terms of taking on board those  
24 concerns and what happened next?

25 **A.** The Salvation Army, subsequent to this, did move away from relying on our insurers and,  
26 as Mr McClay captures in these paragraphs, some of what he's shared here was some of the  
27 rationale for that. That there was, I accept, some tension between the requirements of our  
28 insurance and our insurer and the parameters set around that. And our moral and ethical  
29 and Christian perspective that we applied, we applied a broader lens and that was so that –  
30 that was driven by our desire to better meet the needs and recognise the abuse and hurt and  
31 pain that we had caused to survivors.

32 So this was, I can't say for sure, but it would have been the early days of beginning  
33 to have the conversations around is it appropriate for us as The Salvation Army to continue  
34 to use the vehicle of insurance to get to a point of redress and agreement, or should we, as



1 we subsequently did, step out of that space, move away from the legal requirements of  
2 statutes of limitation and everything else, including what's referenced here, and actually do  
3 the right thing for abusers, which we did.

4 **Q.** And touching exactly on that point, would you accept that doing the right thing within the  
5 organisation that has responsibility for the abuse, there are a myriad of competing  
6 objectives, one of them or two of them being insurers and lawyers, and stakeholders. So  
7 accepting that there are conflicts of interest or competing objectives that can get very  
8 complex, that removing redress processes to an independent body that is not exercised by  
9 those competing interests would actually be a good thing for survivors to be able to access?

10 **A.** As I've already referenced in my evidence, The Salvation Army is very open to particularly  
11 hearing from the Commission in terms of their findings and I'm conscious that the  
12 Commissioners are very aware of this particular point that you raised, and my  
13 understanding are wanting to address that as quickly as practicably possible, and we,  
14 speaking on behalf of the Salvation Army, would take that on board and are not opposed to  
15 that concept.

16 **Q.** Would you acknowledge also that the Roger McClay appointment was the first and last  
17 time that there was an independent external look at complaints about the process itself,  
18 apart from the Mr Veale investigation?

19 **A.** That would be my understanding, aside of advice we receive from others, but that was  
20 generally in the legal space, as is documented.

21 **Q.** And we looked very briefly yesterday about the inadvisability and barriers to access for  
22 survivors when they have to deal with somebody within the same organisation, whether it  
23 be Hugh McCready or a relative, that that could preclude a lot of people coming forward.  
24 So would you accept that if there is an independent person not associated in any way,  
25 employee or otherwise with the organisation, that would remove barriers for survivors to  
26 come forward for redress?

27 **A.** I acknowledge that, yes.

28 **Q.** And the Colonel hasn't had the opportunity to look at the full statement of the Most  
29 Reverend Richardson from the Anglican Church, but because we're coming out of order I  
30 have provided Colonel Walker with just the paragraphs that relate to his views on  
31 independence and it would be useful for us to just very quickly look at WITN0265001.  
32 You've had the opportunity to read it?

33 **A.** Yes.

34 **Q.** And you have a copy in front, and I'm sure the Commissioners also are aware of it, but I

1 will put it on the screen. We're looking at paragraphs 128 really through to 136. And the  
2 Most Reverend Richardson talks with some favour about an entirely independent process as  
3 you will see:

4 "An ideal process — he says at paragraph 128 — for providing fair and  
5 survivor-focused redress will need to be independent from the institutions where the abuse  
6 occurred. It is entirely understandable that survivors will not want the institutions where  
7 they were abused to be responsible for overseeing the process for providing redress and in  
8 particular they do not want that institution to investigate. I can understand why survivors  
9 would not trust us to investigate ourselves when it comes to their claims."

10 And he goes on in similar vein, he does raise some particular clerical issues that  
11 are specific to the Anglican Church. But just on that general proposition, what would be  
12 your comments?

13 A. I reiterate that our stance that has applied from the very beginning, that we are open minded  
14 on this and are looking to firstly recommendations from the Commission and we would be  
15 very open to what the Most Reverend Richardson is referring to, and we'd certainly be open  
16 to considering that and exploring that in more detail.

17 Q. And we talked briefly yesterday about the Australian Royal Commission and you  
18 mentioned that you had kept a very close eye on that in New Zealand, was I —

19 A. We've kept a close eye, I wouldn't say a very close eye.

20 Q. And you will be aware that the recommendation was for a unitary independent redress  
21 scheme that encompassed both State and faith-based institutions?

22 A. Yes.

23 Q. And that came into existence in I think it was June 2015, you're aware that it was 2015?

24 A. I don't know the date, no, I don't know the date.

25 Q. So six years ago that was the implementation arising from the Australian Commission.  
26 What stopped the New Zealand Salvation Army saying that reflects international learning  
27 and best practice as has been found by independent inquiries and following a similar path  
28 rather than waiting six years to still be in this position?

29 A. That's a question for us to consider. We at the time, and it's reflective of the number of  
30 complaints that we're receiving from survivors over that last six years, and we, I reiterate,  
31 we were very happy with the work that Murray was doing. Some of the learnings that we  
32 had applied by that stage were to look broader in terms of what other support we could  
33 wrap around survivors that we potentially did not consider in the earlier days.

1           So we felt, and that, from 2015 onwards, that our processes and the work that  
2 Murray was doing and the way he was engaging with people in an empathetic and caring  
3 manner, taking along the appropriate person to be with him as he engaged with survivors  
4 and based on the outcomes of the agreements that were reached there, there wasn't,  
5 certainly in the last five or six years, I don't recall there being instances of where the  
6 survivor had an issue with the process that I can recall immediately. Certainly, you know,  
7 under this Commission we've heard of earlier situations, and I acknowledge those,  
8 I acknowledge that we could have done better and I apologise that, but we have taken those  
9 learnings and applied them going forward.

10 **Q.** Because would you accept that it may well be that the claims relating to the children's  
11 homes is starting to slow down, there have been 20 years of knowledge about a redress  
12 process relating to children's homes, but you, in our discussion at the start of this session,  
13 are providing social services to a wide range of very vulnerable people, there are likely to  
14 be contemporary claims since those historical periods and going forward into the future.  
15 Would you accept it is equally important that the redress processes are well-established,  
16 well-structured, and well-known for people who may want to make contemporary claims?

17 **A.** I would accept that, yes.

18 **COMMISSIONER ERUETI:** Can I just make a comment on that please, counsel. My  
19 understanding is the last home closed in 1999; is that correct?

20 **A.** It would be earlier than that. 1999. Many of our children's homes closed around the time  
21 of the Child Youth and Family Act of 1989, so probably earlier than that.

22 **Q.** Your evidence is that prior to the closure of the last children's homes in 1999, it's in your  
23 brief of evidence.

24 **A.** That might have been the operation we ran at The Nest in Hamilton which was more of a  
25 family home than a children's dedicated home I would think, yes.

26 **Q.** But still, would accommodate children?

27 **A.** Yes, definitely, and we still accommodate children and their parent or parents to this day in  
28 similar facilities.

29 **Q.** Yes. My observation is that we understand it can be 20 years on average for people to  
30 make disclosure, so the point about the contemporary possible, you know, instances of  
31 abuse in this contemporary age, but also it could be now that we're starting to see people  
32 actually wanting to approach The Army. So it does puzzle me that the numbers who have  
33 approached The Army in recent years, say in the last five years, are relatively low?

34 **A.** I have had a couple of conversations with our leadership team and we — and it's in the

1 context of this Royal Commission — that we anticipated and were pleased with what we  
2 thought might happen, and that is that we would see an increase in claims to us, either to us  
3 or to the Police, or indeed to this Commission, and we would, as we do to this day,  
4 welcome that. We encourage people to come forward. That really hasn't, to this day,  
5 happened.

6 **Q.** That's right.

7 **A.** And that is a surprise to me personally, because I would have hoped that with the profile  
8 and this that that would encourage survivors to come forward. But I also appreciate and  
9 respect that that is a hugely difficult thing to do at any time for a whole range of reasons.

10 **Q.** Yes, I mean it does raise the questions about profile, publicity of your process, and actually  
11 what the content of your process is. But I just wanted to make that comment about it's not  
12 just contemporary but also we still have this lag it seems from historical claims. Thank  
13 you.

14 **QUESTIONING BY MS JANES CONTINUED:** No, very important point, because there may  
15 still be that cohort making its way through that 20-year period and going forward.

16 **A.** And for anyone here today or watching through the live stream, I encourage them to come  
17 forward, whether it's to us direct, to the Royal Commission, to the Police, whatever, we  
18 really do want to hear from people.

19 **Q.** And my next topic really thinks further about those access issues and the flexibility of the  
20 process. We spoke yesterday about one size not fitting all, and I acknowledge that there are  
21 challenges in getting it right for each individual claimant. But just on that, would it be a  
22 simple and expedient step at the start of each part of the redress journey to find out what  
23 that particular claimant needs for their healing journey? So for example, if it's a Māori, do  
24 they need a translator, do they want their whānau, do they need some — Murray talks about  
25 connecting with heritage, but really asking them in a very open and responsive way "What  
26 do you need from us?" Because the challenge for redress processes is many vulnerable  
27 people do not ask, so taking Pacific people as an example, very hesitant to ask for  
28 something and likely the same for many cultures. So how do you adapt your process to  
29 make sure that it is flexible for that individual person and is responsive to their needs?

30 **A.** That is an area of priority for us right across all of our service provision within The  
31 Salvation Army, how we can be culturally appropriate and relevant and navigate through  
32 and hopefully break down barriers. And so we continue to do significant work in the space,  
33 and similarly in the redress area, and that should be no different. And Murray will be able

1 to explain in more detail the conversation that takes place when he meets with a survivor.

2 But over all the years that Murray has been involved, that's been one of the reasons  
3 why we have gone to the survivor, we haven't expected them to travel at their own expense  
4 to come to Wellington to see Murray, for instance, or engage in The Salvation Army. He  
5 has gone to all parts of the country and indeed overseas to meet with people and has taken  
6 along a person that, you know, we believe would be able to support both Murray but also  
7 be there as a support for the survivor.

8 And as Murray has shared in his testimony, there are examples of how we have  
9 tailored our engagement and our ultimate response, taking into account cultural values and  
10 the individual needs of the survivor. And we have learned that over the years, we  
11 acknowledge that, but we have learned and we have applied it going forward, and continue  
12 to apply that and new learnings that will come out of this Commission as well, as we  
13 journey forward, whether it's in a new space of these investigations and complaints being  
14 dealt with external to The Salvation Army, or internal to The Salvation Army. We commit  
15 to that.

16 **Q.** And I'll cover the actual inflexibility perceptions from survivors with Murray in more  
17 detail, but because Salvation Army leadership both sets the tone and the framework which  
18 Murray then administers and implements, one particular area of concern for survivors has  
19 been the insistence on face-to-face interviews and there has been an inflexible approach to  
20 that. Does The Salvation Army leadership, is that a direction from there, or is it something  
21 that Murray has determined is a point of no negotiation?

22 **A.** Representing leadership, of which I'm part, we are supportive of and encourage a  
23 face-to-face interview. Whilst acknowledging it's a very difficult conversation to be had on  
24 behalf of the survivor, but it is also about being respectful of the survivor and showing  
25 them in a very tangible way this is important to us, and Murray and somebody else will  
26 travel wherever that the survivor wishes to meet in a space, and Murray puts a lot of  
27 thought into where the meeting will take place, engages in conversation with the survivor  
28 around what's an appropriate place and space and time to have that conversation. So in that  
29 respect, I personally, and I speak on behalf of leadership, are supportive of that.

30 Now should that be the only way that a survivor can engage? Not necessarily.  
31 But to answer your question, I believe it is showing respect and value to the survivor and I  
32 believe it helps in terms of developing a relationship. Now to what degree that relationship  
33 is developed depends on each survivor and we've heard varying accounts of that. Let's be  
34 real; for many survivors the last people they actually want to see is The Salvation Army,

1 I accept that and I understand that, we all can.

2 We also do want to show respect to the survivors by not just doing this  
3 electronically or via letter in a way that is, I don't believe, as respectful as, say, "Well how  
4 about we sit down and we want to hear from you." And when Murray meets with people,  
5 yes, he has some questions to prompt the conversation, but in essence from my – the  
6 number that I've sat in with Murray on over the years, it's an opportunity for the survivor to  
7 share in their own way, in their own time, their story of abuse.

8 **Q.** Would you accept that for some there is that deeply felt hurt, antipathy that it is a barrier to  
9 be required to attend a face-to-face interview, would respect not be making the offer and  
10 then leaving it for the survivor to say "That is a step beyond what I can do, I would reduce  
11 my experience to writing", which would allow The Salvation Army to have the detail and  
12 apply its process of verification, and without any discourtesy to your answer, because it is  
13 clearly heartfelt and well-meant, would you agree that respect really is about saying "I'm  
14 not imposing my process on you, I'm open to working with you to ensure that we both can  
15 manage this process?"

16 **A.** The process and journey needs to be mutually agreed and I can't answer this next point that  
17 I'm going to mention, it might be one for Murray because he's had first-hand experience,  
18 and I guess the question is, I don't know how many situations that Murray has engaged with  
19 survivors where, from the outset, they've said "Well, actually I don't want to meet with  
20 you –

21 **Q.** There are quite a number.

22 **A.** – what's the other alternative?" And I don't have that information to hand. But again, our  
23 attempts have always been to acknowledge the hurt and pain that we caused, or contributed  
24 to, and to identify a mutually agreeable way of working through this very, very painful  
25 period in their life, which I accept for many is continuing to this very day. And all I can  
26 say is we apologise for that and we certainly do not want to add to that pain in any, albeit  
27 inadvertent way, by virtue of any of our processes or practises. And I believe strongly,  
28 I know Murray well enough to know that that is at the heart of how he engages, and also  
29 why he has continued to do this work for nearly 20 years on our behalf.

30 **Q.** So I'm hearing from you that there would be no resistance from the directions of the  
31 Salvation Army leadership if there were requests for flexibility that could and should be  
32 accommodated?

33 **A.** There would be no resistance.

- 1 **Q.** I'm just going to quickly talk about really support and resourcing for Murray, as you've just  
2 mentioned he has done this for some 20 years, and there have been — he mentions in his  
3 evidence that there was no training given, he came in as a commercial manager, clearly not  
4 his area of expertise, not a group of people he was used to dealing with, not understanding  
5 best practice in terms of trauma-informed approaches or redress approaches. Would you  
6 accept that that put him in a very difficult position to move into that role without that  
7 support?
- 8 **A.** Murray has done a sterling job for The Salvation Army over nearly 20 years and that's a  
9 credit to him. I acknowledge that we could have provided him with some of the training  
10 that you've just outlined and what we have endeavoured to do is, and have done, in more  
11 recent years, is have the person who goes alongside him often having some of those skills  
12 and expertise that you outline and reflected in our agreements that are negotiated, it's  
13 broader in many instances to a financial compensation and reflects some of the specific  
14 needs, particularly in terms of, say, trauma counselling and acknowledging the cost of that,  
15 reflecting that in settlements, and other situations of other support in a more tangible way  
16 that The Salvation Army has been able to provide to the survivor.
- 17 **Q.** If we can have a look at SAL000028 and just as that's coming up they are the Territorial  
18 Coordination Council minutes from 27 August 2003, I'll just show the front page to orient  
19 us but then jump down to children's homes which is pages 4 and 5 and just call that out.  
20 Just a few matters in this particular section of this document. So again, we note that there's  
21 appreciation for the excellent work of Murray, I assume "Cabinet" is Salvation Army  
22 Cabinet and not Government Cabinet?
- 23 **A.** That's correct, at the time that was the senior leadership team.
- 24 **Q.** And it talks about 28 informal claims that, if they are to come in to proceed to  
25 compensation, The Army would be liable for 30,000 excess for each successful claim.  
26 I assume that's referring to the insurance policy and the excess The Salvation Army would  
27 have to pay for any compensation before the insurer contributed?
- 28 **A.** That's my understanding.
- 29 **Q.** Just going to the next page, and again calling it out. So again, just looking at the context,  
30 we're in 2003, there's been the documentary, there have been 60 claims that have come, 28  
31 at this point, but we saw yesterday that in 2003 there were 60 claims filed in that year, and  
32 this talks, even with 28, that the workload of Murray be checked and carefully monitored,  
33 that an appointment be made for Murray to have some supervision. What steps were put in  
34 place at that point to check and monitor the workload and also to provide the supervision?



1 A. I can't speak with accuracy, I was not involved in that space at the time back then. But the  
2 intent there was that we were conscious that this was additional work that Murray was  
3 taking on, it had a whole lot of emotion wrapped around it, and that we wanted to be careful  
4 about protecting Murray in this space mindful that he had the ongoing role of our  
5 Commercial Manager. So the intent of this was to support Murray, which we have  
6 continued to do over the subsequent years.

7 Q. And given we've seen big claims, 60 in 2003 and, there were about 50, I think, in 2004, and  
8 you've said he's continuing with his commercial role — yes 50; was there consideration  
9 given to training and providing additional resource not only to assist with the workload but  
10 Murray clearly must take holidays, he might be sick, he might move into other  
11 employment. In terms of safeguarding consistency of the process, why was he the only  
12 person doing this, particularly at that point in time?

13 A. This is an assumption I'm making because I was not part of conversations that lead to being  
14 appointed in this space, and my engagement was particularly from 2014 onwards and I've  
15 worked closely with Murray since then. But at that time, an assumption I make is that, you  
16 know, we were conscious, as is outlined here, of monitoring and checking on Murray, and  
17 as to what conversations were had, particularly with Murray or his manager around what  
18 other supports would be required, I can't comment on those, they're not, to my knowledge,  
19 documented anywhere that I've seen.

20 Q. So no regular reports in writing back to leadership, were they all oral?

21 A. I — certainly in my time being on the Territorial Governance Board, which was the  
22 successor to the Cabinet, that since 2014 there were regular reports from Murray to the  
23 Governance Board from 2014, and I have no reason to — my assumption was that they were  
24 occurring periodically prior to that, but that would be a question possibly Murray can  
25 answer, I can only speak from 2014 onwards. And that is about the Governance Board in  
26 particular being appraised of the work that Murray is involved in, the number of cases, the  
27 learnings from this, and what support we can continue to provide Murray in more —  
28 certainly for the last couple of years we have appointed another person who has been able  
29 to take on some of the work that Murray was doing as Commercial Manager, which has  
30 freed up space, particularly to engage with the Commission, and hope the Commission  
31 agree, that we have been extremely cooperative and diligent in meeting all the deadlines  
32 that the Commission has set and provided all the material that we had available and have  
33 done that in a timely manner. And that's been predominantly the work of Murray, and I just



1 want to acknowledge that. But we have in the last couple of years had in place an  
2 additional person who's been able to take some of that workload away from Murray.  
3 Certainly prior to 2014, I personally can't comment on what conversations were possibly  
4 had around that particular question.

5 **Q.** So it may well be something that was considered but not implemented and we can check  
6 with Murray.

7 **A.** Yes, I don't know.

8 **CHAIR:** Excuse me, do you mind if I just clarify this. You've appointed an additional person,  
9 you said as business manager. I think the question was, had there been given thought to  
10 appointing somebody to assist Murray with the claims work, but are you saying you've  
11 appointed somebody to relieve him of other duties so he can get on with claims work?

12 **A.** It's two-fold, Judge. We have appointed someone to take on some of Murray's Commercial  
13 Manager role, we also have appointed, and I'll call her an administration person, who has  
14 helped in terms of sourcing documentation and preparing that, providing that to Murray  
15 who in turn has supplied that to the Commission.

16 **Q.** That's responding to requests for information from the Commission?

17 **A.** From the Commission and anticipating what might be, because we wanted to cooperate  
18 from day one, so we started to try and anticipate what the Commission may be looking for  
19 and started searching for that immediately.

20 **Q.** I understand that, so you're providing back room, if you like, support for Murray?

21 **A.** Yes.

22 **Q.** Also in his commercial management role, but have you thought or contemplated having  
23 somebody else who is able to step in for Murray should something go wrong in terms of his  
24 interaction with survivors?

