



Waimokoia 'abuse was systemic'

By CLIO FRANCIS - Sunday Star Times Last updated 05:00 08/08/2010

It was a school of last resort for some of New Zealand's most troubled kids. But one former student says it 'took the broken and broke them further'. Clio Francis investigates the full horror of life at the state-run Waimokoia Residential School, and why it's taken so long to get justice.

WAIMOKOIA RESIDENTIAL School's "time-out" room was an innocuous cinder block building near the tennis courts which, to the uninitiated, looked like a harmless storage shed. But to some of the troubled students who attended the school near Howick, in South Auckland, the mere sight of the bland building was enough to instill terror. To them, it was variously known as the pound, the cell, the bunker and, perhaps most appropriately of all, the dungeon – for the abuse which former students claim happened inside its windowless walls amounted to torture.

Inside the room a student alleged a staff member stapled his penis to a chair leg, beat him with a soap in a sock, tried to sodomise him and stubbed out cigarettes on his skin. Others said they were sexually abused or locked inside the room for days without a toilet – the smell of urine was overpowering. The worst of the abuse occurred in the 1980s, but the room was still being used to discipline students right up until the school's closure last year.

"I think the word time-out room is probably the wrong word for what this room was," says a former female student, now 36 and living in Australia. "It was a concrete bunker, like something out of World War II. There was a little light in the corner that was covered with wire. I don't think you will ever forget the smell of urine and you were locked in there, there was nothing – no windows, no nothing."

The room became the graphic focus of the high court trial of Graeme McCardle, 58, which ended in Auckland this past week. During four weeks of often harrowing testimony, the lid was lifted on a sadistic culture of abuse at a school that was supposed to be helping troubled kids, but instead damaged them to such an extent that many turned to lives of crime.

Police sources confided to the Sunday Star-Times that they believe there are many more victims out there, and probably several more offenders who may never come to justice.

Education Minister Anne Tolley shut the school down at the end of last year, "in the interests of the students", after a lengthy history of governance and management difficulties, but there was no mention at the time of the abuse allegations.

The minister told the Sunday Star-Times she was aware of multiple police investigations into staff at the school and did not believe staff had maintained their duty of care to students.

Asked whether she knew pupils were placed in the time-out room until as late as 2009, she replied, "Yes."

On Monday, a jury found former social worker McCardle guilty of 15 of the 24 counts he faced, including indecent assault and sexual violation. They deliberated for a near-record six days. It was his second trial – the first ending last year with a hung jury – and finally provided a glimmer of justice for the long-suffering victims.

From the start, McCardle denied any of the abuse had even happened. His lawyer, Ron Mansfield, told the court his client, who until late last week worked as airside operations manager at Auckland International Airport, was "not a paedophile and he's not a sadistic abuser of children".

"These things did not happen to these children at this school. It's as simple as that. There are no shades of grey or issues of consent."

It was just the latest case involving Waimokoia to come before the courts. Since last year there have been three high court trials and two district court trials, involving 20 different complainants and three accused former staff. The alleged abuse occurred as recently as 2007 and dated back to the 1980s.

The first accused, a former staff member, went to trial at the High Court at Auckland in February 2009. His health deteriorated and after nearly two weeks of evidence, the trial was aborted. He suffered a heart attack in August last year and died before a retrial could be heard.

Last year a third former staff member went to trial in the Manukau District Court on charges including assault on a child and threatening to cause grievous bodily harm involving 10 complainants. Again a jury could not agree on a verdict and a retrial was ordered. In June this year the man was acquitted on the 11 charges he faced.

Yet another teacher who taught at the school in the late 1980s has since been struck off the New Zealand teachers register. He was sentenced to two years' jail at Auckland District Court in 1998 on multiple indecent assault charges.

Until now the public has had little idea of the goings-on at the school, because it applied to the court for its identity to be kept secret at the previous trials. At the start of McCardle's trial, suppression was lifted.

The court heard of bizarre practices at Waimokoia. In the 1980s, one principal would hypnotise students in his office in the belief it would curb their behavioural problems. Other students described how they were forced to eat an apple pie crust filled with dishwashing liquid and watched as a girl was made to suck a lollipop covered in ants and dirt.

Police were slow to act when allegations of abuse first emerged in the mid-1990s. The man whose penis was allegedly stapled to a chair laid a complaint in 1996, but police did nothing until a decade later, when another complainant came to light.

So how was such a sadistic culture allowed to develop at the school?

The court heard that in the 1980s, the school employed people with little or no formal training. Many were hired from word of mouth or had inter-family connections to other staff. Sources say some staff had free rein to indulge their sexual proclivities.

Secretary for Education Karen Sewell said McCardle had abused his position of trust and committed crimes against some of the most vulnerable in society. "We recognise the courage of those who came forward to give evidence and tell of the effect these crimes had on their lives."

And it was not just children who saw the darker side of McCardle.