25 **A.** We have other people that, if Murray was not available, who are extremely capable to the  
26 degree Murray is of doing that work and we have those people both at our Territorial  
27 Headquarters level but also across the country and we could call on them at any time.

28 **Q.** Thank you.

29 **QUESTIONING BY MS JANES CONTINUED:** Just picking up on that point, though, you've  
30 said that there's no formal policy, there's no written policy, clearly there is a lot of  
31 institutional knowledge in Murray's head that nobody else is privy to. Given the need to  
32 future-proof the redress process, both for Murray's well-being and the organisation's, why is  
33 that not being captured now so that there can be consistency if it remains within The  
34 Salvation Army ambit?

- 1 A. Murray is a very meticulous person, that's my assessment, and Murray has captured all the  
2 information and it is clearly documented, we know exactly where it is, we know exactly  
3 how to source it. We also would have access to the questions that he asks when he goes  
4 and meets with abusers. So I do not accept that we don't have procedures that are  
5 accessible. Are they written in a policy? No, they're not. Should they be? I accept they  
6 should be.
- 7 **Q.** Because he does say in his evidence, in his head he knows how all the settlement amounts  
8 came to be, but that is not going to help where there is an objective of parity, consistency  
9 and fairness, that if we come back to the discussion of a matrix and discretion, so there at  
10 least is a starting point or benchmark. Would you accept that for the longevity of any  
11 redress process that type of institutional benchmark information should be available to  
12 more than just one person having it in their mind?
- 13 A. The information is held by Murray and it's held in a secure place because it is very  
14 confidential information and we respect that it needs to be held tightly and is held currently  
15 by Murray. We also know within that information, and it's not all in his head, everything's  
16 in his head, but in addition we have things documented, and should something suddenly  
17 happen to Murray we would, I'm feeling confident, be able to search through his meticulous  
18 record-keeping and be able to, albeit might take a little bit of time for another person to be  
19 able to begin to capture the critical information and read through files and cases to be able  
20 to determine the settlements and some of the rationale around that, because Murray does  
21 keep meticulous records, I accept, as I shared in my evidence, that we do need to  
22 future-proof whatever process applies going forward, whether that's an internal one or  
23 conversely external to The Salvation Army, we would still need someone or some people  
24 who would represent The Army in terms of engaging with the, in a constructive, positive,  
25 cooperative, collaborative way, with whatever is set up going forward.
- 26 **Q.** Because the point you correctly make is, even with an independent external agency, much  
27 like the Royal Commission, there is still the need to feed information into the investigation  
28 that they would conduct on particular claims. You talk, and I think we would all accept,  
29 that working in this particular environment, hearing the very painful, hard grief experiences  
30 can be a real burden on a person's soul over 20 years or shorter, would you agree with that?
- 31 A. I do agree, yes.
- 32 **Q.** And there have been occasions where, and not wanting in any way to cause embarrassment  
33 to Murray, but there have been occasions over the years where external parties, particularly  
34 Cooper Legal, have raised concerns about Murray not just in terms of process issues, but

1 also for his personal welfare. And I won't put the document on because it is personal, but if  
2 I can just go through that at SAL0001746, which is a letter from 21 January 2005, a letter  
3 from Sonja Cooper to The Salvation Army Commissioner. In that particular document it is  
4 about –

5 **MS STEVENS:** Excuse me, the Colonel will be able to see the document copy there if that's –

6 **WITNESS:** Or you can give me the page number in the – **[Copy provided]**

7 **MS JANES:** Thank you Madam Registrar, that would be the better way to do it.

8 **QUESTIONING BY MS JANES CONTINUED:** Just at page 1 paragraphs 3 to 5, just quickly  
9 orientate yourself to the document. Just while Colonel Walker is doing that for the benefit  
10 of the Commissioners, the points that I will just be highlighting are that there are concerns  
11 raised about Murray Houston negotiating directly with Cooper Legal clients to outcomes  
12 that they believe were not advantageous for the clients. There are other issues raised about  
13 vulnerability of the clients generally. There are specific issues related in relation to Roy  
14 Takiaho who the Commission heard evidence from. It raises disparity of treatment of  
15 victims of Hugh McCready and the outcomes of those. And then it raises at page 3  
16 paragraphs 4 to 5 and page 4 paragraphs 1 to 4 concerns that they have about Murray's  
17 welfare, that he has communicated to them about workloads, stress, stress of the job and  
18 some other issues.

19 So this is in 2005 when we know that there have been this huge wave and so  
20 understandably by 2005 it's possibly a bit much. And that's not the only letter, but let's just  
21 look at that one because that's the first time these issues have been raised. As the employer,  
22 The Salvation Army again has a duty of care to Murray. Receiving information like this  
23 from an external source, both about your processes and the person who is administering  
24 those processes, what action did The Salvation Army take for the welfare both of Murray  
25 and also to ensure the integrity of its processes?

26 A. The first thing I'd like to say is that, as you outlined before, this is a very difficult stressful,  
27 emotional space to be operating in for anyone, and that includes Murray and that's  
28 testament to him that he did not approach each case in a clinical way and that, like any of us  
29 would be, there would be occasions when things were shared that would impact him as they  
30 would impact anybody in this room or watching on the live stream, certainly survivors  
31 hearing this would fully understand what that means. The supports we put in place  
32 specifically for Murray back then, I can't comment on those, but as was outlined in the  
33 earlier Cabinet minutes, we were conscious that this was additional work for Murray.

1 Maybe we didn't at that point necessarily appreciate the emotional aspect to that, but we  
2 certainly are well aware of it today and have been over successive years, and have provided  
3 Murray with whatever support he has needed to continue to serve in this space and serve so  
4 well, The Salvation Army and do the best we can to meet the needs of survivors, both now  
5 and going forward.

6 **Q.** Because we see that the responses sent back seven days later, and we won't go to the  
7 document, but it's SAL0001749. Given the very serious and comprehensive nature of the  
8 concerns raised both about the process and about the person that there was responsibility  
9 for their well-being, do you think it's actually acceptable that in seven days The Salvation  
10 Army turns around and says that the concerns were taken seriously but they don't have any  
11 concerns?

12 **A.** It does state in that document of 28 January that you're not putting up from Commissioner  
13 Garth McKenzie that Mr Murray Houston has a different account of his dealings with  
14 Mr GRO-B including that Mr GRO-B initiated the relevant contacts. So the response from  
15 Commissioner McKenzie, it was very prompt, there would have been a conversation  
16 between he and Murray following the receipt of the letter on 21 January and on 28 January  
17 one week later Commissioner Garth, who was renowned for his promptness and efficiency,  
18 responded as I've just outlined.

19 **Q.** And so that was the first letter of concern, for time reasons I will just summarise, but there  
20 was a letter in 2007 which is SAL0000756, 2008, SAL0001489, and again in 2011  
21 SAL0001748, where Cooper Legal took the step of actually writing to London. But the  
22 quick question really is, that given the pressure of the work, the responsibility of the work,  
23 the concerns from external parties that Salvation Army was engaging with, would it not  
24 have been advisable to ensure that there was more than one person available for the redress  
25 process so that both for Murray and for external parties such as Cooper Legal there was not  
26 just one avenue for accessing the redress process?

27 **A.** At the time in 2005 there were a lot of claims, as has been documented, that meant a lot of  
28 extra work and tension for Cooper Legal as well, and so there were some tensions. I am  
29 well aware that the relationship subsequent to these dates and to this very day is very  
30 positive between Murray representing The Salvation Army and not just Cooper Legal but  
31 other law firms and survivors. So this is a period in time that was very – there were a lot  
32 of claims, as we're aware, and right through the last 20 years, as I outlined in my evidence,  
33 we have supported Murray in any way that we can. I don't recall that any request from  
34 Murray has been declined, denied. Whatever resource Murray has needed to undertake this

1 very challenging work, has been provided to him. We have not put any limits on the  
2 expenses he's incurred, nor have we put any limits on the level of redress.

3 **Q.** Would you accept, though, that as a loyal employee it's very hard, most of us don't wish to  
4 complain or to say that we're not up for the job, and so would you accept that in terms of  
5 the redress process and the integrity of the process, that there needs to be that oversight and  
6 that monitoring independent of the individual doing the job to make sure it is proper sized  
7 and well-resourced?

8 **A.** We do that now, we have done that right through. I am part of the Royal Commission  
9 Working Group and one of our objectives is to be there as a support to Murray and that  
10 includes whatever resourcing he needs and, as I just shared, at no point have we ever said  
11 no to Murray when he has asked for any resource of any nature, and that commitment still  
12 stands today.

13 **MS JANES:** I'm going to change topic so I wonder if we take the break?

14 **CHAIR:** Yes, we will. We'll take 15 minutes and my usual caution to you, Colonel, which  
15 I know you understand. Thank you.

16 **Adjournment from 11.29 am to 11.48 am**

17 **MS JANES:** Colonel, just turning to the litigation strategy and decision-makers and how those  
18 decisions were made, Mr Houston in his evidence at paragraph 4.3 talks about Salvation  
19 Army leadership being involved in the early Janet Lowe and survivor advising abuse group,  
20 and I understand that to have included the Territorial Commander and the Chief Secretary.  
21 Are you able to confirm who would have been involved in those early days of  
22 decision-making?

23 **A.** It was — at the beginning it would have been the Territorial Commander Shaw Clifton, the  
24 Chief Secretary was then Lieutenant Garth McKenzie.

25 **Q.** And that's consistent with the names that we've seen in documents. In your evidence at  
26 paragraph 3.3 you talk about initially being responsive insurance with some reliance on  
27 available legal defence as being the Limitation Act and ACC. When from your  
28 understanding was that move away from reliance on the insurers, on the Limitation Act and  
29 other legal defences, when did that occur?

30 **A.** I don't have the precise date as to when that occurred, but if I was guessing it would be sort  
31 of in that 2004 onward period, but I don't precisely know when that decision was  
32 definitively executed.

33 **Q.** And when that decision was made, would that decision have been made, again, at the  
34 Territorial Commander Chief Secretary-type level?

- 1 A. I would have expected that to be the case, yes.
- 2 **Q.** So if there were letters indicating that they were still being relied on sent to survivors or  
3 their legal representatives, would Salvation Army leadership have been approving those  
4 letters, or where would consent to that framing of still relying on legal defences come  
5 from?
- 6 A. So just to clarify, you're talking post the decision of leadership to move away from our  
7 insurer?
- 8 **Q.** That's really why I'm checking when you think that occurred. So when do you think you  
9 moved away from your insurer?
- 10 A. I don't know the precise date as I shared, I was surmising.
- 11 **Q.** Again, because we're on tight time I won't belabour it, but just quickly highlighting that  
12 there are documents 2001, 2003, 2004, 2007 that go out, and I think we will look at some,  
13 just again in fairness to you and the organisation, but certainly around 2007 it is still a  
14 feature of communications from The Salvation Army about not accepting liability, that  
15 there are legal defences but then there is the out of court settlement.
- 16 So let's just reflect on that, we'll quickly look at a couple of documents because I  
17 think it needs to be explored; if the sense from you is that it stopped early, if these were  
18 outliers, why were they still being communicated, which again is a barrier to survivors. So  
19 we've looked at the Janet Lowe letter, that is WITN0066017, don't necessarily need to go to  
20 it unless it would be helpful. But the nub of it is that she is told that The Salvation Army  
21 doesn't believe her claim would be successful, it could be defeated on a number of fronts,  
22 goes through the statute of limitations analysis, and the belief that it would fail. The  
23 conclusion is that she's invited to discontinue her claim, and if she does, The Salvation  
24 Army would bear its own costs, but with the inference that if she doesn't, they would seek  
25 costs from her. Does that –
- 26 A. The question I have to you is, what is the date of that letter?
- 27 **Q.** The date of that letter, it's 29 May 2001, so it is that very early letter.
- 28 A. Yes.
- 29 **Q.** So I'm just sort of setting the ground work for what follows later. And I do have a question  
30 about that particular letter, because it was known to The Salvation Army that Janet Lowe  
31 was part of the wider SAAS group, the other cohort of claimants?
- 32 A. At some point it was, whether it was at the time of that letter I do not know.
- 33 **Q.** And would it be a fair and accurate expectation that a claimant being given that very  
34 disheartening view of where their claim is perceived by the organisation, would share that

1 information with other impending claimants and that would really be quite a barrier to  
2 access, may stop them proceeding with their claims; would you accept that?

3 A. It was certainly, you know, Janet was free to share that letter with whoever. As I've  
4 referenced in my brief of evidence, we acknowledge that in the earlier days — and 2001  
5 was right back at the beginning — we did not always get it right, particularly in the area of  
6 our correspondence that you've outlined, and we have strived to do better since. That also  
7 was at a time when we had to work within the parameters of our insurer and their advice,  
8 and so that's why I asked just for clarification, I thought it was around 2001 but I think it's  
9 important for people to have the context of when that letter was written and the space that  
10 we were in at the time, and acknowledge the learnings that we've taken from that moving  
11 forward.

12 Q. And it is important to look at the chronology. So we will have a look at WITN0250006,  
13 and just as that's being brought up, this is a letter dated 5 November 2003, so after the  
14 documentary has aired, and Territorial Commander Shaw Clifton has outlined the redress  
15 process in the media that would be followed. So this is McElroys just confirming that they  
16 were lawyers for the insurers and also for The Salvation Army, or just for the insurers?

17 A. My understanding is just for the insurers, they weren't our, to my understanding, our legal  
18 representatives.

19 Q. And if we can go to page 1 paragraph 3 and this particular survivor has complained of  
20 physical and emotional abuse while under The Salvation Army care, they are asking for  
21 appropriate compensation, Salvation Army is noted to have insurance for this type of claim.  
22 "As a result, any compensation payment would come from its insurer not from The  
23 Salvation Army itself. So The Salvation Army is required to allow its insurer to handle the  
24 claim. That is what we have been instructed to do." So in 2003, still very much being  
25 managed by the insurer?

26 A. Yes.

27 Q. Would you accept that receiving a letter like this, again it would create the perception that  
28 there are barriers because it is an insurer who's managing it, The Salvation Army is very  
29 much hands off, it's not going to be contributing to the payment, that's actually not  
30 intentionally, but would you accept that is misleading for a claimant to understand that the  
31 only avenue of compensation is an insurer and nothing to be contributed by the  
32 organisation?

33 A. I accept that the survivor receiving that letter would interpret that there are potential



1 barriers in the way. But correspondence of this nature and statements like that were one of  
2 the foundational reasons why we moved away from our insurer because that was not in  
3 keeping with our commitment to redress and our commitment to support survivors and our  
4 values and beliefs.

5 **Q.** And it goes on at paragraph 5 of that to talk about while there is no reason to disbelieve the  
6 claimant, even if an investigation proved that the incidents occurred, The Salvation Army  
7 would have the legal defence because it was out of time, meaning the Limitation Act. So  
8 accept that even in 2003 that was still via the insurers being the barrier created for  
9 claimants?

10 **A.** That's certainly, as you outline, the stance of the insurers who were looking at it, I would  
11 take from the tone and words contained in this letter, very clinically and as per the policy.  
12 We, The Salvation Army, determined that that was not in keeping with our values and  
13 beliefs and our respect and wanting to do the right thing for survivors who were in our care  
14 and were abused. And as I said, conversations or e-mails and letters like this contributed to  
15 our making the decision to move, step out and not impose a statute of limitations at all.  
16 And I think it's reflective of the conversation we had earlier that was raised by the  
17 Commissioners around some people, quite understandably, take 20 years plus to get to a  
18 point where they feel they can share what is very sensitive and painful information with  
19 anybody, and we acknowledged that at the time, hence we made the decision that we would  
20 step outside of both our legal, or legal parameters and particularly around insurance. This  
21 was not about money.

22 **Q.** And we've looked at the insurer writing to the claimant, but in this particular claimant The  
23 Salvation Army itself wrote in 2004, if we look at WITN0250008 and this is a letter from  
24 Territorial Commander Shaw Clifton to the same survivor dated 26 February 2004 at  
25 page 1 paragraph 3. The Salvation Army itself reinforces the insurer's view about no legal  
26 liability but nonetheless they were prepared to take a non-legalistic approach and offered a  
27 settlement. But again, you would accept that the mention, which could be perceived as a  
28 very threatening obstacle to overcome, is still being used in 2003/2004 in terms of that  
29 obstacle of legal liability?

30 **A.** This letter from Commissioner Shaw Clifton reflects that journey that I've spoken about, in  
31 that we were beginning to move away or consider moving away from the purely legalistic  
32 and insurance policy requirements to one of stepping outside of that and considering each  
33 case and negotiating a settlement. Now I appreciate in this place the statement here is a  
34 letter, it's an offer, but it illustrates that journey.



- 1 **Q.** Just putting yourself in the shoes of the survivor who has taken the enormously courageous  
2 step of coming forward and telling about the abuse, how do you think they feel when they  
3 get a letter that talks about we have no legal liability to you. Can you understand that that  
4 is quite dismissive. So even though it offers money, it's really – the perception is that  
5 there is no accountability being taken, no acknowledgment, but "we'll pay you some money  
6 to go away"?
- 7 **A.** As it says here, it goes on to say that we are prepared to take a non-legalistic approach and  
8 that's the tone of this. So I think Commissioner Shaw was outlining the statement of fact  
9 that as we were operating under our insurance policy there was no legal liability. However,  
10 he on behalf of the Salvation Army, was stepping outside of that and that's reflected in this  
11 letter.
- 12 **Q.** And in 2007 it appears that the insurers were still involved because their lawyers are still  
13 writing to survivors, so if we can have a quick look at SAL0000757, this is a McElroys  
14 letter to Cooper Legal. It refers to a claimant who has provided written statements, Scott  
15 Munro, and another individual who is not identified, and it's 30 March 2007. Just skipping  
16 over it talks about The Salvation Army seeing Murray Houston's role as pivotal, but the  
17 paragraph I do want to look at is page 1 paragraph 5, and again remembering this is 2007.  
18 It says:
- 19 "If your firm and/or clients are not prepared to accept Mr Houston's role in the  
20 settlement process, it will not occur. Litigation will be the only avenue by which your  
21 clients will obtain any resolution."
- 22 It goes on to say that the preferred position for Salvation Army is a negotiated  
23 resolution. But two things arise from that, one again, would you accept that it just shows a  
24 lack of flexibility in the process to meet the needs of individual claimants?
- 25 **A.** I would accept that taking this at face value as it is written here where it says it's not  
26 prepared to accept Mr Houston's role and the settlement would not occur, I accept there is  
27 an element of inflexibility there. What I don't know specifically is with McElroys letter  
28 there, whether they were acting on behalf of the insurer or outside of that, I don't know the  
29 answer to that, in terms of when we disengaged, as I said earlier, I don't know precisely  
30 when we disengaged with our insurer in respect of redress claims.
- 31 **Q.** If I can put it colloquially, if I put myself in the shoes of the survivor, it very much says  
32 take it or leave it or we'll see you in court. And they already know that there are legal  
33 hurdles with Limitations Act and ACC. So accept that's a pretty chilling message for a  
34 survivor to receive?

- 1 A. I agree.
- 2 **Q.** Does any of the communication that you're aware of, would the insurers have checked these  
3 letters with Salvation Army leadership or as insurers do they just say this is what we are  
4 saying?
- 5 A. I wasn't involved back at the time of the writing of this letter so I do not know whether  
6 McElroys engaged directly with leadership on the drafting of these responses.
- 7 **Q.** Are you able to put a year on when McElroys were no longer involved?
- 8 A. No, not a precise year, I don't recall that from the vast amount of documentation I've read in  
9 the preparation for this.
- 10 **Q.** That's perhaps something we can follow-up outside of the hearing or Murray may well be  
11 able to answer that tomorrow.
- 12 **CHAIR:** I think it's something I think we would like to know and maybe if Mr Houston can be  
13 briefed on that it would be useful, something for us to understand the context that you're  
14 talking about.
- 15 **MS JANES:** I think that would be useful.
- 16 **QUESTIONING BY MS JANES CONTINUED:** Going then to determination of quantum,  
17 I assume Murray didn't have an open cheque, that there were some criteria and guidelines  
18 set down for the, at least initially, the early stages of compensation discussions?
- 19 A. In that period you're talking about the early stages, I am not aware of what conversations  
20 might have been had around setting parameters around settlement.
- 21 **Q.** So in terms of establishing benchmarks, are you able to confirm or not whether advice was  
22 taken about what court awards had been made in similar cases?
- 23 A. What I'm aware of is in the documentation that has been furnished to the Commission that  
24 there is reference to meetings, conversations had around setting up some kind of matrix and  
25 being able to quantify as best you can, mindful that's an impossible task really to try and  
26 capture in a dollar value the hurt and pain that a survivor has experienced. Yet I read from  
27 the information that there were attempts to try and quantify that. In terms of reflecting the  
28 level of abuse and pain and suffering that has occurred for the survivors. But at the same  
29 time also endeavouring to apply some consistency. So there is a level of consistency  
30 applied to that as well.
- 31 **Q.** Do you know whether The Salvation Army conducted research or sought advice or  
32 consulted with other organisations such as the Crown, other faith-based organisations to  
33 provide guidance to Murray about starting points and end points?
- 34 A. Aside of what I've read in terms of engaging with the insurers and legal team, I don't know

- 1 of any other external conversations that may or may not have been had, including with the  
2 likes of other faith-based organisations or other cases, I don't know the answer to that.
- 3 **Q.** Because you talk in your evidence about being a sounding board for Murray about  
4 discussions on quantum. I'm just trying to get a sense of what the level of expertise that he  
5 had available within The Salvation Army to guide him and to provide a reasoned basis for  
6 being that sounding board. So talking from your personal experience, what were you  
7 drawing on to provide that guidance and advice?
- 8 **A.** So my involvement with working with Murray more closely has been over the last two or  
9 three years as part of the Royal Commission Working Group which is a group of senior  
10 leaders that our role is to support Murray, particularly in preparation for these hearings, and  
11 since I've become Chief Secretary last year I'm also involved in authorising payments and  
12 Murray will come and sit down with me and he'll walk through the particular case relating  
13 to the abused person, he will explain the rationale and he will say "This is what I'm  
14 proposing", and I will – we'll have the conversation, he'll answer any questions I have, and  
15 when we've completed that I do not – there has not been an instance where I've not  
16 authorised the payment that he has recommended or the course of action that he has  
17 recommended, which is outside of, but inclusive of, a financial redress.
- 18 **Q.** So there've been no occasions where you have disagreed on the quantum that has –
- 19 **A.** No, there has not.
- 20 **Q.** Do you have a process that would accommodate – The Salvation Army itself obviously  
21 would have the final say, it is writing the cheque, so where would responsibility for that  
22 decision lie?
- 23 **A.** I'm the, as Chief Secretary, the person who authorises the payments, so that rests ultimately  
24 be me.
- 25 **Q.** You may be able to – there's a document which I'm, again, not quite sure about the date of,  
26 you may be able to assist us on that, it's SAL0000141, just bringing that up. Under bullet  
27 point 6 on page 1 it talks about process and it sets out – perhaps if we can pull out those  
28 seven bullet points just down the bottom. So this is what I understand, and correct me if  
29 I'm wrong, that is effectively the process after an interview and moving towards the  
30 determination of the quantum. So these are seven elements that The Salvation Army takes  
31 into account when settling on the figure?
- 32 **A.** Correct.
- 33 **Q.** That's correct?

1 A. Yes.

2 **Q.** And are you able to put a date on that document? I've sort of got query 2018 but I'm not –

3 A. I would think that it is a more recent document and it is in preparation for the Royal  
4 Commission, I would think, in terms of capturing the process that Murray has followed  
5 over many years, that would be my guess in the absence of a confirmed date.

6 **Q.** And at the final bullet point of that particular document it confirms that the level of any  
7 compensation is based on the seven elements and commensurate with other settlements of  
8 like nature. That's your understanding also of the process?

9 A. Yes, it is.

10 **Q.** And then page 2, the first and last bullet points, just very briefly going back to the setting of  
11 the annual budget, it talks about each year a budget is decided to allow for potential future  
12 claims. Understanding from Murray's evidence is that he puts together an estimate, that  
13 comes through to Salvation Army leadership, finds its way into a line item in the budget I'm  
14 assuming. Curious yesterday that you mentioned you had only recently become aware of  
15 the amount that the redress was costing The Salvation Army.

16 So can you just talk us through that process? I mean is there a specific  
17 contingency liability allocated fund, where does Murray draw from, or The Salvation Army  
18 draw from both for financial settlements but also for the collateral counselling and all the  
19 other things?

20 A. As documented in point 4 here, we do a best guess estimate and that is for accounting  
21 practises and factoring into the budget. I in turn, within my budget, have a line relating to  
22 expenses incurred with responding to the Royal Commission, and that is at best a best  
23 guess. And not one that we – we do monitor it obviously, but at the end of the day it will  
24 be what it will be, and in terms of the redress process and the work that Murray does, that is  
25 the same principle that we apply, we do not set a ceiling and say right, for the rest of  
26 this year we're not going to settle anymore claims, that has never been our practice and  
27 never will be our practice, that is abhorrent to me. And why do I not know the amount  
28 that's been paid? Because actually that is irrelevant.

29 **Q.** And you've given your evidence about the cost of redress which you now know. We did  
30 that very quick calculation, the Inquiry has received a range of information. If we very  
31 quickly look at our tabulation at MSC0002219 and this will probably be a good time to  
32 actually formally produce this as an exhibit which is number 6. This is the collation  
33 document, but if we can go to the page where you'll find that there's a summary at the

1 bottom?

2 **CHAIR:** Just for the record, Ms Janes, this document I believe has been shared with counsel; is  
3 that correct?

4 **MS STEVENS:** Yes, it was shared with us on Friday, so it's produced on the basis that we haven't  
5 had an opportunity to verify it against the information that we provided.

6 **CHAIR:** Yes, I think that's important that we record that. So these are figures, as you've said  
7 Ms Janes, based on what you know to date or what you've learned to date.

8 **MS JANES:** Yes.

9 **CHAIR:** But maybe subject to verification by The Salvation Army at a later stage, would that be  
10 right?

11 **MS STEVENS:** Yes, that's right, we would like the opportunity. I understand it is based on the  
12 data we've provided under the section 20 notices last year, so it's an assumption that's been  
13 appropriately tabulated but we would want to check that.

14 **CHAIR:** So we'll take the document and the contents based on that sort of condition, they're  
15 probably fine.

16 **MS JANES:** In fairness to The Salvation Army, because they have provided information over  
17 quite a period of time, 2019, 2020, now 2021, it's not in any way saying anything about the  
18 earlier figures, it's just we think these are probably the most recent figures, but subject to  
19 verification.

20 **CHAIR:** Okay, thank you.

21 **QUESTIONING BY MS JANES CONTINUED:** So if we can just call out the numbers at the  
22 bottom of that particular section, they're all pretty much in the same ballpark, Colonel  
23 Walker. This seems to indicate there's been a total settlement amount of just over 5 million  
24 and it talks about the average settlement being 29,268, legal contributions 91,841,  
25 counselling costs 54,350 and other costs 36,802.91.

26 I understand from other evidence that Salvation Army has given to the Commission  
27 that may not include direct legal costs that were paid by the insurer, so the sum may  
28 actually be a higher amount. Is that your understanding or –

29 A. Well, I first saw this over the weekend so I don't know, as has already been shared, how  
30 this has been calculated so I can't answer your question.

31 **Q.** Just from the indication we were given from your counsel in July 20, the payments looked  
32 to be 4,868,000 so that's why I'm giving this figure which, from your spreadsheets, seems to  
33 be updated?

34 A. Your question around any other legal costs that are outside of this, what's stated here, I

- 1 don't know.
- 2 **Q.** Just in terms of quantum, again while we're on this document, if we can quickly look at  
3 page 6 and again putting into evidence that one absolutely accepts the limitations of  
4 averages, that there is a wealth of data that lies behind averages, a lot of factors that could  
5 influence them, so to be taken with some caution. But as sort of a best graphical just  
6 looking at maybe trends and patterns that you can clarify and provide further information  
7 for us, this shows us the average settlement amount over time, 2003 to 2020. Not quite sure  
8 what happened in 2013, but — no settlements, exactly, yes, so not sure why.
- 9 **A.** It's probable I presume.
- 10 **Q.** But just looking at the averages over time and exploring the objective of parity and  
11 consistency and fairness, do you accept that those are values and objectives from Salvation  
12 Army in terms of its redress compensation?
- 13 **A.** As I've shared already, we would expect to look at fairness and as best you can, whilst also  
14 looking at each person's individual circumstances, that we certainly don't ever want to lose  
15 in this journey of redress.
- 16 **Q.** And there seems to have been quite an upward trend 2018 onwards. Has there been a  
17 reconsideration of quantum in line with the establishment of the Royal Commission?
- 18 **A.** I've been Chief Secretary since August of last year, I've been on the Working Group for  
19 Royal Commission since 2018 and I was never part of any conversation in which that was  
20 discussed.
- 21 **Q.** And we know that this is probably a topic better for Murray because he's closer to the  
22 detail, so really looking at the overarching principle and accountability and guidance for the  
23 process. If we look at the evidence with Murray and it appears that there is disparity in  
24 outcomes when taking into account that severity and nature of abuse, settings, perpetrators,  
25 would The Salvation Army be open to a full review of claims or people being able to come  
26 back to The Salvation Army so that those values of consistency and parity can be seen to be  
27 complied with and exercised?
- 28 **A.** You started by saying that these are averages, so high level, it's high level information and  
29 if we were to drill down on each one of these, and if we look at 2020 there's been a couple  
30 of cases we need to say okay, how do they compare to the cases from 2015. We don't have  
31 that information, it was supplied on Friday night to us, so we haven't had a chance to  
32 analyse this information.
- 33 But what I'd say is that in answer to your question, just to preface it with this, that  
34 I've, certainly in the lead-up to this Royal Commission, anticipated some scenarios and that

1 is a scenario that I thought may well apply going forward that there might be a review.  
2 And to answer your question, The Salvation Army, as we've already stated, would  
3 cooperate fully with the Commission, and our desire is to be there to support survivors as  
4 best we can, and if that involved a review of historic cases, we would be open to exploring  
5 that.

6 **Q.** And has there been consideration of including an inflationary component in the  
7 compensation settlements, or is that a topic for Murray as to how he's gone about them?

8 **A.** In terms of the historic assessment that would be a question for Murray. From a leadership  
9 point of view we have not had those conversations. I've certainly not been part of those.

10 **Q.** Is that something that, taking a step back and saying because they are historical claims and  
11 they have been settled over a very long period of time, that that is a consideration that could  
12 or should be factored into the compensation levels?

13 **A.** I'd just like to say that in each of the cases there was an agreement with the survivor and  
14 between the survivor and The Salvation Army, so we've got to be conscious of that, and  
15 there are always challenges of applying historically criteria in a whole range of areas, in  
16 terms of as I've outlined here, how we operated in the 1950s and 60s and 70s is very  
17 different to how we operate today, so there's an element of subjectivity to that.

18 Would we be open to having that conversation and exploring? Yes, because we  
19 are committed to co-operating fully with this Royal Commission and any recommendations  
20 and ultimately any decisions that the Government might make around this we will  
21 obviously we will adhere to. So we are open to exploring that. I just caution that it would  
22 be very challenging but not necessarily insurmountable.

23 **Q.** And we've heard evidence in the State-based hearing where there was a comparison about  
24 Crown settlement agreements and particular faith-based agreement where there now was a  
25 provision that allowed reconsideration of that settlement amount for reasons exactly as  
26 you – is that something that you would consider in terms of your forward agreements from  
27 here on in?

28 **A.** As I've already shared, yes, it would be.

29 **Q.** And you will have seen, or you may not have seen the Crown, particularly the Ministry for  
30 Social Development has a specific policy now that allows revisiting of settlements in  
31 acknowledgment that the body of knowledge is constantly growing, and we know John  
32 Gainsford is a particular example, Murray talks about those claims being revisited  
33 following the conviction.

34 As that body of knowledge that The Salvation Army is developing about



1 perpetrators and settings and abuse, would it look at proactively revisiting, as you did with  
2 the John Gainsford claims, or how could you assure the Commission, and more importantly  
3 the survivors, that they have been treated fairly and have an opportunity to have all the  
4 information that should have gone into their settlement considered?

5 A. We, as I've said, we're very open to the recommendations of the Commission, we're open to  
6 exploring what you've just outlined. We did make the agreements in good faith, whether  
7 it's in 2002 or as recently as this year, they were agreed to by the survivors. But are we  
8 open to that possibility of reviewing? Yes, we are, I speak on behalf of leadership, where  
9 we have no particular areas which are no-go for us in terms of the findings of the  
10 Commission. We want to be supportive of survivors and make sure that this is a  
11 survivor-centric process and journey and we want to actively contribute to that. So we are  
12 open to all that you've just shared as options to consider.

13 Q. Through the evidence we've heard a lot of things about The Salvation Army being open to  
14 what the Royal Commission finds, but the Royal Commission has a long journey of its own  
15 still ahead, redress as you will have heard in the opening statement, is certainly something  
16 that it has a priority focus on in terms of as early as possible recommendations.

17 But for survivors, what level of comfort do you think it gives them that they keep  
18 hearing assurances that you're open to the recommendations of the Commission rather than  
19 very proactively and right now putting in place some of the things that we've talked about  
20 over the last day and a half?

21 A. One does not negate the other, there will be learnings that we will take from this  
22 Commission and when I and my colleagues return to our office in Wellington we will  
23 consider, and it won't be necessarily that we wait until the Royal Commission makes its  
24 findings or recommendations, there will be some things we may well change. I do not  
25 know what those are, but I state again our commitment to being very much focussed on  
26 supporting survivors as we have endeavoured to do right from the outset whilst  
27 acknowledging that we didn't always get it right, but our attempts are genuine and we  
28 would welcome receiving, hearing from survivors that we have not heard from in the past  
29 and we want to engage with them.

30 But there are some of what we've heard and seen that we will take back and say  
31 okay, it's right and proper that we do review our current processes and procedures and that  
32 is how we, as a church, as an organisation, operate. I hope to think we are somewhat of a  
33 learning organisation in that we take those learnings and we apply them, we just don't say  
34 that's a good idea but don't do anything about it, we're quite proactive in many areas. This



- 1 is an area where we equally need to be proactive.
- 2 **Q.** And that goal of consistency and parity and fairness, does that extend across the ambit of  
3 all of the settings? So we've explored this morning that there probably are a wide range of  
4 settings where abuse has occurred, claims likely not made because no-one has known that  
5 there's a redress process available, but should they come forward as you have invited them  
6 to do, is there a commitment to ensuring that there is equity across both the process and the  
7 outcomes and therefore the quantum and availability of non-monetary redress for them?
- 8 **A.** That's consistent with how we have operated, attempted to operate over the last 18 or so  
9 years, acknowledging that in the early days we didn't always get it right, but our attempts  
10 have been premised on what you've just outlined and continue to be going forward.
- 11 **Q.** And so looking at, say for example, the Hugh McCready claims because he crossed both  
12 children's settings and the Bridge Programme as I understand it. So I assume Murray  
13 would look at the children's homes claim, you or a predecessor would have looked at the  
14 Bridge Programme home; what level of consistency is applied where there a perpetrator  
15 known to have crossed both settings?
- 16 **A.** I have determined, from listening over the last few days and sitting here listening to the  
17 survivors share last year, that that is an area we do need to focus on in terms of ensuring  
18 there are no gaps and that the appropriate people are talking to each other and that, as you  
19 describe across the organisation, we are consistent and apply the same rationale so that  
20 we're fair to everybody and that enhances our commitment to supporting and  
21 acknowledging the abuse that people in our care unfortunately received in the past.
- 22 **Q.** And in terms of apologies, I will mostly direct those questions to Murray. I take from the  
23 evidence we've heard from you the acknowledgment that The Salvation Army has not  
24 always got the language right in those apologies?
- 25 **A.** Yes, I agree.
- 26 **Q.** And so in terms of taking back to the leadership, what would you say is now the thought  
27 and belief about apologies and how you will look at those for future reference?
- 28 **A.** Well, again, we have been on a journey and if you were to compare the apologies of recent  
29 years to the apologies of, say, close to 20 years ago, you would see that the apologies of  
30 more recent years are more empathetic and reflective of the respect and empathy we have  
31 towards the survivors and they're more survivor-centric than some of the apology letters  
32 that were sent in the past, that I in my brief of evidence apologised for from the outset, we  
33 did not always get it right.
- 34 In more recent years I believe that we have taken those learnings and applied them

1 in the apologies, so if you were to compare. So I don't agree that we're just starting on this  
2 journey, we've been on this journey for 20 years and we're constantly reviewing how we do  
3 things and that's reflected in this instance in the tone and words used in the apology letters.  
4 I think you would see a shift, a significant shift in some cases that has occurred over the last  
5 18 or so years.

6 **Q.** And as a reflection, perhaps there were apologies from sort of 2017/2018 that the  
7 Commission has heard about that felt very templated, lacked any meaning or healing for  
8 them, and then we contrast that with the Gloria White apology, is a reflection that comes  
9 out of that that actually asking a survivor "What do you need from us" in your apology  
10 letter made all the difference for Gloria White, she was able to say what was meaningful for  
11 her, the others just felt completely meaningless. Do you see that that might be a question?

12 **A.** I do, and I accept that how a letter, whether it's a letter of apology or, as has been shared,  
13 some of these other correspondences interpreted, we are – we attempt to the best of our  
14 ability to reflect empathy and a sincere genuine apology and I, again, it's unreserved, we  
15 know that abuse has happened in our care, we are not shying away from that in any way,  
16 and there is an element of trying to anticipate how particular words in an apology letter will  
17 be received. Your point around engaging with the survivor in terms of "Well, what would  
18 you like" reflected in that letter is a good idea, and Murray can explain and answer that  
19 particular question as he drafts the letters. But we have instances of, many instances of  
20 where the apology was received very positively by survivors.

21 So, but it is – we do our very best to attempt to reflect our sincere regret for what  
22 has happened to people in our care in the past in those apology letters, and in the  
23 conversations that are wrapped around, it's not just about the letter, conversations are had  
24 with survivors throughout that whole journey and include verbally communicating our  
25 apologies. I shared that I and the then Territorial Commander personally visited each of the  
26 survivors who were willing to meet with us in the case I was involved in and we heard from  
27 them and we asked them what they needed and we verbally apologised and followed that  
28 up with a written apology capturing to the best of our ability what they'd shared.

29 And in each of those cases that I was personally involved in, they were very  
30 appreciative of the time that we took to visit them, and to listen, and to apologise and they  
31 felt that that was sincere because that was certainly from our perspective our intent. And  
32 that was well received by the survivors in the cases that I was involved in and that was in  
33 2017. And that was outside of this redress process, I acknowledge that.

1 **Q.** Thank you.

2 **MS JANES:** I have concluded my questions and leave some time hopefully for the  
3 Commissioners to ask any.

4 **CHAIR:** Thank you for that. You're looking significantly at me, Ms Stevens.

5 **MS STEVENS:** I'm not sure if I had this opportunity, but there was just one document that I felt  
6 may be – Colonel Walker might have had more of an opportunity to look at some further  
7 text around that. It was just the one thing I would hope we might be able to –

8 **CHAIR:** Have a quick word with Ms Janes about that, find out what it is. [**Counsel confer**]

9 **MS JANES:** There's a particular paragraph above the Rob Neale –

10 **WITNESS:** Rob Veale.

11 **MS JANES:** – Rob Veale investigation report that Ms Stevens thinks would be useful for Colonel  
12 Walker to read and then just comment quickly on.

13 **CHAIR:** Yes, thank you Ms Stevens.