A Crown witness in the most recent trial, a former assistant social worker at the school, told the court how McCardle appeared in the children's bathroom and asked her to lift her skirt while he masturbated. Another time he asked her to perform oral sex on him in the time-out room.

"He went from being a nice person to somebody who suddenly gained all the power. There was a change in personality or character."

A former student, a mother now aged 36 who gave evidence at trial, told the Sunday Star-Times she believed the Ministry of Education knew the school was "rotten". "Not until I was part of this case did I understand how badly had the ministry failed us, because not only did they take us out of abusive homes, they took us to somewhere when they knew there was abuse going on. They did nothing and they didn't care, and then when it did come out... they still did nothing."

"They took the broken and broke them further. They took the broken and just decimated any hope we had of ever having any kind of life."

JOHNNY* WAS only nine when he arrived at Waimokoia in 1984. The school, which in Maori means "troubled waters", had opened four years earlier in a quiet cul-de-sac in the then rural Bucklands Beach, and was designed to cater for children with severe behavioural and social problems who were deemed too difficult for mainstream schooling.

Johnny was "hyperactive" and had already been through several children's homes and foster families. He alleges the abuse at Waimokoia began almost immediately.

One night he had been asleep in his dormitory bedroom when he heard the door open. McCardle sat on his bed and started talking to him. Then the beating began. "I took a whack to the face and, the next thing I knew, he was on top of me."

He passed out and when he woke up, discovered semen on his thighs. He hid in a wardrobe until morning.

The abuse would often take place in the time-out room, where Johnny would be sent after running away. His tormentor McCardle would appear, often with the ominous greeting: "It's time to have fun."

Johnny alleges McCardle would assault him with a chair leg, thrash him until he was numb with a cake of soap in a sock, fire staples from a staple gun into his penis and stub out cigarettes on his skin.

But McCardle was found not guilty on those charges, as well as two charges of attempted sodomy, and his lawyer, Ron Mansfield, claimed at trial that Johnny was a "seasoned liar" and a "manipulator". "He says what he wants if it gets him some advantage."

Johnny says he never spoke of what happened to him at the time.

"Who's going to believe a ward of the state? A lot of kids used to say a lot of things to get out of there." Johnny admits he turned to crime when he sought pay-back against the school during a holiday break. He broke into the school, lit some paper on fire and fled. It took 20 firefighters to get the blaze under control. "The building was just about destroyed, I believe."

He left Waimokoia a year later, but the abuse had dramatically altered his life. Finally, in 1996, he started to talk. By then he had been convicted of several arsons and was serving a lengthy stretch in Waikeria Prison.

In a letter to a prison psychologist, Johnny said: "I was at Waimokoia for about two years at the most. In those years I was put through the worst experiences of my entire life. It was from there on that when anyone did anything wrong to me I would go out and do an arson job to calm myself down."

In August 1996, former police officer Wayne Reed went to the prison to speak to Johnny about the abuse. Reed had previously arrested him for earlier arson offences. In April 1997, a doctor was arranged to take photos of the scars on Johnny's genitals and the burns on his neck and hands.

The police file was sent to Howick police station in Auckland for further investigations. But the accused was never questioned and Johnny not contacted. It would be another decade before police came calling, visiting him in prison after receiving another complaint about McCardle, this time from a former female student. "You took your time," Johnny told the officer who came to investigate.

The new complaint had come from a 36-year-old woman living in Dunedin.

With a detective present, the woman telephoned McCardle to try to get him to make admissions. The first phone call failed to record, but the second became the cornerstone of McCardle's two trials.

In the 30-minute call, the victim asked: "I guess I just want to understand what happened. What happened? Why did you choose me?"

McCardle: "As I said, I have no explanation."

Victim: "Do you accept responsibility?"

McCardle: "Well it wasn't your fault, it was nothing, it wasn't you."

Victim: "I'm making this phone call to the man who abused me in this institution that was meant to look after me and protect me. How the hell am I meant to go about that? Do you know what I mean?"

McCardle: "Yeah."

Victim: "What would you do if your wife found out?"

McCardle: "I don't know. If my wife found out, I'd be on my own."

Victim: "I need to hear from you, I'm sorry... I am f----- sorry that I abused you'."

McCardle: "I am and I just, y'know, I can't say any more than that."

McCardle said he hadn't realised what the woman was talking about until late in the conversation and had answered the way he had so as not to aggravate her.

"I've seen or heard of people who've been falsely accused and it's destroyed their lives. Even in the end when they're found not guilty, their lives are virtually destroyed by it, financially and mentally," he said in evidence.

THE TRIALS provided many former students with the chance finally to confront their alleged abusers. Many of them had long criminal records or were current prisoners, and they expressed their fury at their alleged abusers when they testified, making for dramatic scenes in the courtroom.

During last year's trial of the now deceased former teacher, a 33-year-old man with gang connections, currently in jail for serious offences, became so angry he tried to flee the dock as he gave evidence.