14 **FURTHER QUESTIONING BY MS STEVENS:** So if we could just re-bring up document  
15 SAL0000854. And on the second page of that document you were taken to the sixth bullet  
16 point under the heading "Other Information", but I just wonder if we could bring out that  
17 whole section under the heading "Other Information", and Colonel Walker perhaps if you  
18 could just read perhaps out loud the commentary. So this is from Rob Veale, what he says  
19 under that heading.

20 A. "Other information. This section contains unconfirmed information that may or may not be  
21 accurate. It is highly likely that there has been discussion between various parties, and  
22 without conducting further inquiries, the veracity of any of the following information  
23 cannot be determined."

24 **Q.** Then he has that heading "Information from the complaints is summarised below." So  
25 Ms Janes took you to the sixth bullet point and put to you that that was one of Rob Veale's  
26 findings. Just in light of what you've read –

27 **CHAIR:** Just for the record, that relates to the documentation and the pages being removed, is that  
28 right?

29 **FURTHER QUESTIONING BY MS STEVENS CONTINUED:** That's right, yes. Just in light  
30 of what you've read, do you think Mr Veale was making a finding on that?

31 A. As he outlines, that was his summation based on interviews with various parties and  
32 conducting further inquiries. But he does, as you say, as I've outlined, the veracity of any  
33 of the following information cannot be determined.

1 **MS STEVENS:** That was all, thank you.

2 **CHAIR:** So I'll now invite the Commissioners to ask any questions, Ms Steenson.

3 **COMMISSIONER STEENSON:** Tēnā koe Colonel Walker.

4 A. Kia ora.

5 **Q.** Ngā mihi for your whakaaro and kōrero the last two days. I just wanted to understand, you  
6 talked about the commitment that The Salvation Army has to Te Tiriti o Waitangi and there  
7 was a strategy that was being developed. Can you just elaborate on that strategy, it is for  
8 Māori in relation or is it a wider diversity?

9 A. The strategy I was referring to is entitled Te Ōhākī and was developed in 2014/2015 and  
10 signed by our then Governance Board and it captures four priority areas, four goals that  
11 relate to our engagement with Māori both within the church and equally external to the  
12 church, those Māori who engage with our services in any shape or form through whatever  
13 entry point we have. So it is both internal and externally focused, and it is about, in the first  
14 instance, increasing the capacity and capability of Māori within our organisation, our  
15 ongoing journey to meet our obligations under Te Tiriti o Waitangi that we take very  
16 seriously to build the capacity. Right now we are working on a business case that we'll see  
17 be presented to our Governance Board in the next two months that proposes additional  
18 resource that we apply to assist with the outworking of Te Ōhākī. So that's the context that  
19 I was referring to.

20 **Q.** Okay, just so that I understand, the business case, who's been involved in developing that  
21 and the strategy, has there been much Māori involvement?

22 A. Totally; we have over the last 10 years in particular, we have strengthened our capacity in  
23 the area of both our Māori officers, acknowledging we only have a limited number of those,  
24 it's a small number, we have established positions, we have four divisions across  
25 New Zealand and we have now a Māori ministries, we call them, I'll call it secretary or  
26 position within each of our four divisional headquarters, we have a kōkiri that was  
27 established last year, prior to that we had a Māori Ministry Council and the kōkiri, and  
28 now we've established a rūnanga and between the two of those they are working on the  
29 business case, and those divisional representatives were part of the development of the  
30 initial proposal that went to a Governance Board in August of last year.

31 **Q.** Thank you, and just one last question, will all of that relate to the redress, your redress  
32 process?

33 A. It will inform the redress process most definitely because Te Ōhākī applies to every facet of  
34 The Salvation Army and would include the redress process going forward, yes.

1 **Q.** And just as an early indication, what sort of changes therefore do you envisage as a result  
2 of that?

3 **A.** Te Ōhākī runs parallel to other focus areas that we have, particularly in our responsiveness  
4 to Māori who are accessing our services and that applies in our addiction services, our  
5 community ministries services. So that's not the only piece of work but it's overarching, but  
6 running alongside that we have been looking at how we need to improve our service  
7 delivery to be more responsive to Māori, more inclusive of Māori, both staff and equally so  
8 those that we are privileged to serve.

9 **Q.** Tēnā koe.

10 **A.** Kia ora.

11 **COMMISSIONER ALOFIVAE:** Afternoon Colonel, thank you for your frank and honest  
12 comments this afternoon in terms of redress and how The Army intends to see it through.  
13 I've just got a couple of broader questions, if I may, around your systems. Can I just start  
14 with, so New Zealand is a territory that encompasses Fiji, Tonga and Samoa.

15 **A.** [Nods].

16 **Q.** Just to help me understand further, so every country, so there'll be some jurisdictional  
17 issues, I appreciate that, but every country has its own set of regulations?

18 **A.** In terms of if I focus on the territory which, as you outline, is New Zealand, Fiji, Tonga and  
19 Samoa, we apply the same Orders and Regulations which is internal and they originate  
20 from London. We have a lot of autonomy in terms of how we apply policies and  
21 procedures. We also have a governance charter that has just been signed off by our  
22 International Headquarters or the latest revision has. We also have trust deeds in each of  
23 the four nations. Now we have only been in Samoa now for just on two and a bit years, but  
24 we will, from a legislative point of view, we're required to have trust deeds as well. So  
25 we're just reviewing all of those.

26 But we apply – we are mindful of both jurisdiction and cultural parameters that we  
27 need to apply, so how we do things in Tonga look quite different to how we do things in  
28 Samoa, and conversely in New Zealand. And even within Aotearoa, we do apply some  
29 flexibility in terms of how we deliver services in certain parts of the country. An example  
30 being in Northland how we deliver services in Whangārei and Kaitaia can be quite different  
31 to how we do that in other parts of the country.

32 **Q.** And so as part of your trust deed and the constant conversations and negotiations that go on  
33 between your different nations, is redress something then that would come up as a policy  
34 that perhaps every nation should have?

- 1 A. That's not a conversation we've specifically had. What we do, though, is, again mindful of  
2 the cultural perspective of each of the four nations really, but if I talk particularly in this  
3 instance about the Pacific, we are navigating and continue to navigate through how we can  
4 take the policies that have been developed here in New Zealand, an example being the  
5 Keeping Children Safe policy and apply that in, say, a Tongan context. And so some of our  
6 policies and procedures are territory-wide, some are specific to one or more of the nations  
7 within the territory. And that's us about not applying a New Zealand context to –
- 8 Q. And it's appreciating the nuances and that every nation has its right to be able to determine  
9 the length and the breadth and the depth perhaps of some of those tapu issues like child  
10 abuse, abuse in general?
- 11 A. Exactly, yes.
- 12 Q. If there was a situation where someone had been abused in one of the homes here was now  
13 residing overseas in one of those nations, is there a process or is there a procedure in which  
14 they would be able to bring that concern back to the New Zealand headquarters and have  
15 the matter dealt with?
- 16 A. The procedure right now would be that, if I use Tonga as an example, if a person had been  
17 abused in our care and was residing in Tonga and they could approach one of our corps, our  
18 churches, within Tonga or go to our regional headquarters and talk with a senior person  
19 there, our policy would state that was shared, that would then immediately come to the  
20 Secretary for Personnel. And when I was Secretary for Personnel for four years I recall an  
21 instance where I personally travelled to Tonga to investigate an allegation. So that would  
22 be the procedure and that applies now as it has done for many years. But I acknowledge  
23 that we don't have the same, like a website and so forth in all of those nations, and how we  
24 approach things is very different and that's reflective of the culture and, as you said, the  
25 nuances.
- 26 Q. But as a broader systems issue for The Salvation Army, is that a learning that would then  
27 apply given how globally accessible the Pacific is to Aotearoa?
- 28 A. Yes, I totally agree with you on that, and we, as I shared with our policies, we spend a lot of  
29 time trying to make them relevant in the particular context so that they're understood. And  
30 that applies to how we train people. The methods are quite different in each of the nations  
31 to how it would be done here, we know that we can't just translate or transport how we do  
32 things in New Zealand and just expect people to conform to that.
- 33 Q. Thank you. Just a couple more questions. Thank you for giving us the clear figure, I think  
34 it was 274 claims that have been settled to date, but was there an overriding figure of how

1 many young people had actually been through your homes over the last 50 years, 1950 to  
2 1999?

3 A. I don't know the precise number, but it would run to thousands, particularly if you – yeah,  
4 yeah.

5 **Q.** So redress is a very specific process and once someone has engaged you can then begin to  
6 operationalise your process. But it's the step before that, which again is a systems issue, so  
7 someone who might have been abused but won't speak about it. So concepts that we talk  
8 about a lot in Māori and Pacific communities is the weight of shame, so they might never  
9 come forward but they might be a user of your Bridge service or your food bank or a lot of  
10 other social services had you might use.

11 Are you able just to give us a very quick snapshot of what are the ways or – so it's  
12 one thing to put out a rally call or a clarion call asking people to come forward, but when  
13 culture is a big inhibitor of actually stepping out, what are the ways that The Salvation  
14 Army consider appropriate, or what are they actually doing in terms of being able to  
15 ascertain, given that the population really that your ministries specialise in is vulnerable  
16 people?

17 A. Yes. I served in South Auckland both within The Salvation Army and prior to that for over  
18 30 years in the South Auckland space, so and I'm familiar with our services, say, there, for  
19 instance. Conversely, I'm very familiar with our services in Porirua which is where I attend  
20 the church there. Our staff are trained to look for signs, they are trained in how to  
21 interview, we have a lot of social workers so obviously that comes as part of their study,  
22 counsellors, addiction, case workers and in the course of conversations, if a person we're  
23 serving, say in one of our addiction services, shares "Well, you know, I was abused",  
24 whether it's in The Salvation Army or elsewhere, that the staff member has been trained in  
25 "Okay, let's talk about that", and without putting any pressure on the survivor but  
26 encouraging them to go further.

27 And I would have an expectation, and I know of a couple of instances of this that  
28 I've heard first-hand, of where the staff member, our staff member has journeyed with the  
29 person to broach, which I acknowledge is hugely challenging to do, make that first step and  
30 our staff have supported them in that journey, and in some instances continue to support  
31 them because how we operate is that the person, once they come to us, we don't have an  
32 end point, the end point is determined by the person. We'll journey with people for as long  
33 as they need, that's who we are. It's not for the length of time of the contract, it's for



1           however long they want us to journey. Some come back and go again and then come back,  
2           and that's fine too.

3   **Q.**     That's your mission statement, isn't it, transforming lives. One last question, the social  
4           services that you provide, some of them are Government contracts like the Bridge, maybe a  
5           few others?

6   **A.**     Yes.

7   **Q.**     Looking forward in terms of redress and what's happening in this space, is that a  
8           conversation that The Army is considering around commissioning models with, say,  
9           Government or other funding parties?

10 **A.**     As you say, we've got contracts with district health boards, Ministry of Health, Ministry of  
11           Justice, Ministry of Social Development in a whole range of spaces, and in terms of the  
12           accountabilities that are contained in our contracts, some of them touch on this, around  
13           safety and support and having policies and procedures that are robust to protect people  
14           whilst they're in our care. They didn't always exist certainly going back to, you know, the  
15           60s and 70, well they were non-existent in the main.

16                         So I would not be surprised if our funders would engage with us and say "Okay, so  
17           what are you doing in this space?" We've just had a very comprehensive external audit, it  
18           was a very positive audit of our contracts and that's right and proper that there's  
19           accountability and transparency and we're committed to working with our partners, and we  
20           call them partners, even though we have a contract with the Government agencies to ensure  
21           that we provide the best level of care that we possibly can.

22 **Q.**     Fa'afetai lava, thank you Colonel.

23 **CHAIR:** Could I just check, it's officially lunch time and I appreciate that you probably want to  
24           move to Mr Houston's evidence directly after lunch time. We've got a few more questions,  
25           the question is should we ask them now or do we take the break? I'm also conscious of our  
26           signers and our stenographer.

27 **MS JANES:** Subject to the signers and the stenographers being comfortable to carry on, Colonel  
28           Walker would you be –

29 **WITNESS:** Fine.

30 **CHAIR:** Are we right over there, all right over there? All right thank you.

31 **COMMISSIONER ERUETI:** Tēnā koe Colonel.

32 **A.**     Kia ora.

33 **Q.**     So my questions are about, I want to get a sense of numbers. You said to Commissioner  
34           Alofiavae that thousands went through the homes. I wondered whether the church had

- 1 looked at the numbers that were Māori or Pasifika or non-Māori?
- 2 A. Certainly going back to the earlier days, our information and data capture possibly was not  
3 as robust as it is today. I shared earlier or yesterday that we have a management  
4 information system that captures the details of those that access our services. We now, and  
5 have done for a number of years, captured ethnicity if the person is willing to share that  
6 with us, so we can run reports now that accurately capture that information. Historically  
7 I suggest that we probably didn't capture that information to certainly nowhere near the  
8 degree that we've heard in more recent years.
- 9 Q. So the data you're capturing now is those who are participating in the social services?
- 10 A. Yes, right across the spectrum.
- 11 Q. There's a large number of Māori, you think 50% of consumers?
- 12 A. In terms of our community, ministry space, which is, just to clarify, is our corps based  
13 community response, food bank, budgeting, other social services of that ilk; we are talking  
14 in the vicinity of 50%, and that can be higher in other areas obviously. But we – over the  
15 years we've been very conscious and aware that we need to be more responsive, not just to  
16 Māori, but Pasifika and now broader than that. But our priority, I don't apologise for this,  
17 in the first instance is to Māori as we honour or Te Tiriti obligations.
- 18 Q. Kia ora. Do we have a sense, do you have a sense of the numbers who are Māori or  
19 Pasifika or other ethnicity participating in the redress scheme?
- 20 A. I don't have that information.
- 21 Q. Perhaps I could ask Murray.
- 22 A. Yes.
- 23 Q. And the other, again, numbers is the trying to get a sense of the number of the soldiers and  
24 officers and adherents within the church, the number who – do you have a sense of the  
25 percentage who are Māori?
- 26 A. We don't have an accurate assessment of that, we are working towards capturing that.  
27 Within our officer force we have around 240, 250 active officers in the territory. Those  
28 who are of Māori heritage would be in the vicinity of – and this is a guesstimate on my  
29 part – I would think in the vicinity of 10, 15%. In terms of those attending on a regular  
30 basis our corps, our churches, I don't have that information. And again, we have not  
31 intentionally gone out seeking that either.
- 32 Q. And you have no plans to?
- 33 A. I'm not saying we haven't got any plans to, but again, particularly in terms of the

1 outworking of Te Ōhākī, one of the things we're wanting to do is try and quantify how  
2 many Māori are engaged in whatever way both as clients but also as members of our church  
3 who are Māori.

4 **Q.** Ka pai. And this question's about the governance structure. So you have a Governance  
5 Board and you have a governance charter, and so I'm assuming that these treaty strategies  
6 that you've produced over time, are they produced by the Governance Board?

7 **A.** They're produced to the Governance Board for approval.

8 **Q.** Of course, yeah, and in the charter itself is there any reference to the Treaty, is the charter  
9 your constitution?

10 **A.** Yes, we have a trust deed, but we have our charter for our territory, and we've just, as  
11 I said, gone through and revised that and updated that. But it does state our commitment to  
12 the Treaty of Waitangi and indeed in our strategic framework our commitment Te Tiriti  
13 underpins all of our focus areas and informs each of those.

14 **Q.** That's in your charter?

15 **A.** It is documented as part of the charter because we have some of the information that's been  
16 supplied to the Commission around the structure and so forth is captured in the charter.

17 **Q.** And the Māori governors on your Board of Governors, do you have any Māori  
18 representation?

19 **A.** We do indeed, yes.

20 **Q.** The numbers compared to non-Māori?

21 **A.** The breakdown is that we have executive members, of which I am, I, as I shared –

22 **Q.** Ngāti Porou.

23 **A.** Ngāti Porou.

24 **Q.** Kia ora.

25 **A.** We have in our external governors, of which we have four, we have one Māori and – yeah,  
26 so yeah.

27 **Q.** Just one final question about the matrix as they've been calling it. If we look at The  
28 Salvation Army in Australia, the matrix they've produced I think since about 2005, it has  
29 component parts to it, and I'll raise this with Mr Houston, but I wonder whether you had a  
30 sense of the component parts to it?

31 **A.** I don't – I'm not familiar with all the component parts of what our colleagues in Australia  
32 have applied, I haven't got that level of specificity.

33 **Q.** But I mean to the matrix applied here in New Zealand?

1 A. Some of them would be similar, and I do know that Murray in particular has remained  
2 engaged with our colleagues in Australia for a number of years now. He'll be able to share  
3 how many in terms of sharing information, the learnings, and so we do engage with not just  
4 Australia but broader than that. I think that's one of the advantages of being an  
5 international organisation that we can share information from other parts of the world, other  
6 jurisdictions.

7 **Q.** But would you personally know whether or not, say as part of this matrix, a component  
8 would be the number of days that someone spent in isolation, for example?

9 A. I don't know specifically, but I would surmise probably not in terms of isolation.

10 **Q.** Kia ora, ngā mihi nui ki a koe.

11 A. Kia ora, thank you.

12 **CHAIR:** I'm the lucky last, Colonel Walker. I've got two areas to ask. The first relates to the  
13 nature of the redress which The Salvation Army has available for people who bring  
14 complaints of abuse, whether it's historic or whether it's more contemporary. It relates, of  
15 course, to The Salvation Army's very famous and important social work functions.

16 My question is, when you are considering redress, there's obviously the apology,  
17 there's obviously the money and then there's the question of anything else we can do. Is  
18 there any linkage or ability to link what is required, so obviously from the survivors in  
19 terms of ongoing support, with the services that The Salvation Army provides, social  
20 services?

21 A. Yes, there is, there are examples, and again Murray will be able to share more of those, but  
22 I'm aware of some examples where that has happened and as part of our continuing to  
23 journey and support the survivor.

24 **Q.** I'm talking about a wrap-around service if you like.

25 A. Yes.

26 **Q.** We'll ask Mr Houston some questions about that when he comes. The second area I want  
27 to talk about is the question of documentation. I appreciate that Mr Veale's report was not  
28 entirely settled as to whether or not documents had been removed or not, but we do have  
29 the evidence of the Police summary which relates to Mr Gainsford. You said that it is not  
30 acceptable practice to protect bad apples in The Salvation Army.

31 A. Correct.

32 **Q.** That is accepted that that is your well-founded position. From our experience of talking to  
33 survivors individually, and many of them come from The Salvation Army background, one  
34 of the enduring and consistent themes is this concern about loss of records, loss of records

1 of individuals and people have said "They don't even know who I am" or "I've only had one  
2 line". That is a very hurtful and enduring matter for survivors.

3 But there's also the concern that perpetrators were, at least in the past, sometimes  
4 hidden, overlooked, moved etc. So this issue of records of investigations or records of  
5 abuse which have been kept, I accept at local levels, being lost, I'm sure will be of  
6 enormous concern to survivors; seeing the organisation being complicit, if you like, in the  
7 abuse by hiding it. Do you accept that that is the case?

8 A. I accept that there are gaps in our documentation. How some of those occurred I don't  
9 know, you know, in terms of there weren't retention policies that certainly exist now back  
10 in the earlier days. So I don't know what prompt that led to some of the gaps in  
11 documentation.

12 Q. That's where I'm coming to, because one of the big issues for survivors is accountability. It  
13 happened, who's going to take responsibility and if it is known that it happened who's  
14 investigated, who's had a look at it. Now I appreciate that you say you weren't there and  
15 you weren't there, but I wonder if you would agree with me that The Salvation Army has a  
16 moral responsibility to show that it's made best endeavours to try and find out what actually  
17 went on in that time?

18 A. I would agree with that, yes.

19 Q. Because the hurt, although it was abuse that occurred in the past, the hurt continues, so  
20 there is this continuing.

21 A. Yes.

22 Q. I wonder whether you might consider the possibility of trying to do some form of  
23 investigation. I know it's a long time ago, I don't know whether it's been done, do you  
24 know if there's been any attempt to investigate where the documents went?

25 A. We have done quite a lot of investigation both in terms of this hearing, this Royal  
26 Commission, but prior to that when we received from a survivor a complaint, Murray  
27 would have explored, including going to our archives, approaching the local corps to say  
28 "Well, what have you got on this", in the case that I've outlined specifically that I was  
29 involved in relating to Mr Veale's report, we went looking for the documentation.

30 We are fortunate that we have a central archive. Now, there are gaps in that, and –  
31 so we have attempted. Would we, if, you know, we could continue, most definitely,  
32 searching but I think in terms of the cases I'm referencing here, we have conducted a fairly  
33 exhaustive approach of approaching the local corps, going to their divisional headquarters  
34 and saying what have you got, mindful it could be 30, 40, 50 years ago and understanding

1 that there will be gaps.

2 **Q.** I think that's possibly what survivors would probably want to know; have you used your  
3 best endeavours to try and find out what went on?

4 **A.** I think to answer that specific question, from my engagement with Murray and my  
5 colleagues particularly in and around the Royal Commission, we have had exhaustive  
6 searches, we've got a dedicated person who has been trawling through our archive material,  
7 A, looking to provide the comprehensive – I hope it has been comprehensive – paperwork  
8 to the Commission, but broader than that, when inquiries are made, whether it's around  
9 redress or someone who is born in, say, one of our Bethanys and says "I'd like to see my  
10 records please", we have people who go and search for those to meet that request.

11 **Q.** Thank you very much. I think we finally can say we've concluded. Thank you for the  
12 tolerance of everybody in putting up with us for another 20 minutes. We'll take the lunch  
13 adjournment. Should we resume at 2.15 or 2.30?

14 **MS JANES:** 2.15 would be ideal if we could.

15 **CHAIR:** Because you need that 15, don't you.

16 **MS JANES:** But we do need that extra 15 minutes if possible, but I'm conscious it's been a long  
17 day and people need their lunches.

18 **CHAIR:** Thank you very much, Colonel Walker, for coming and being free and frank and for  
19 giving up all your time, we really appreciate it.

20 **Luncheon adjournment from 1.20 pm to 2.16 pm**

21 **MS JANES:** The Salvation Army will be calling its second witness, Mr Murray Houston.

22 **CHAIR:** You've had a long and probably anxious wait, I think you're probably glad finally the  
23 wait is over. Can I just ask you to take the affirmation please.

24 **A.** Sure.

25 **MURRAY HOUSTON (Sworn)**

26 **QUESTIONING BY MS STEVENS:** Mr Houston, can you just introduce yourself and perhaps  
27 tell us a little bit about your background and your current role?

28 **A.** Certainly, my name is Murray Houston, I'm a senior employee with The Salvation Army.  
29 My current roles are two-fold, that of the Commercial Manager and also the Manager  
30 Response to the Royal Commission. I was employed in 1999 and I am a lay person, which  
31 means that I'm not a Salvation Army officer or in any way affiliated to the church.

32 **Q.** Perhaps initially in a nutshell, can you tell us what your involvement has been in dealing  
33 with historical claims of abuse made against The Salvation Army?

34 **A.** Yes, so since around the year 2000 I have had the principal responsibility of addressing

- 1 claims of abuse against Salvation Army from ex-residents of Salvation Army children's  
2 homes. For that role I've had the title of Referral Officer.
- 3 **Q.** And Mr Houston, you've provided two written statements to the Commission. One's dated  
4 18 September 2020 and one's dated 29 January 2021. We understand the Commissioners  
5 have already read those in full. Can I just check they are in front of you there in the witness  
6 box, I think if you need to refer to them?
- 7 **A.** Certainly the first one is.
- 8 **Q.** I think they're both in the bound volume, so part way through you'll find the supplementary  
9 brief?
- 10 **A.** Sure.
- 11 **Q.** So we're just going to, in light of the fact they've been read, we're just going to cover some  
12 aspects of your statement, but obviously that we're submitting the full statement into the  
13 Commission.
- 14 **A.** Sure.
- 15 **Q.** So you have you had, and you've talked about being involved in that role since the year  
16 2000 in the redress role; so you've had a long involvement in the programme and that  
17 involvement is ongoing?
- 18 **A.** Mmm-hmm.
- 19 **Q.** Is there anything at the outset of your evidence that you wanted to say about your  
20 involvement in this aspect of your work?
- 21 **A.** Yes, I'm pleased to be able to explain the redress process that I've been involved in and that  
22 has evolved and adapted over many years. It has taken almost 20 years of my life and from  
23 time to time it has been quite harrowing. But then there have been aspects that have been  
24 quite fulfilling in enabling people to reconcile with past experiences.
- 25 **Q.** And I know you wanted it acknowledge survivors at this point?
- 26 **A.** Certainly. During this process clearly I've interacted with many, many survivors over those  
27 years and I just want to acknowledge the courage and bravery that they've had in coming  
28 forward to talk to me over the years, but also in more recent times those that have actually  
29 approached the Commission and told of their experiences in Salvation Army children's  
30 homes.
- 31 **Q.** Let's move to the evolution, I guess, of the redress process. So we've already mentioned the  
32 fact you've been involved in that for about 20 years?
- 33 **A.** Mmm-hmm.
- 34 **Q.** Are you able to tell us a little bit more about the background to the process and what



- 1 underpins it?
- 2 A. Yes, so about 2001 I believe we were attending to a claim that we had received from a Ms  
3 Janet Lowe. She had submitted a claim of her own experiences but also she was seeking to  
4 identify other individuals who had been in Salvation Army homes and had also had  
5 unpleasant experiences. There was some media contact around this, but there also  
6 emerging, or other people were emerging at that time.
- 7 Q. I think about that time there was also a documentary aired?
- 8 A. Yes, true. So there was a documentary aired TV One and it actually featured the  
9 experiences of children who had been in Salvation Army children's homes in Australia.  
10 Along with the documentary there was also an apology from The Salvation Army in  
11 Australia to Australian survivors.
- 12 Q. So what did that mean in terms of the New Zealand Army?
- 13 A. Yes, so that was really quite a turning point for The Army in that probably within 24 hours  
14 of that particular documentary being aired we were contacted by, you know, around 20-odd  
15 people at that point who had also, or were concerned about their treatment while they were  
16 in Salvation Army homes in New Zealand.
- 17 Q. And I think from your evidence you talked about the fact that many other calls and contacts  
18 quickly followed?
- 19 A. Yeah, so that definitely was the start and the calls and contact flowed from many parts of  
20 New Zealand.
- 21 Q. What was The Army's response at this time, what was happening internally?
- 22 A. Look, there was shock at, I suppose, two-fold, firstly the fact that these claims were  
23 actually being received by The Army, that it was clear that abuse had occurred and also the  
24 numbers of contacts that we were receiving over a very short time. I would probably have  
25 to say that in terms of leadership in the overall Salvation Army at that time there was a  
26 general misunderstanding of the abuse that had occurred and the effects of abuse on  
27 children for many over a lifetime.
- 28 Q. Up until about that point are you describing that, until about the area of the documentary as  
29 the claims came in?
- 30 A. Yes.
- 31 Q. So what was the response then at that point? I guess once the shock had started to sink in  
32 and the reality, what happened then?
- 33 A. Yeah, so I think that there was a certain amount of disbelief, but clearly we had to, you  
34 know, we had to take control of this process and at that time I was appointed to look at

1 these claims.

2 **Q.** So how did it come about that you were appointed to that role?

3 A. At the time we were insured for these claims to a degree. But as my role, as I said, in  
4 commercial matters, one of the oversights was around our insurance arrangements.  
5 Additionally, it was my job that if there was any potential for significant claims then I was  
6 to notify the insurers, which was required under the policy at that time.

7 Once I had notified the insurers of the first number of claims they appointed  
8 lawyers to assist us through the process and also the allegations. It's fair to say, though,  
9 that the involvement of the insurers also added another dimension of, you know, how these  
10 claims might be dealt with.

11 **Q.** So do you want to perhaps go on to describe that now, because I think you've talked about  
12 the evolution over time, so if we just talk about perhaps the early evolution?

13 A. Look it was – the Territorial Commander at the time, his name was Shaw Clifton, he  
14 actually went on to be the General of the Salvation Army internationally, he was a decisive  
15 man and he took charge and said look, you know, we have to find a process for dealing  
16 with these claims. So essentially we did come up with, at the time, with a number of  
17 protocols around the fact that we thought that we needed to treat each single survivor as an  
18 individual. So that meant from there that we decided that we would wish to meet with  
19 survivors face-to-face. Secondly, there was requests for files and the provision of  
20 information. So we wanted to make what information we had around the survivor available  
21 to them as soon as possible.

22 We also saw a need at the time to offer counselling to survivors that came forward.  
23 That could be either for counselling that they may have already undertaken, or the cost of  
24 counselling going forward. And also we looked at the provision of financial compensation  
25 if that was appropriate at the time and also the issuing of apologies to survivors.

26 **CHAIR:** Can I just ask, sorry to interrupt you, the request for files, were these the files of the  
27 survivors who'd been in care, or were they of the alleged perpetrators?

28 A. No, they were basically what we call children's homes files. So at our archive in Upper  
29 Hutt we've got many hundreds of boxes of paper files that have been retained by The Army  
30 going back to when the homes first were opened in the early 1900s. Albeit the content I  
31 can't or couldn't guarantee to survivors, but in most cases I could find a record that they had  
32 been in a Salvation Army home.

33 **Q.** Thank you for that.

- 1 **QUESTIONING BY MS STEVENS CONTINUED:** So you've talked about that being – those  
2 are some of the key principles.
- 3 A. Mmm-hmm.
- 4 **Q.** What role did legal principles play in the redress process at this early time?
- 5 A. Initially we – there was some consternation, but we decided at that time that although legal  
6 considerations should be included in our responses, that we didn't want to become overly  
7 legalistic in the way we attended to survivors' claims.
- 8 **Q.** So what sort of legal considerations were on the table?
- 9 A. Yeah, well, at that time, you know, we knew of ACC legislation, we also knew of the  
10 limitation restraints, but also there was the feeling that, you know, it would be quite  
11 difficult for many survivors to actually present their cases of abuse to a standard that would  
12 have been to a legal standard.
- 13 **Q.** And so, I guess, did you then give up the reference to these legal considerations? How did  
14 that then interplay over the next couple of years?
- 15 A. We didn't give them up entirely, you know, we still had legal considerations as an inquiry,  
16 but I suppose you have to realise that at this point early on that this was quite a dynamic  
17 situation for The Army, in that, you know, up until this point there hadn't been a realisation  
18 that these claims may exist, albeit, you know, there are some evidence around earlier  
19 notifications of claims. Certainly from my point of view I had no indication whatsoever  
20 until, you know, the documentary occurred and claims started that there was going to be an  
21 issue.
- 22 So in that – but looking at it, so we thought well, you know, these legal  
23 considerations could really quite restrain survivors in making a claim, and there was one  
24 particular instance where we had talked to a lady and at the time claims were then sent to  
25 our insurers' lawyers for them to look at. The response regretfully was not helpful to  
26 anybody, in that it stated that although abuse may have occurred, because of the Limitation  
27 Act we don't believe we have any obligation to you whatsoever.
- 28 This letter actually appeared on the Television One news that night and from there  
29 we changed the way predominantly that we addressed claims, and the Limitation Act was  
30 the first, and on my estimations if we had have kept that in place, that would have really  
31 negated – 95 to 98% of the claims that we received would have been out of time. So  
32 I suppose I'm saying we didn't want to shut the door on anybody making a claim.
- 33 **Q.** And where do those legal considerations sit today in the redress programme?

- 1 A. Well, as much as we do consider legal implications, they do not in any way drive our  
2 redress process.
- 3 Q. I think we might just talk about the redress process, sort of the steps, but just before we do,  
4 I just wondered whether there was anything you wanted to reflect on in relation to Janet  
5 Lowe's evidence, if there was anything you wanted to say about that?
- 6 A. Yes. In Janet Lowe's evidence she referenced a letter that was sent to her after  
7 investigation, was sent to her by our insurance lawyers at the time. From memory that was  
8 May 2001 perhaps. Look this letter just should not have been written, it should never have  
9 been sent, it was totally unacceptable and, you know, we just are very sorry that that letter  
10 was sent.
- 11 To give some context, though, at that time, as I've probably explained, we didn't  
12 have any set procedures or processes in place at that time to deal with these types of  
13 complaint. I'd have to say, though, that once again it helped us start to form our redress  
14 process. And I'd probably have to say, in fairness, that the experiences of Jan Lowe then  
15 actually started to help us form our redress process. I'd also have to, in talking of that,  
16 thank Janet Lowe for her evidence in respect of the way that we treated her then. She was  
17 insightful and gracious in the way that she gave her evidence and I'm just sorry to this day  
18 that that's the way we treated her then.
- 19 Q. So perhaps we'll just start, if you could give an overview of how The Salvation Army  
20 redress process works. I guess I should say we're both talking primarily around redress in a  
21 children's home historical abuse context?
- 22 A. Yes.
- 23 Q. The overview?
- 24 A. I suppose the first, well, it's not a step, but we will receive a complaint from a survivor from  
25 them directly either in writing or by telephone, or we may receive a letter from a legal  
26 representative of the survivor.
- 27 Q. And maybe just if we give an overview of the steps that follow and we might break each of  
28 those down?
- 29 A. Sure. So following that I looked to arrange a face-to-face meeting with the survivor.  
30 Following that we would look at making a formal response. A discharge would then be  
31 signed, assuming that we had reached agreement, and we would settle the claim from there.
- 32 Q. And do all claims received by The Army in a children's home context follow that process?
- 33 A. Well, since we've established that process then we've – as much as we try to be flexible and  
34 have been flexible from time to time, we do primarily try to stick to that process, yes.

- 1 **Q.** And how do the claims end up with you, Mr Houston?
- 2 **A.** Over time, you know, it's become well-known both within The Salvation Army and in other  
3 groups like, for example, the Historic Claims Unit, for example, all are aware of my  
4 involvement with the redress process for the Salvation Army. Additionally internally it's  
5 very well-known that of my involvement, and so if a claim does come through another  
6 internal source, it would invariably come to me.
- 7 **Q.** And if legal proceedings are filed, is that same process followed, or do the claims go on a  
8 different course?
- 9 **A.** Well, when legal proceedings were taken it did take a different course. And in those days  
10 as much as I said that, you know, we tended not to include legal requirements, if there were  
11 proceedings then it's possible that at the time we would have pleaded or prepared to plead  
12 using some of those legal abilities open to us.
- 13 **Q.** When roughly do you think the last court proceeding was received?
- 14 **A.** So as much as, and we come to this a little later in our process, but during 2007/2008 there  
15 may have been maybe eight or nine proceedings against us. However, over time all legal  
16 proceedings have actually been settled by agreement. And from memory it's roughly  
17 around that period 2007/2008 that we received our last legal proceedings. So I suppose  
18 essentially, you know, we've attempted to settle all claims by agreement and out of court.
- 19 **Q.** Just again thinking about the process as a whole, is it set out anywhere for survivors to read  
20 and understand what the process will be in advance?
- 21 **A.** No, our process is not documented and – however, I suppose there's two points to that. So  
22 no, it's not documented. However, if I receive contact direct from a survivor, then I will  
23 explain our process in detail and I have, from time to time, received written correspondence  
24 outlining the process which I've also done, and then there are the legal advisors,  
25 predominantly these days Cooper Legal, but in the past also Grant Cameron. They also  
26 became aware of our process over time.
- 27 **Q.** Do you think having a written statement about the process would be a good idea?
- 28 **A.** For sure. And, you know, what I've learned through attending the various hearings of this  
29 Royal Commission so far, and also reading the principles of what a good redress process  
30 should look like in the Royal Commission's interim report, that most definitely we should  
31 have a clear concise availability, a document over our website by other means to ensure that  
32 survivors know in advance what our process is and what to expect.
- 33 **Q.** And have you begun any work towards that?
- 34 **A.** Yes, so we have begun producing material that could be used and have a draft document,

1 produced material that could be used and presented to survivors to, as I said, make it clear  
2 and concise as to what's expected.

3 **Q.** That's a work in progress is it?

4 **A.** It is.

5 **Q.** If we now go to the first stage of the process and you have, I think, already touched on the  
6 initial claims coming in, some come directly and some come in via legal representatives?

7 **A.** Yes.

8 **Q.** About what percent do you think would be legally represented?

9 **A.** Yeah, look over time and the number of claims we've received, it's roughly around 50% of  
10 claims from either side, both individuals approaching us and 50% legally represented.

11 **Q.** And do these initial approaches always come sort of in the form of actual claims?

12 **A.** No. And both from a direct inquiry from a survivor or from a legal representative could  
13 actually – the first contact could be a request for any records and files that we have on  
14 record for the survivor.

15 **Q.** I think you've already just touched on in the answer to the Chair's question about the nature  
16 of the records. Was there anything more you wanted to say about what records are able to  
17 be located?

18 **A.** Yes, as I've said, in almost every single case I've been able to locate a record of a survivor  
19 being in one of our – or if they were in a children's home. Look some files are substantive,  
20 you know, they have day records, they have school records, correspondence from parents  
21 and others, and other information. Some even have photographs. Mostly we're able to  
22 determine when the survivor was admitted to the home and when they left the home. But  
23 regretfully in some situations, particularly a lot of the earlier records are possibly just a  
24 single entry in and out, and a date of birth maybe.

25 **Q.** And if someone asks for their records, how long does it take for them to obtain them?

26 **A.** Yeah, so we've had absolutely no issues with providing records to survivors and/or their  
27 representatives. I'll make a request to our archives to locate the file. Once that's been done  
28 it comes to me. I'll have a look at it and if there are no particular privacy issues then I will  
29 send the file directly, or that will be dispatched very quickly. If there are issues around the  
30 privacy of other people who may be mentioned in the file, then I'll have that professionally  
31 checked by our legal advisors to ensure privacy.

32 Once this has been done I will have already ascertained from the survivor or the  
33 legal representative how they want that file, and today there's a number of options, it can go

1 either hard copy. I can send by e-mail or by memory stick. Generally, you know, we can  
2 do this within days, but always under the provisions of the Privacy Act, or under the timing  
3 of the Privacy Act.

4 **Q.** Perhaps now turning to the second stage that you described about the face-to-face meetings,  
5 what does this involve?

6 **A.** The face-to-face meetings, there's probably two aspects to a face-to-face meeting. The first  
7 is that we've believed that it is the most empathetic way in which we can begin to engage  
8 with the survivor. We want to reassure them that we want to listen, we want to hear their  
9 story, we want to know what has happened to them first-hand.

10 Secondly, it's – I use the term verification, but some explanation around that is  
11 required, in that it enables us to get some information from the survivor that then enables us  
12 to do a couple of basic checks about, one, that the survivor was in the home that they said  
13 and matching records, and secondly, that if perpetrators or other aspects come up, that we  
14 can also check those against our records as well.

15 **Q.** Maybe we'll talk about exactly what was covered in the interview in just a moment, how  
16 are they set up, what do you discuss with a person before the interview?

17 **A.** Yeah, so in arranging the interview it is always at a venue and a time that suits the survivor.  
18 So I've travelled extensively in New Zealand and also across the Tasman to meet and  
19 engage with survivors. In arranging these meetings, you know, I want the survivor to feel  
20 as comfortable as they can, or as they are, and also make it clear to them that they are able  
21 to attend with whomever they feel appropriate as their support people. So whomever they  
22 wish to bring to the meeting they're able to do this as well.

23 **Q.** And what about the practice of recording interviews?

24 **A.** Yes, we've always wished to record the interview and in the majority of cases survivors  
25 have consented to this, there have been a few that haven't, in which case I would just make  
26 notes as, you know, obviously meeting notes. I have made it clear to all survivors that I  
27 would provide a copy of that and in most cases provide that reasonably promptly.  
28 However, there have been situations where that maybe hasn't happened for a couple of  
29 reasons. But always the copy provided to them is a verbatim, non-redacted copy of our  
30 discussion.