"I was a little boy you know. I was shit scared of this f----- here, he's wrecked my f----- life. He's a f----- scumbag. I was a naughty kid, but I didn't deserve to get bashed and molested, mate," he said.

In the same trial, a 35-year-old man from Auckland yelled at the accused, demanding he look at him as he gave his evidence.

"I'm not scared of you. I'm 35 years old and I've got kids and if you want to look at me, look at me!"

When Justice Hugh Williams started to interrupt, the witness said: "It's just I'm not scared any more, your honour. This is my time to tell it, sir."

A 37-year-old Northland man called the accused a "dead man walking".

The convicted burglar said he hadn't spoken of the abuse for 20 years, until police came knocking in 2007.

"The only thing I could do to forget about it is drink, drink and drink my life away because I couldn't handle it and then I got locked up. The hardest part is sitting here and talking about it. I feel like I could go to sleep and not wake up, man. This f----- has f----- me over."

A 31-year-old man from Palmerston North said he'd been threatened by the former staff member to never tell anyone about the abuse.

"That is why I never told my mother or any of my family anything. I just blocked it right out of my life. I'm ashamed to tell anyone about it. I want that motherf----- to rot in prison, to f----- rot in hell, otherwise I'll go in there and do it myself."

Not all students despised their time at Waimokoia. Some former pupils gave evidence in defence of the school, saying it had given order and security to dysfunctional childhoods.

One former pupil told the court: "It was good in the sense you'd get up in the morning, make your beds, clean yourself up. Simple things...Mum never really sat us down and showed us how to use a knife and fork. It taught me a lot of manners. It was pretty much military, 'yes, sir' 'no, sir'. I do appreciate those things

because I have been able to hand them down to my kids."

In a string of Education Review Office reports over the years there is no mention of the abuse allegations at Waimokoia and only in one, in 2005, was the time-out room criticised.

The report's author touched on concerns about the room, noting there were no windows.

During McCardle's trial, Bronwyn Boniface, who worked at Waimokoia for more than 20 years, said she had concerns about the time-out room.

"I can only speak from my own point of view but I always found it a little disturbing. The kids were unhappy going there and I would've been too. I do recall children being in there for a long time. I'm talking more than an hour you know, quite a long time. I have one recollection of a child being in time-out for days."

But for one former student, a 36-year-old woman, last week's verdict brought little peace.

"I want a sorry. I want an apology.

"It is so much bigger than just this one person. The abuse was systemic at that place. It wasn't just him and the others who knew and kept it quiet are just as guilty. They had a duty of care and they failed us miserably."

** Not his real name.*

WHO IS GRAEME MCCARDLE?

Graeme McCardle grew up in Palmerston North, the son of a social worker. After finishing school, he began an apprenticeship in screen-printing before moving to Auckland in the mid-1970s to start his own printing business. He worked briefly at Bollard Girls' Home as a court escort before beginning work at Allendale Girls' Home as a social worker. McCardle started working at Waimokoia Residential School in 1981. He told the court the longest he ever saw a child put in the time-out room was about 25 minutes. He left the school in 1987 and sold real estate in Howick for five years. Afterwards he worked at Auckland Airport in security for 18 years before being promoted to the role of manager of airside operations last year. He denied the 24 charges of physical and sexual abuse. "At no point in my life have I ever done that, let alone at Waimokoia," he told the court during the trial, where he was supported by his wife of 38 years and his adult daughter. He is in prison on remand, awaiting sentencing in late October.

TIMELINE

1960: The Mount Wellington Residential School for Maladjusted Children opens for children "so disturbed emotionally that they are not able to profit from attending an ordinary school".

1980: School moves to Bucklands Beach, renamed Waimokoia Residential School.

August 1996: Johnny* complains to police about abuse he suffered at Waimokoia.

April 1997: A doctor examines Johnny's injuries and photographs are added to the police file. It is sent to Howick police station, but no further inquiries are made.

2001: The police complaint made by Johnny is officially "filed". No reason is given for why this investigation has been halted.

November 2006: A 36-year-old woman makes a complaint to Dunedin police about abuse at the school. She telephones the accused and confronts him with allegations of abuse in a recorded call.

June 2007: Police arrest Graeme McCardle and charge him with abuse at Waimokoia.

2008: The Ministry of Education commissions the Education Review Office to evaluate residential behaviour schools.

February 2009: A trial begins in the High Court at Auckland involving another former staff member. The trial is stopped in March due to the accused's ill-health.

May 2009: Graeme McCardle's first trial begins in the High Court at Auckland. The jury is unable to reach a verdict.

November 2009: Education Minister Anne Tolley announces the school will close after a history of governance and management difficulties.

June 2010: Another accused is acquitted of 11 charges relating to abuse at Waimokoia School after a retrial at Manukau District Court.

July 2010: At his retrial, Graeme McCardle is found guilty of 15 out of the 24 charges relating to sexual and physical abuse.

** Not his real name*