31 **Q.** So maybe just talking about what happens at the interview in terms of formalities or...

32 **A.** I, like I have done today, introduce myself as the person responsible at The Salvation Army  
33 for attending to claims of historic abuse. I outline my position, that is that I'm the Referral  
34 Officer and that I am a lay person and not in any way connected with The Salvation Army



1 church. I just do this as a courtesy to the survivor so that they know who it is that they're  
2 engaging with. I will do something else.

3 **Q.** Perhaps at this point it might be helpful if we could bring up the document I think you use  
4 as a reference point. So it's WITN0250005?

5 **A.** Sorry, the point I was going to make is that as much as it's a courtesy to survivors to know  
6 who they're engaging with, it's also given many survivors some comfort that I'm not  
7 actually associated with the church. I am an employee no question, but there is some  
8 distance between myself and The Salvation Army itself.

9 **Q.** Once you're into the interview proper, I think this is quite small on the screen, perhaps we  
10 can call it out in two parts, if we look through the first, thank you. Do you want to just talk  
11 through what you cover?

12 **A.** Certainly, so one of the other things we wanted to do with attending survivors and then how  
13 to then take that through and deal with the claim, is that we wanted some consistency  
14 around the information that we were receiving. So we did draw up this guide and, as you  
15 can see, initially it's just some basic information about the survivor, their age, where they  
16 live, and then briefly around the Salvation Army, so what home they were in, how long  
17 they were there, whether they may have had siblings in the home, or indeed different homes  
18 which was the case from time to time, and also why they were in the home.

19 We would then move to the personnel involved. So can they remember the  
20 officers and staff who may have been at the home. But also other residents and that was  
21 quite important and we'll come to this explanation of the variation process a little later.  
22 Also about their impressions of their time at the home. Then we move to some of, or the  
23 incidents that occurred, whether physical, sexual or physical(sic) abuse that occurred in the  
24 homes.

25 **Q.** Perhaps we can bring up the next part.

26 **A.** We did ask questions around the abuse that was suffered, when it occurred, how it occurred  
27 and who were the perpetrators. However, these meetings were not in any way designed as  
28 an interrogation. So if a survivor couldn't remember a particular detail then we would just  
29 move on to another aspect of our discussions.

30 We looked at whether the survivor had already received any treatment or whether  
31 they believe that treatment of some sort like counselling etc would be helpful to them, and  
32 then we looked at the remedies that were open to the survivor. Albeit at these meetings it  
33 was – although we talked around, you know, what was available, it was very rare at that  
34 point that we ever talked around, you know, actual financial figures, compensation etc.

1 **Q.** Did you always stick to these guidelines?

2 **A.** I found the guidelines very helpful and in many cases it meant that the survivor remained  
3 focused as well. However, you know, the conversations we had were entirely up to the  
4 survivor. It was up to them to impart to me what they wanted to tell me.

5 **Q.** What happens if the conduct described by a survivor would amount to criminal conduct?

6 **A.** Certainly we strongly advised survivors that if they felt necessary that they should go to the  
7 Police, that if they did we would, and in actual fact we have done over the years responded  
8 and assisted with a number of Police investigations. We felt at the time that that was not  
9 our place to forward complaints to the Police around very sensitive issues on behalf of the  
10 survivor. In actual fact, many survivors said that they did not want Police involvement, but  
11 as I've said, many have, and if they did, we have attempted and, sorry, cooperated with the  
12 Police as much as we could.

13 **Q.** Mr Houston, I think Ms Janes may end up having a few more questions for you about this,  
14 but are people happy to have face-to-face meetings with you, what's been your experience  
15 of that?

16 **A.** My experience is that many have been happy to attend face-to-face meetings. Many have  
17 actually asked for it. However, to my knowledge there have been two survivors that have  
18 been legally represented that initially refused a face-to-face meeting, but subsequently we  
19 have met.

20 **Q.** So there have been some issues raised in the past in relation to face-to-face meeting  
21 requirement?

22 **A.** Yes, yes, so Sonja Cooper has raised some issues around face-to-face meetings. I'd  
23 probably have to say also at this point that, you know, Sonja Cooper or Cooper Legal is a  
24 key participant in this whole redress process in New Zealand. And in actual fact, Cooper  
25 Legal and The Salvation Army and me have been engaged for many, many years, not long  
26 after we first started receiving complaints of abuse.

27 Not wishing to make any excuses, that relationship with Cooper Legal and The  
28 Salvation Army and me over time has had its ups and downs. Initially we settled claims.  
29 Then there was a period of, I suppose, a little bit of distrust around the 2007, 8 and 9  
30 periods. And this predominantly centred around some of my responses to her on behalf of  
31 her survivors.

32 But then it was interesting to view the State redress process and Ms Cooper and  
33 Ms Hill describing their own frustrations and difficulties in regard to the Legal Services  
34 Agency at that time and proposed or prospective changes to Legal Aid and how that

1 affected Ms Cooper's clients. Given that her practice is predominantly around clients of  
2 Legal Aid, this clearly had and brought some challenges and difficulties to her practice at  
3 that time. So I think there was a combination of a number of things that led to somewhat a  
4 break-down in that communication.

5 However, I can say now that we are on good terms and have and still are now  
6 settling many survivor claims with really no animosity and are quite amicable, and by  
7 agreement.

8 **Q.** Mr Houston, you would have heard in the survivor phase some survivors gave evidence to  
9 the Commission that they didn't feel supported during the face-to-face interview process  
10 with you. I think you had some comments on that?

11 **A.** Certainly, and there was one instance that was quite distressing to hear. But, you know,  
12 that, you know, I suppose our process on the one hand is very difficult to actually adapt to  
13 one size fits all, and it's very similar to that support as well, particularly where the survivors  
14 are legally supported. Other than the face-to-face meeting, it is very difficult for me to  
15 make any contact with them at all. And I suppose if I, you know, I would need to know of  
16 any particular requirements of a survivor that would be up to the legal advisors to let me  
17 know about that.

18 **Q.** Perhaps moving on from the face-to-face interview, you talk about the third stage being  
19 about verification or investigation of the claim. Do you want to describe what that  
20 involves?

21 **A.** Yes, as I said verification is not probably the most ideal word, in that after or following the  
22 face-to-face meeting, the purpose is to actually look for ways to actually re-affirm or, sorry,  
23 affirm what the survivor is telling us, not attempt to discredit what the survivor is saying.

24 In terms of that verification, you know, once again, it starts with basic simple  
25 verification of matching the person and finding their file, if we hadn't already done so, and  
26 also if other individuals or perpetrators had been named to actually be able to verify our  
27 own records that officers or staff were there at the time. But certainly it is not, as I said, a  
28 process to attempt to discredit what the survivors have said.

29 **Q.** Have you ever had, shall we say, red flags in relation to verification?

30 **A.** Yes, and, you know, over a 20-year period things will come up that, you know, have to be  
31 dealt with. And there were – I'd received some notification that maybe some of the claims  
32 that I was receiving were not necessarily 100% truthful. I took this extremely seriously,  
33 because whether it suited everybody or not, this process that we'd undertaken relied heavily  
34 on trust and truth throughout. So that when I did hear that maybe there were some

1 individuals that were, if you like, piggy-backing off the trauma and abuse of others, then  
2 naturally I had to – I had to establish whether that was in actual fact truthful or not.

3 **Q.** And I guess in light of that experience, has the verification, and your experience of claims  
4 that have been verified, has the verification process changed through time?

5 **A.** Yes, it has, and I'm pleased to say it has, that you know, as time has gone on and the  
6 number of claims that we've attended to have increased, almost the survivors, some  
7 survivors actually verify claims for others. You may recall that my questionnaire asked for  
8 the names of other children who were in the homes at the same time. And over time, you  
9 know, the abuses and the perpetrators of abuse became quite clear, so that – and we all,  
10 I suppose, know, it was referred to yesterday, about the activities of John Gainsford at the  
11 Temuka home. It became very clear over hearing numerous accounts, particularly from  
12 young women as they would have been then, that look, that this abuse occurred.

13 **Q.** So the fourth stage that you've talked about is formulating a response to a survivor?

14 **A.** Yes.

15 **Q.** How did you go about doing this?

16 **A.** Not that I wish to, or attempt to allay one form of abuse to another, but we did look at  
17 taking a quantum. You know, obviously – I'll take that word back. That serious sexual  
18 abuse, for example over a period of time, would be at the higher end of a spectrum of  
19 abuse. So in looking at our response we looked at where a particular survivor might fit  
20 there. Also we looked at the compensation we may have paid others, and so in terms of the  
21 compensation, that was the way we looked at it. We also looked at whether a survivor had  
22 or would benefit from or had asked about counselling. But also, you know, we did look for  
23 ways that we may be able to assist the survivor outside of any monetary-type payments.

24 **Q.** So what sort of non-monetary compensation or services might you offer?

25 **A.** Sure. So you know, we asked the question of the survivor as to how we can help, and over  
26 that time there have been a number of things that come to mind. Firstly, we'd provided  
27 funding for hearing aids for a lady that had hearing disabilities. We assisted one survivor's  
28 son with the purchase of a computer to enable him to attend training. In that same instance  
29 I also arranged for him to attend what was then another Salvation Army programme called  
30 Employment Plus. Also we've provided funding for travel back to New Zealand to enable  
31 the survivor to research his whānau and family links and we've also provided funding for  
32 family gatherings and things like that.

33 **Q.** I'm not sure that you actually watched it all this morning, but one of the questions the

1 Commissioners asked Colonel Walker was around whether The Army called on its wider  
2 charitable services in providing these non-financial wrap-around services. Are there other  
3 examples?

4 A. Sure. There's a couple of things that come to mind. So early on a survivor was coming out  
5 of prison, and this was early on in the 2000s, and it sort of linked with another one, but we  
6 provided accommodation, we also provided furnishings and various other appliances from  
7 one of our Family Stores to enable this survivor to settle. More latterly, though, and it is  
8 now an established programme within The Salvation Army, and that is our prison  
9 reintegration service.

10 So a number of survivors have said, you know, "Get us out of this, you know, I  
11 don't want to be in prison any longer." So I've made at least two referrals and one of which  
12 is ongoing, but referrals to our reintegration service, which I think is well-known within the  
13 prison, but there is a process to be able to get on that. And this service is a wrap-around  
14 service for long, generally long-term prisoners to stop that cycle. It basically, once again,  
15 provides accommodation, it puts the survivor – and this is all with The Army's fairly  
16 intense supervision – it puts the survivor in touch with those Government agencies so that,  
17 you know, so that the survivor has an income so that they don't actually have to fall back  
18 into those practises that, you know, saw them in prison, or saw them go to prison. So it's  
19 trying to stop that cycle.

20 Q. We might talk about apologies just in a moment as part of the response that you talk about,  
21 but I think before we do if we just talk about, so the financial compensation. You started to  
22 talk about this, I think, just before, the factors that you take into account when you think  
23 about whether an offer of financial compensation may be made?

24 A. Yes.

25 Q. Maybe just can you go through those factors again, the key things that you think about?

26 A. Yeah, there's probably three key things. Firstly, the circumstances. Also, you know, once  
27 again, and I say this guardedly, but we do look at legal considerations, but also the equity  
28 and parity with other survivors.

29 Q. So let's talk about each of those. So the circumstances of the survivor, what do you mean  
30 by that?

31 A. Well, I suppose what the survivor has asked for, what the survivor wants, but also the  
32 circumstances of the survivor, the overall circumstances of the survivor at that time.

33 Q. Does that include the severity of the abuse suffered?

- 1 A. Yes, most definitely. So the level of, and severity of abuse is an important factor in that.
- 2 Q. And you referred to legal considerations, what do you mean by that?
- 3 A. Well, yes, and, you know, I have spent some time saying that we don't refer to them.
- 4 However, early on we – and I suppose it's a similar situation to our verification process –
- 5 early on we were informed that, you know, when cases of a similar nature had been brought
- 6 before the courts at that time that there was a maximum payment made of around sort of
- 7 \$50,000-odd through the courts. So for some time that \$50,000, it sort of was an upper
- 8 limit for us. However, during this process no restraints have been put on me in terms of
- 9 any settlement amounts that might be agreed to.
- 10 Q. You've also talked about parity between survivors. What has that involved? Have you
- 11 gone about thinking about that?
- 12 A. Sure, well once again, with our experience that parity we attempted, you know, to reach
- 13 some parity, and essentially I used to, or still do, discuss, you know, each case with our
- 14 legal advisors to get some parity and relativity with what it is that we may offer the
- 15 survivors. That's in terms of monetary compensation.
- 16 Q. Do other people involved in the redress process have regard to parity as well? I think you
- 17 talk about in your evidence some of the legal advisors who have sort of, I guess, assisted
- 18 you?
- 19 A. Yeah, so as much as, you know, we discuss and look for our own solutions, over time, you
- 20 know, as I mentioned before, almost 50% or around about 50% of our survivors have been
- 21 legally represented. So I have looked to them and taken some comfort from the fact that
- 22 they would be keeping a close watch on what would be fair and reasonable compensation.
- 23 And in actual fact for some time some of them have actually helpfully drawn up a
- 24 recommendation as to what they believe is a suitable redress package.
- 25 Q. And I think in your supplemental statement you have an annex with the Grant Cameron
- 26 comparisons, has that been a reference point?
- 27 A. Not really. So as we've talked about, the Grant Cameron survivors, I think totalling around
- 28 about 34, 35, survivors, formed a group and by and large we followed, after some
- 29 negotiation, followed the same interview process etc. However, Grant Cameron associates
- 30 themselves had recommended bands for which certain survivors sat within in their opinion.
- 31 I can't actually recall having any input into how they reached those figures.
- 32 But ultimately, after working through that process, we settled with each of Grant
- 33 Cameron's survivors, some for more, some for less than the bands that were recommended.
- 34 However, that doesn't form any particular influence on reaching a figure these days. And

1 I might add, nor do we use any particular matrix or formula at this point. We tend to look,  
2 as I said before, at the overall circumstances of the survivor.

3 **Q.** What has the settlement range been in terms of settlements reached?

4 **A.** Yes, so the settlement range is from \$5,000 to \$85,000. However, there have been one or  
5 two instances where it might have fallen outside that.

6 **Q.** And do you consider in reaching that amount whether survivors have received payments  
7 from any other institutions?

8 **A.** Look that just doesn't enter into our thinking. So, you know, we know that there are  
9 survivors that may have taken other actions against, or received payments from ACC, they  
10 may have received a payment from the Crown or elsewhere, but that just doesn't enter into  
11 our thinking around what we would pay a survivor.

12 **Q.** Standing back, do you have any observations on whether you think that the financial  
13 aspects of the redress process are fair?

14 **A.** Generally, yes. But look, like any process and through this whole redress programme, our  
15 process has not been perfect, far from it. And, you know, we've had some missteps along  
16 the way. Is it possible that because of our opinions back then have some earlier survivors  
17 been disadvantaged? That is possible. Additionally, in light of our sort of newer thinking  
18 on how claims should be approached, we are actively looking at finding not the identity but  
19 the location of some survivors that we have actually declined in the past. I've located four  
20 of them so far and subsequently made settlements in keeping with our process today.

21 **Q.** Just pulling this back together then in terms of the response, so if we go back to –

22 **A.** Sorry.

23 **Q.** – sort of the step four, which was the response, and you've pulled that together and we've  
24 talked about the non-monetary compensation, we've just talked about the financial redress,  
25 there's also the issue of apologies. Did you want to describe that at all?

26 **A.** Yes, so we recognise that apologies are extremely important to survivors. I also recognise  
27 and acknowledge that some of our earlier attempts at apologies were not ideal. We were, is  
28 the term restrained? Probably not quite right, but there were certain parameters that we  
29 could work in with apologies which meant that they were probably not ideal.

30 This in part related to our continued, for some time, our continued insurance  
31 coverage and the fact that, you know, insurers had certain restraints and parameters that we  
32 could work within, both, you know, what we may be able to say to advisors but also around  
33 other aspects.



1 For many years now we have not looked at – sorry, we have not had insurance  
2 cover, so that's meant that, you know, particularly our apologies, you know, you'd have to  
3 say are written more empathetically and more seriously sympathetic to the survivor than  
4 they were.

5 **Q.** So you put this response together considering those various factors, how does that sort of  
6 response go back to a survivor?

7 **A.** Sure, so if the survivor has approached us directly then I would respond to the survivor and  
8 in many cases these days I would follow-up my first visit with a second to outline our  
9 process – sorry, to present our response, obviously at the survivor's request – sorry,  
10 consent. If the survivor was legally represented then that response would go back to them.

11 Within that response it would be an acknowledgment of the abuse that's been  
12 suffered, the fact that we believe what survivors are telling us. One thing I have found over  
13 the years is one of the biggest concerns of survivors is that they won't be believed. We  
14 believe them. So that's also included in our response. There is the monetary issues, or,  
15 sorry, monetary considerations and also any offers of counselling, and anything else that we  
16 may have discussed at the meeting of where we could assist the survivor.

17 **Q.** And as part of that overall response and it's acceptable to the survivor, I think the final  
18 stage that you describe is having a discharge document?

19 **A.** Yes.

20 **Q.** And maybe we could call that up, so that was the document finishing in 017.

21 **A.** So that is a typical discharge. As you can see it's relatively simple in that it states that The  
22 Salvation Army will pay X amount of dollars by a certain date, although that's flexible. It  
23 states that it is in full and final settlement, but it also strongly recommends that the survivor  
24 seek advice before signing the discharge and this is made very, very clear particularly to  
25 non-represented survivors that they should seek legal advise or advice on the discharge. In  
26 a number of occasions we have also funded a survivor to enable them to have that discharge  
27 viewed by a legal advisor.

28 **Q.** So this sort of deals with the financial aspects.

29 **A.** Mmm-hmm.

30 **Q.** Can you tell us about whether The Army requires confidentiality of those terms?

31 **A.** Well, as you can see in this document there is no confidentiality clauses at all.

32 Confidentiality – sorry, non-confidentiality has been a hallmark of our process right from  
33 the start, in that we have never insisted on confidentiality. We felt it very important that

1 survivors are able to talk about and discuss their experiences with The Salvation Army.  
2 Albeit from time to time we have drafted discharges for legal providers which has had a  
3 clause optional, but it's not a requirement.

4 **Q.** I think there was an example of a discharge given in the phase one hearing that did have  
5 that confidentiality clause in it?

6 **A.** Interestingly that, to my knowledge, is the only discharge that has a confidentiality  
7 agreement. I must admit I was surprised, it stood out at the time, it was a completely  
8 different typeface than what I use and it had come from a legal advisor. We did not insert  
9 that clause.

10 **Q.** I think that's been tracked through in your supplemental statement, so we won't need to go  
11 through that, the Commissioners have seen that.

12 **MS STEVENS:** Madam Chair, I probably only have about 5 minutes and I'm thinking I might –

13 **CHAIR:** Why don't we, if that's all right, we'll just continue on, as long it is – sometimes lawyers'  
14 5 minutes are different from other people's 5 minutes.

15 **MS STEVENS:** We're making good time. Yes, we're hopeless at estimating.

16 **QUESTIONING BY MS STEVENS CONTINUED:** I guess standing back, how long would it  
17 take to work through that process that you've described for survivors?

18 **A.** There have been occasions where, from receiving an initial contact to actually having a  
19 discharge signed and funds remitted in less than two weeks. This has happened on a  
20 number of occasions. But it's not the norm, the majority do take a little longer than two  
21 weeks.

22 **Q.** I think in the survivor phase we heard about some people feeling that the process was a bit  
23 rushed and cold. Have you had any reflections on that?

24 **A.** Yes, as I've said, you know, I suppose the way we do it it's a personal experience. There  
25 are some that have appreciated that personal interaction and contact with me and the way in  
26 which we've settled those claims. I do now understand from other witness statements and  
27 other evidence that this is not suitable for everyone. However, what I've always attempted  
28 to do is, well, sorry, what I've not wanted to do is re-traumatise survivors by long and  
29 lengthy processes, albeit, you know, in recent times that has been the case, sometimes  
30 earlier in our history, that may have not been the case. But also, I have in every way  
31 attempted to be efficient and settle claims as quickly as I can as a courtesy to survivors.

32 **Q.** And I think the final thing that we did just want to cover, and it might be that you want to  
33 refer to paragraph 2.6 of your primary brief, because I know that you have reflected on the

1 overall process, and there was some of those reflections that you wanted to share, it might  
2 be that you want to refer to those paragraphs?

- 3 A. Yes, they're reasonably lengthy, so, sorry, I won't be long. "When I look at where we stand  
4 today, I believe and hope that our current processes genuinely offer empathetic, efficient  
5 and effective redress with a focus on survivor well-being and healing. This is how I seek to  
6 go about my work. I understand the importance of survivors feeling like they have been  
7 heard and I give them that opportunity doing all I can to ensure they are comfortable and  
8 supported in telling of their experiences.

9 It has been my thinking that at the point where a person has the courage to come  
10 forward, it was up to me as The Salvation Army representative to engage with the person as  
11 soon as practicable because I believe that in them taking that first step to healing they were  
12 emotionally ready to tell us of their experiences and confront the past. For many, this was  
13 extremely difficult for them to do. I wish to acknowledge and appreciate the many people  
14 who have come forward and spoken freely and honestly to me about very personal and  
15 painful events that have happened to them.

16 The Army understands the importance of being seen to take and actually taking  
17 responsibility for the past. Our processes seek to do this in giving apologies and providing  
18 financial redress, while fully accepting that no amount of money could ever adequately  
19 compensate for abuse suffered. I am well supported in the work that I do in advancing The  
20 Army's redress programme.

21 As an organisation, The Salvation Army has committed significant resource time  
22 and emotion in addressing claims related to abuse in its children's homes. Significantly,  
23 funding has been made available to me to travel to meet survivors and to ultimately settle  
24 claims.

25 This work has been prioritised within The Army and I feel like my work is  
26 well-respected within The Army. I consider The Army has been diligent in addressing  
27 claims by appointing me as a senior member with broad authority and discretion to deal  
28 directly and personally with survivors. This approach has ensured that we can address  
29 claims in a timely manner, most of the time, and with compassion for the survivor and their  
30 particular circumstances.

31 The Army continues to be committed to accepting responsibility for past wrongs  
32 and in continuing to seek to provide healing and support to any person who was the subject  
33 of abuse while in its care. It has unreservedly apologised in public forums in personal  
34 letters and in meetings to those who have suffered as a result of such abuse." Additionally,

1 Colonel Walker reiterated that sincere apology yesterday.

2 "I would hope that many people consider their experience of dealing with us in  
3 relation to claims and redress as being ultimately positive for them. I have received  
4 acknowledgments of this through time from many survivors. I have been told that the  
5 claims process engaged with us has assisted them on their journey."

6 **Q.** Thank you. I think we're going to leave it there.

7 **CHAIR:** Thank you, Ms Stevens, we'll take the adjournment. Mr Houston, if you would mind not  
8 discussing your evidence with anybody over the break, I'm sure your lawyer has already  
9 explained that to you. Thank you.

10 **Adjournment from 3.36 pm to 3.52 pm**

11 **CHAIR:** Yes, Ms Janes.

12 **QUESTIONING BY MS JANES:** Good afternoon Mr Houston. You've talked in your evidence  
13 about you having a commercial role with The Salvation Army and then being appointed to  
14 the role of the Redress Referrals Officer. At that point in time I take it that you didn't have  
15 any experience or training or background in dealing with sensitive claims, claims of abuse,  
16 trauma?

17 **A.** No.

18 **Q.** And you say in your evidence that you didn't receive any training when you took on that  
19 role, correct?

20 **A.** Correct.

21 **Q.** We've heard evidence that The Salvation Army leadership, particularly Shaw Clifton,  
22 stepped in and formulated the approach that was going to be taken to redress?

23 **A.** Yes, although it was consultative, there was, as I also stated in my evidence, there was a  
24 group, four or five of us, which included myself and, notwithstanding what you've just said,  
25 it was that group that, you know, started to formulate a process in conjunction with our  
26 legal advisors and insurance legal advisors that were becoming involved at that point.

27 **Q.** So in looking at what that process would look like, what research or guidance from  
28 internationally or other expertise was brought to bear on what that group thought should  
29 happen and the decisions they took?

30 **A.** Shaw Clifton in particular was an international Salvation Army officer, i.e. that he was of  
31 senior rank. He had served in other significant territories in Great Britain and elsewhere  
32 and I would suspect that, you know, through those appointments he may have had  
33 experience. In terms of local officers and myself, I am not aware of reference to any of that  
34 type of material.

- 1 **Q.** So how did you go about educating and becoming aware of good redress processes as you  
2 embarked on that role?
- 3 **A.** As we embarked on that role.
- 4 **Q.** And in hindsight looking back, would it have been valuable for you to have some training,  
5 for example, in trauma-informed processes?
- 6 **A.** Definitely, and I think, you know, if that had have been the case then some of those  
7 missteps made early on in that redress process may not have occurred.
- 8 **Q.** And was there ever consideration of getting some specialist – insurers and lawyers are one  
9 thing, but specialist either social work or psychological input given that you were  
10 embarking on dealing with severely traumatised, harmed individuals how best to go about  
11 dealing with them in that empathetic way you now recognise and survivor-focused?
- 12 **A.** I would say that given that, or the level of expertise that we had at the time and, as I said, in  
13 my witness statement that generally there was a lack of knowledge and understanding not  
14 only by myself but also The Salvation Army leadership at the time as to the effects of  
15 abuse, you know, for a lifetime.
- 16 **Q.** And when do you believe that knowledge and understanding started to change in terms of  
17 knowing about the long-term effects and the need to look at how your redress process  
18 incorporated that evolving knowledge?
- 19 **A.** Certainly and, you know, it is reasonably pivotal and, you know, we've referred to Janet  
20 Lowe's evidence and the way we treated her in those early stages. We could see at that  
21 point that that was, you know, not an acceptable way to treat survivors of abuse.
- 22 **Q.** And you've talked in your evidence about the importance of survivors being believed and I  
23 understand you've sat through the evidence of Colonel Walker?
- 24 **A.** Yes.
- 25 **Q.** And we looked at the letter, and you've apologised for the letter to Janet Lowe, but clearly a  
26 level of disbelief both in her letter but also later periods as we looked at some of those  
27 letters to other claimants. Why do you think that initial disbelief arose, was it a lack of  
28 understanding or were there other factors?
- 29 **A.** Yes, I think genuinely there was a complete, look the word's not denial, but, you know,  
30 with the leadership at the time I just don't believe that there was an understanding that the  
31 allegations of abuse that were being made could have possibly have happened. And it  
32 wasn't necessarily a disbelief of the survivor, just a disbelief of the concept of abuse  
33 perpetrated by Salvation Army officers or staff could be possible. Clearly that proved itself  
34 later on.

- 1 **Q.** So even against the background of Australia I think there were 45 cases at that point when  
2 the documentary aired and the apology was in Australia rather than New Zealand. But the  
3 point really is, given the Australian experience and experience internationally that was  
4 coming to light about abuse in State and faith-based organisations, why would  
5 New Zealand Salvation Army think there but not here?
- 6 **A.** Yes, I don't – just in terms of that timing, the Australian documentary was actually the  
7 catalyst for, you know, those numbers of claims. So things happened relatively close  
8 together. I'm pretty sure at that point – are you saying we had 48 –
- 9 **Q.** No, Australian in that document it talked about –
- 10 **A.** Oh I see, sorry, yes.
- 11 **Q.** The number of Australian cases, I think they'd settled at \$1 million at that point.
- 12 **A.** That's right, yes. Well, the number of cases that we had at that time and the timing of the  
13 Australian documentary was quite close. So even at that point I don't believe there would  
14 have been a realisation of that abuse occurring in New Zealand. Clearly that position  
15 changed very quickly.
- 16 **Q.** And we've heard that there was clear trust and confidence in the activities that you  
17 undertook for The Salvation Army in the redress process relating to the children's homes.  
18 From your perspective, did you believe you had clear direction from The Salvation Army  
19 leadership about what their commitment to redress was and their expectations of how you  
20 would represent them in these processes?
- 21 **A.** Well, I go back to Shaw Clifton's, you know, comments about not ducking and weaving  
22 and/or sweeping it under the carpet. Also he stated that, you know, we wanted to engage  
23 with survivors as early as possible and to believe what they were telling us.
- 24 **Q.** And we've heard you acknowledge absolutely the importance that you've come to realise of  
25 having a process that is transparent, written and available to survivors. Looking back at  
26 that 2001 announcement from Shaw Clifton about the process that was going to be  
27 followed, very much aligns with what you've described as your process now. Was  
28 consideration ever given, because obviously not everyone would have seen the media  
29 statement and seen what the process was?
- 30 **A.** Mmm.
- 31 **Q.** Never any consideration for even putting that much information on the website as you  
32 started to receive the numbers of claims that would assist people to know what the process  
33 looked like?

1 A. To be perfectly honest, by that time my time was taken up 110% with dealing with  
2 survivors and with claims. In terms of any leadership decisions, I was not privy to anything  
3 that leadership may have discussed or talked about at that point. So you know, if there was  
4 discussion about documenting a process, I certainly wasn't part of that, if it indeed  
5 occurred.

6 **Q.** And I take it that the leadership team would have been aware that you were fully committed  
7 with the claims. Are you aware of any discussions about additional resource so that those  
8 sorts of back office writing up the protocols, ensuring good communication on a greater  
9 level could or should occur?

10 A. So as the claims escalated you're right, I was concerned with claims and my support came  
11 from the legal advisors we had at the time, and there was the assistance of the Personnel  
12 Secretary at the time. However, you know, that was more in a role concerned with  
13 survivors, not necessarily setting a process.

14 **Q.** So you've confirmed that you weren't aware of the leadership's desire in 2003 to have a  
15 written protocol. You will have also seen a document put to Colonel Walker that outlined  
16 the desire of the leadership to monitor your workload and to provide supervision. Were  
17 you aware of that at the time in 2003 or even if you weren't aware, did anything happen in  
18 terms of that monitoring of the workload, support and supervision?

19 A. Sure. So yes, I've seen the minutes from, I think at the time it was the TCC, the Territorial  
20 Coordination Council, so I saw that the decisions or the discussions that had occurred.  
21 I also received the proposed e-mail of thanks from the then Chief Secretary Garth  
22 McKenzie. I did receive that and was thankful for it. In terms of my own work practises,  
23 you know, everyone's different. I'm possibly not the person inclined to rely on airing issues  
24 with others.

25 **CHAIR:** Mr Houston, do you mind just coming forward to the microphone? Just a little bit lost to  
26 us.

27 A. Sorry.

28 **MS STEVENS:** Sorry, if I could actually just take that opportunity just to clarify. So Mr Houston  
29 actually hasn't been watching the evidence, so he was here yesterday, I think he thought he  
30 might be on a bit earlier so he was just psyching himself up with a cup of tea, for several  
31 hours as it turned out, so some of that he may not have seen, he won't have seen some of  
32 the documents, just to clarify.

33 **CHAIR:** Thank you for that clarification.

34 **QUESTIONING BY MS JANES CONTINUED:** That is helpful. Mr Houston, if at any stage



1 I raise something that is new to you, please do let me know.

2 A. Certainly, I was here yesterday, but as Jenny said, yeah. But I had seen the TCC minutes.

3 Q. Because Colonel Walker suggested you would be the person to ask – was there any activity  
4 put in place that assisted you monitoring your workload or supervision?

5 A. I suppose a link to touch on is the environment of The Salvation Army. Territorial  
6 Headquarters, it's the heart, if you like, of a territory, it's where leadership is and, you  
7 know, where a lot of decisions are made around how this territory is run both from a  
8 spiritual point of view, of which I'm not involved, but also, you know, what programmes  
9 are implemented at the time, what may be working, what may be not. But through all of  
10 the dealings with Salvation Army officers is with empathy, good nature and honest intent.

11 So if a Chief Secretary or the Territorial Commander passed me in the office or  
12 came to see me and said "Look Murray how are things?" I'd discuss it with him. But the  
13 way I work, that was sufficient knowledge to know that they were respectful of the work  
14 that I was doing and that I was okay doing it.

15 Q. So from your perspective, you didn't feel that supervision where you could talk about the  
16 burden that you were carrying hearing these experiences would have helped you at that  
17 stage, or over the years?

18 A. It's me, I don't believe it would have.

19 Q. Just looking at, slight change of topic, but looking at that wealth of knowledge, the  
20 experiences you were hearing, the data you were collecting, again Colonel Walker  
21 suggested that you would be the best person to ask about how often was there a  
22 transference of the knowledge that you had or a reconciliation with The Salvation Army  
23 registers that they were keeping, how did they synch and how often did they synch?

24 A. So in terms of the material that I was accumulating through the formulation of files, so  
25 claim files, first of all they would include a copy of the survivors' records from their time in  
26 the home and then there would be any correspondence with the survivor director with their  
27 legal representatives. And as claims progressed, that information on each file would  
28 increase. Obviously what I was hearing was varying tales – sorry, varying experiences of  
29 the abuse that had been suffered and the perpetrators that were involved. So that was  
30 building up a base of knowledge.

31 I don't want to get into too much detail, but many of the boards and like  
32 managerial-type boards that existed then don't now, you know, things have changed  
33 somewhat. However, the main reporting board at that stage was called the Territorial  
34 Financial Council. So each year I used to produce budget, but also from time to time I

1 would report to the Territorial Finance Board about the volume of claims, settlements that  
2 were made, and of course if perpetrators were mentioned then, you know, those names  
3 would be imparted. So there was, and of course who sat on the Territorial Finance Council  
4 were generally also members of the group that were responsible for, you know, attending to  
5 claims at that time.

6 **Q.** So just can you confirm whether it was an ad hoc arrangement, or was there a regular  
7 reporting requirement that this process worked through?

8 **A.** Well, it was reasonably ad hoc then but regular and really based on changing  
9 circumstances. And as I've also described earlier, it was a very dynamic time there for  
10 quite some time and, you know, things would occur and I've mentioned, you know, a  
11 particular letter changed the way we might have taken a view on certain things. But that  
12 actually changed the dynamic of how, you know, I would report and what I would report to  
13 those councils.

14 **Q.** And I'm assuming, correct me if I'm wrong, but there was such a number of claims in that  
15 2003/2004 period, 63, 50, so –

16 **A.** Mmm-hmm.

17 **Q.** – I am assuming that The Salvation Army leadership would have wanted more reporting  
18 rather than less at that stage because there was more to report?

19 **A.** Well, I reported more because there were a larger number of claims, but – sorry, that wasn't  
20 meant to be flippant, but no, generally the reporting was, as I said, reasonably regular  
21 because I was, on the other hand, in constant communication with, you know, our legal  
22 advisors and others. So through that we started to create schedules, which then started to be  
23 populated with more information as that came to hand.

24 Earlier on, of course, there were a lot more open claims and new claims coming.  
25 So that, as we sort of gained more knowledge, gained more information, those schedules  
26 and the information contained therein increased over time.

27 **Q.** And in response to section 20 notices to the Royal Commission, the spreadsheets provided  
28 have been comprehensive. What database or how were you capturing that cumulative  
29 information from those early years and moving forward, and I'll go to the second question  
30 because you can consider them together, is that if you were building a database, was there  
31 consideration to interrogate that for trends and patterns and be proactive at any stage?

32 **A.** So yes, we built our own database, if you like, within our own information systems group  
33 and that captured a significant amount of information. In its infancy it did have sort of

1 basic data about, you know, where the children were, where the survivors were placed, the  
2 numbers of claims that came from those homes, the forms of abuse that were suffered, and  
3 then later on with claim amounts, whether we'd paid a separate amount for compensation,  
4 whether we'd contributed to legal costs etc, etc.

5 **Q.** So just picking up on that point because we didn't quite cover it in the response, did  
6 Salvation Army at any stage think about whether it had a moral or ethical responsibility to  
7 reach out to particular – a clarion call I think as the Commissioner Alofivae called it this  
8 morning, was there ever a thought to proactively go out and find survivors or seek survivors  
9 to come forward from particular settings that you were getting information about?

10 **A.** The inquiries that I was receiving were coming from all avenues, so there were phone calls  
11 to Territorial Headquarters. At that time there were phone calls and e-mails to other  
12 divisions throughout New Zealand. I was also receiving letters at THQ. So the inquiries I  
13 was receiving were coming from literally Northland to Invercargill. And so there was no  
14 pattern at that point of, you know, where, or, sorry, there was no pattern of any sort of  
15 organised approaches to The Army at that point.

16 **Q.** And would it be fair to say that you were fully committed in dealing with a large number of  
17 claims so it would have required additional resource to be able to do that interrogation of  
18 the data that was coming forward in the claims, which was not available at the time?

19 **A.** Yes, that would be correct. We had made a commitment to contact because, as I said, the  
20 contacts were coming from – in varying forms and we'd made a commitment to make an  
21 initial response to the particular survivor as quickly as we could in what form was  
22 appropriate.

23 **Q.** And I don't know if you were hearing the evidence of Colonel Walker when I took him  
24 very briefly through the Cooper Legal concerns 2005, 2007, 2008, 2011 about the processes  
25 and their concern about the workload and the toll it was taking on you, did you hear that  
26 evidence?

27 **A.** I didn't hear that this morning, however I'm aware of the various correspondence between  
28 Sonja, Cooper Legal, and Salvation Army.

29 **Q.** And are you aware of that now or were those issues discussed with you at the time each of  
30 those communications were received by The Salvation Army?

31 **A.** When those letters were received I was made privy to them and asked to comment.

32 **Q.** And would you have felt, as a loyal employee, that it was possible for you to say "Actually  
33 I am overwhelmed, what they're saying is correct and I need extra resource"? Was that ever

1 something that you took the step to do?

2 A. The correspondence covered a number of topics. My workload at that time wasn't a  
3 concern for me.

4 Q. We've heard, and you can confirm because you probably are best placed, but in terms of  
5 when a claimant came forward and you were capturing the data, we understand that The  
6 Salvation Army does keep statistics about ethnicity, Māori, Pacific. Was there ever any  
7 consideration in terms of the data you were capturing to garner that type of information  
8 about the claimants?

9 A. The data gathering started and was quite basic, and as I said, over time that did – the data  
10 did build. At that time, though, there was no recognition of ethnicity, because of the fact  
11 that at that time, having not met all survivors face-to-face, we may not have been aware of  
12 that ethnicity.

13 Q. So I'll return to that point but let's just stay on the data capture issue at the moment. Has  
14 there at any time, or do you know capture data about ethnicity?

15 A. We're aware that, and I think it is on the spreadsheet, that there is a note that if we believe  
16 that they are European or Māori or other ethnic group.

17 Q. And are you able in any way to capture whether there may be considerations of disability  
18 that would need to be taken into account?

19 A. I don't believe that we have captured that data. But I'm not sure of any survivor with any  
20 discernible disabilities that I was aware of.

21 **COMMISSIONER ERUETI:** If I may, Mr Houston when you say the spreadsheet, are you  
22 talking about the questionnaire that was on the screen before?

23 A. No.

24 Q. What are you talking about?

25 A. The comprehensive information that –

26 **MS JANES:** It's the section 20.

27 **COMMISSIONER ERUETI:** And you don't ask the question about the ethnicity, you just –  
28 you make the determination yourself?

29 A. Well, I can't do that, it's a note as to my opinion.

30 Q. Yes, thank you.

31 **QUESTIONING BY MS JANES CONTINUED:** Because where this is an important aspect for  
32 the redress process is that there is a commitment, as I understand it, even right the start,  
33 albeit that you've acknowledged that things went wrong but there has always been a

- 1 survivor focus.
- 2 A. Mmm-hmm.
- 3 **Q.** So if one doesn't capture something that may be absolutely critical to how that redress  
4 process is applied to an individual, for example, a Māori may, if you knew that ethnicity,  
5 they may be able to say I want to engage with The Salvation Army, I need to have a  
6 translator, I would like my whānau group as a support, there may be other aspects of  
7 culture, they may want a karakia. So if you're not capturing what is really quite critical  
8 information for that particular claimant, how comfortable or do you accept that it actually is  
9 not survivor-focused as far as it could or should be?
- 10 A. As far as it goes, and as I could, I have identified the needs of Māori in particular, and I'll  
11 give you one example where I had an inquiry from a gentleman survivor who was resident  
12 in Melbourne. He was a very long-term resident of the Hodderville Home in Putāruru.  
13 I might add he may have been the longest. But his inquiry, when we were talking on the  
14 telephone and by e-mail, his initial inquiry was not necessarily that we had been abused in  
15 the home, but he had lost cultural identity. This is something that is not my forté and so  
16 I approached the then Territorial – he's the manager of our college in Upper Hutt. At the  
17 time there was a Māori couple who were senior cadets. I explained to them that, you know,  
18 this is something that I wasn't 100% sure about and requested that this cadet accompany me  
19 to Melbourne so that we could engage with the survivor, which we did. He was somewhat  
20 surprised and pleased and that engagement was reasonably successful in that he was able to  
21 air his grievances about his treatment there, albeit he was not abused, it was about his  
22 culture and we took steps to resolve that.
- 23 **Q.** And that was commendable because he did, as I understand it, write back and say how  
24 meaningful that was for him. But that almost highlights and underscores the fact that  
25 unless somebody asks for it they don't know that that is an option available to them. We  
26 have a number of Māori survivors who did give evidence, and you will have seen that,  
27 where had there been an opportunity they may well have wished to avail themselves of it.  
28 Would you recognise and accept that that may be something that The Salvation Army could  
29 and should look at not just for Māori because some Māori it will be meaningful, others it  
30 may not, some Pacific peoples they will want a cultural component, some will be happy  
31 not, one size never fits all. But would it be a simple expedient early on in the process to  
32 establish what is meaningful?
- 33 A. Well, certainly yes, and I do believe I can name him. I said in my earlier testimony that I  
34 was shocked at the events that occurred after Roy Takiaho's interview and believed that,

1 you know, if we did engage in the way that you've just described, that may well have  
2 avoided that situation. So the answer is yes. Just lately, and in terms of one of the other  
3 witnesses that was Māori that submitted a statement, I arranged for a senior commissioner  
4 to meet with one of those men to issue a verbal apology from The Salvation Army as well.

5 **Q.** And just looking, again I don't know if you were there when Colonel Walker gave  
6 evidence, Salvation Army from 97, I think, had a Treaty of Waitangi policy. Was that ever  
7 something that was discussed with you as being relevant and important to incorporate into  
8 the redress process, particularly that partnership aspect, the rangatiratanga in terms of  
9 options to frame and participate in decision-making?

10 **A.** I'm aware of those declarations from The Salvation Army and obviously that has been, you  
11 know, the relevance between The Salvation Army and Māori has increased over the years,  
12 but regretfully no.

13 **Q.** It did seem a little that redress had somehow been ring-fenced away from ordinary  
14 Salvation Army activities so they didn't sort of – that didn't find its way into that arena,  
15 would that be a fair reflection?

16 **A.** Not intentionally, but yes.

17 **Q.** Because you do say in your evidence there's a recognition it was certainly not forefront of  
18 the mind.

19 **A.** Mmm.

20 **Q.** And again, there was the 2005 update of the Treaty policy and the 2018 bicultural  
21 statement. I take it from your answer that you were also aware of those statements?

22 **A.** Yeah, they were generally made aware throughout The Salvation Army obviously to  
23 officers, staff and wider I would suspect.

24 **Q.** And did you receive any training in tikanga Māori either for your commercial role or  
25 redress role?

26 **A.** No.

27 **Q.** Would that have been helpful?

28 **A.** Given the Māori, particularly Māori prevalence in our homes, and also making up that  
29 survivor list, then I'm sure it would have been helpful.

30 **Q.** And are you aware that Pacific people have legal status recognised as a minority group  
31 under the Covenant on Civil and Political Rights and under the Bill of Rights in  
32 New Zealand?

33 **A.** Yeah, just a point you mentioned yesterday, I think you voiced surprise at the lack of  
34 Pasifika that featured. I'm no geographer but in looking at the timing around, you know,

1 the abuses that we've talked about, when these homes were operating, the family make-up  
2 of Pasifika at the time in New Zealand may have meant that they, you know, Pasifika  
3 children wouldn't have been in the timeframe to be exposed to being placed in a Salvation  
4 Army home.

5 **Q.** That's an interesting perspective. Has any research or is there any way that that could be  
6 established what the proportion of children –

7 **A.** Sure, we have not done that research but we certainly could embark on that.

8 **COMMISSIONER ERUETI:** May I ask a quick question of Mr Houston. You spoke about the  
9 Māori prevalence in our homes. That matches with my personal experience with what I've  
10 seen with private sessions and so forth. I just wonder whether there was any internal  
11 research with The Army about the extent of Māori, Pasifika and other ethnicities in the  
12 homes over time, the 50s, 60s, 70s, and 80s.

13 **A.** No, there has been no specific research, however I understand that currently in our spiritual  
14 situation that Māori and Pasifika, and I'll have to get this verified, but I think it is roughly  
15 12% of the congregation.

16 **Q.** Yeah, we had heard from Mr Walker the estimates of the total congregation in those homes.  
17 Thank you.

18 **QUESTIONING BY MS JANES CONTINUED:** So I guess the question is, did you receive any  
19 cultural competency training, and we've heard not in Māori, but in terms of any of the  
20 Pacific cultures? Because one thing that we have heard as a Commission is that there is  
21 humility and reticence that those cultures in particular have about asking for anything. And  
22 so if one had had an understanding of those types of factors, do you accept that you might  
23 have been able to adapt the process to recognise that perhaps The Salvation Army needed  
24 to be more forthcoming about giving a suite of options rather than saying is there anything  
25 we can do to help you, because they're going to say "not really"?

26 **A.** As I said in my earlier evidence that, you know, we talked about the exposure of the redress  
27 process and the fact that we have not currently got a written statement around that, that  
28 albeit it's in draft, but it's not available publicly. And it would be my assumption that as  
29 well as English, that when we do produce this document, that it would be in multi-faceted  
30 languages, and made available to different cultures so that they were aware of what the  
31 process was, and what options may be available to them.

32 **Q.** And just on that, you've said this is a work in progress?

33 **A.** Mmm-hmm.

34 **Q.** And without wanting to tie you to a date, but how far away is that from being completed in



1 its form so it could be translated?

2 A. Sure, so you – I think through Ms Stevens, you presented a copy of a two page –

3 Q. Yes, Centre for Restoration.

4 A. – Centre for Restoration from Australia. So all the words are there, it just needs the  
5 presentation and the, you know, the finishing touches to make it a working document.

6 Q. And he's kindly brought up what I am going to, so you do have a copy so do you need  
7 another one?

8 A. In the time I had I've looked at it briefly.

9 Q. Let me – and again, we're not going to go in detail, but it is a very good illustration of what  
10 could be available for claimants. So if I may approach?

11 **CHAIR:** Please. **[Copies provided]**

12 **QUESTIONING BY MS JANES CONTINUED:** Just for the Commissioners you would have  
13 heard yesterday the Australian Salvation Army has something called the Centre for  
14 Restoration which is effectively their redress centre. There are a large suite of documents  
15 under their website. This is just one of many. But it was a document that I looked at and  
16 thought if I were a survivor it's quite comprehensive in terms of giving a sense of what that  
17 journey could look like. And so I wanted to put to you, Mr Houston, that there's nothing  
18 very different in terms of what's on this document than probably has been in your head for a  
19 very long time.

20 A. Mmm-hmm.

21 Q. But you accept that a document such as this would be extremely useful for a survivor to be  
22 able to sit, cogitate on and think about how they want to approach it?

23 A. Absolutely.

24 Q. And so the intention, as I understand it, is that you're doing something similar to this, it will  
25 go on your website; correct?

26 A. Yes, yes.

27 Q. And it will be translated into some other languages as well for accessibility reasons?

28 A. Look I would need to discuss that, but look there would be no impediments to doing that.

29 Q. And for those that may suffer or live with disabilities, would it be a consideration that that  
30 could be done in a format that was accessible to those with disabilities as well, there's sort  
31 of an easy read format that –

32 A. Oh right, yes, okay, mmm-hmm. Similar to your website.

33 Q. Yes.

- 1 A. Yeah.
- 2 **Q.** Absolutely.
- 3 A. I think, so there are various places on our current website that survivors can identify if they  
4 do have allegations of abuse that they can make contact with the Army, but certainly in  
5 terms of the redress process, so following on from making a claim or, you know, what  
6 happens, this would be ideal.
- 7 **Q.** Because I navigated as best I could The Salvation Army website, certainly found under  
8 "Contact us" that if you have a complaint or feedback contact this number. But beyond  
9 that, I was not able to find anything that was informational about what the redress process  
10 looked like, you'd accept that's correct?
- 11 A. Yes, yeah.
- 12 **MS JANES:** We could introduce this as an exhibit, it is on the website, so it is a public document.
- 13 **CHAIR:** I think it would be useful to have it as a formal document, yes.
- 14 **MS JANES:** If we may produce this document and it's exhibit number 7.
- 15 **CHAIR:** Thank you.
- 16 **QUESTIONING BY MS JANES CONTINUED:** Have you had a chance to look at the full suite  
17 of documents and that there's a frequently asked, you know, FAQ?
- 18 A. On the Australian site?
- 19 **Q.** On the Australian site.
- 20 A. No, no, I have not.
- 21 **Q.** Would it be – it's always best not to re-invent wheels when you're particularly busy and  
22 you are a sole practitioner in the redress space. Would it be useful to have a look at the  
23 Centre for Restoration at the suite of documents that they have produced out of their  
24 process and also what they have learned from their Royal Commission?
- 25 A. Indeed, and I have been in contact particularly with our Melbourne, or my counterparts in  
26 Melbourne, and of course they've been through the Royal Commission as you're aware, and  
27 there are a number of recommendations by the Royal Commission made there, of which,  
28 you know, they are very busily implementing, and I think we would do exactly the same as  
29 what they have done with the recommendations of this Commission. However, in the  
30 meantime, specifically around redress, then you know, a format of this document would be  
31 most advantageous.
- 32 **Q.** Given the Australian Royal Commission reported some time ago and the National Redress  
33 Scheme was implemented in 2015, with that communication with your colleagues in  
34 Australia, are you able to say whether the New Zealand Salvation Army has changed its

1 processes in any substantive way as a result of what you've learned from international  
2 inquiries, particularly Australia?

3 A. Well, I think, you know, more of a focus on non-monetary type redress, looking at, you  
4 know, a survivor as – looking at their entire circumstances, although we have been doing  
5 that for some time. But in terms of anything specific, in terms of the protection of children  
6 and young and vulnerable people, I think, you know, has been attended to in other areas of  
7 The Salvation Army in New Zealand. Colonel Walker would have referred to, you know,  
8 Keeping Children Safe and various things like that. So they may have – well, I do know  
9 that they have interacted with their counterparts on that side. However, that's not, once  
10 again, an area of expertise for me.

11 Q. And we've heard from survivors where there were a number of siblings in the same  
12 institutions who were all abused?

13 A. Mmm.

14 Q. Has Salvation Army considered how it can respond both to inter-sibling abuse but also  
15 intergenerational abuse, is that something that you inquire about, are aware of? How would  
16 you deal with it if you were aware of it?

17 A. Well, there's two situations, one of quite a large family who, on leaving the home,  
18 regretfully lost contact with each other for many years. It was only through this recent  
19 redress process over time that I engaged with many of those family members. Up until that  
20 point, they had not engaged. But through the course of our interaction with each, and it  
21 started off as a separate thing, I know that they have now made contact and many of them  
22 are communicating far better than they were.

23 The second situation, once again, has brought family members together, probably  
24 not on a straight path but a windy one, and some recognition of that bringing together of  
25 those families can be attributable to this redress process, albeit they all started from an  
26 individual position.

27 Q. So it's not something that you've been confronted with directly, but in terms of going  
28 forward, should it arise there would be flexibility within the process to be able to  
29 accommodate that type of intergenerational, wider whānau collective response?

30 A. Absolutely, yes.

31 Q. Because while not directly related, in terms of blood relatives, we did hear from Janet Lowe  
32 and the Survivor Group that they had wished to meet with The Salvation Army as a group  
33 and that had been declined, the very strong message was given back that it is individual

- 1 face-to-face interviews. Would you accept that if survivors have a level of comfort about  
2 wanting to do it in a particular way, that should be something that The Salvation Army  
3 could accommodate?
- 4 A. Yes, absolutely. I mean we know I've been doing this for a number of years, but every day  
5 you learn something that can make this process better and a better outcome for survivors.
- 6 Q. Where would that, intransigent might seem strong, but there was a direct request and a  
7 direct decline, what was the thinking or rationale behind saying "No, we won't meet with  
8 you as a group"?
- 9 A. Yes, so this is Janet Lowe?
- 10 Q. This is Janet Lowe, a survivor.
- 11 A. Yes, I do recall that. I think my recollection is at the time, rightly or wrongly, that not  
12 knowing the background of all the individuals that may be involved, that we'd looked upon,  
13 from our point of view, that each survivor story was private to that individual and from  
14 memory we were concerned about any privacy issues that might arise from a larger group  
15 meeting. That's my recollection but there may be more to it, I just can't recall. I think that  
16 was around 2003.
- 17 Q. Yes, it was. And I suppose if one reflects back, there would have been a process that could  
18 have been devised that protected, setting parameters about those privacy and confidentiality  
19 issues, an initial group meeting and then going down to the individual meetings?
- 20 A. Yes.
- 21 Q. It may well have met their particular needs, and made them feel that there was a  
22 commitment and responsiveness that they ended up not feeling, would you accept that?
- 23 A. Yes, but also, you know, as you speak, that adds more potential to the material that can be  
24 placed as part of our redress process in that I do know that over time there have been a  
25 number of groups that have actually met, albeit not through The Army, but have requested  
26 the access to homes, when they stood, for reunions etc. So in keeping with that, that could  
27 be part of our overall redress offering to survivors.
- 28 Q. And it really goes back to that central point of responsiveness and survivor focus?
- 29 A. Mmm-hmm.
- 30 Q. Has Salvation Army thought about how it could remove barriers, there was one particular  
31 witness who gave written evidence but didn't give oral evidence, who was identified as  
32 having low IQ and learning disabilities. How would that be identified by The Salvation  
33 Army and what accommodations could or should have been offered to that particular  
34 individual and those in similar circumstances? Because there are people who have

1           neuropsychological disabilities, language, speaking, hearing, there is a large spectrum that  
2           one needs to remove barriers so that they can engage meaningfully?

3    A.     Sure, absolutely. We would look at accommodating any opportunity for a survivor with  
4           any disability to come forward.

5    **Q.**    How is that identified and communicated?

6    A.     Sure, as we've established at this point it is not. However, once again going forward in  
7           terms of our redress publication, if you like to call it that, could be incorporated in that.

8    **Q.**    And we spoke earlier about the fact that I take it there has never been training on  
9           trauma-informed responses even to date, for you personally?

10   A.     No.

11   **Q.**    Has there been training on how to engage with individuals who may have mental illness  
12           that is often also a feature that accompanies survivors and victims?

13   A.     There's been no specific training on that, no.

14   **Q.**    Is there an adaptation to the process that perhaps early on should seek to try and identify  
15           some of these individual features that may mean you need to be a bit more flexible or  
16           change the process that you have been following?

17   A.     Yes, but I think generally, though, you know, what this lends opportunity to is, and I think  
18           you mentioned it in your opening statement about, you know, the services that The  
19           Salvation Army undertake for many, many thousands of New Zealanders every year in  
20           terms of social services and some of that specialist treatment around what individuals may  
21           suffer from, you know, it would appear to me, and it may to you, that this is an ideal  
22           situation to be able to take advantage of the resources and the expertise and experience of  
23           people that we actually already employ in other areas of what The Army does.

24   **Q.**    And you hit an important point, that as an organisation there is a wealth of knowledge and  
25           expertise. Was there ever any suggestion of collaboration so that your job would be made  
26           more accessible, easier, and also would be a better and more empathetic survivor  
27           experience? It just seems that there is a little bit of a wall that it didn't cross over.

28   A.     Certainly as we've just spoken for the last 5 minutes, you know, that would be a priority.

29   **Q.**    I know that you also don't have the ability to make decisions about whether the redress  
30           process is independent of The Salvation Army or not, so I won't go in depth into that topic  
31           with you. But you have heard survivor evidence about concerns that you are an employee  
32           and therefore there is loyalty and trust owed to the organisation, a perception real or not  
33           that you may not be objective and impartial divorcing yourself from The Salvation Army.

34                    Can you accept that for survivors having the same organisation that is accountable

1 and responsible for the abuse also investigating itself and making decisions about what  
2 should happen as an outcome can be anathema and not acceptable, that independence is the  
3 only thing for many that would be an acceptable response?

4 A. I think, you know, the independence or an independent body has come up a number of  
5 times, and as much as when you first look at it you think yes, that's an ideal way to go  
6 about this. And also the group yesterday, Liz Tonks, talked of, you know, a need for an  
7 independent group now.

8 My only thoughts around that is that as much as earlier on, investigation, yes, that  
9 could be so. However, I think more and more as we've learned and gained more knowledge  
10 of the needs and wants of survivors, that – the gap between myself and The Salvation  
11 Army is actually increasing, and that, you know, over time we've looked at being able to  
12 encompass all of the circumstances of the individual. And, you know, if you wanted to cite  
13 one aspect of it, cost is not an issue.

14 And I think the other thing too, is that maybe, you know, there are still survivors  
15 that still wish to interact with The Salvation Army in terms of any complaints or grievances  
16 it may have about the past and/or even now.

17 So in looking at independence, perhaps, you know, that could be, or the ability for  
18 a survivor to actually take more than one route to explore redress. Some, as I said, may still  
19 be more than happy to engage in a process as we know it now, others may not more  
20 independence, and it's my belief that right now, without having an independent process or  
21 anything like it, that that could be an avenue.

22 Q. I'm conscious that we're over time so just very quickly closing this off. The Australian  
23 redress process doesn't preclude that engagement with the accountable –

24 A. Okay.

25 Q. – institution and so you would accept that that can also be –

26 A. I did note that there's provision for a face-to-face meeting for example, yes.

27 Q. Correct, so it would be at the survivor's –

28 A. Yes.

29 Q. – election whether they wish to or not, so it's not removed?

30 A. Yes.

31 Q. So that gives the independence but also the ability to engage with the accountable  
32 institution. Best of both worlds you'd accept?

33 A. Yeah, I suppose one thing finally, that, you know, part of our process has also been on the

1           expediency of being able to settle claims where the survivor wants it very, very rapidly.  
2           That shouldn't be lost if that's also what other survivors want, through an independent  
3           process.

4   **MS JANES:** We'll call it quits there.

5   **CHAIR:** Call it quits for today which I take it means that Mr Houston will be required again  
6           tomorrow.

7   **MS JANES:** Back tomorrow morning.

8   **CHAIR:** All right with you Mr Houston?

9   A.     Thank you.

10   **Q.**    Hard for you to say no I know, but I wanted to give you at least the courtesy of  
11           acknowledging that. Thank you then, we will now call upon our kaikarakia.

12                   **Hearing closes with waiata and karakia mutunga by Ngāti Whātua Ōrākei**

13                   **Hearing adjourned at 5.07 pm to Wednesday, 17 March 2021 at 10 am**

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