

# As a Kid, I Always Knew Who I Was

Voices of Takatāpui, Rainbow and MVPFAFF+ survivors

An independent research report provided to the Abuse in Care Royal Commission



## COVER DESIGN

The Pouwhenua was gifted to the front cover design of this report by Te Whāriki, as a symbol of our connection to the whenua and our tūpuna past. The Pouwhenua stands as a tribute to our story-sovereignty and that of our whānau and mokopuna impacted by state and faith-based abuse in Aotearoa. The Pikorua (twist) in the body represents the journey of our lives, the difficulties and celebrations, as well as the connection of people and the joining of different cultures. In the same way, the multicultural rainbow behind the Pouwhenua holds space for all of this to occur. Finally, the two sides of the carved faces represent the eternal interweave and fluid nature of the sacred masculine (Whatukura) and feminine (Mareikura) energies.

# Executive Summary

This report is provided for the Royal Commission so that Takatāpui, Rainbow and MVPFAFF+ survivors and their communities' voices are upheld. It brings together content and reflections on those engagements and captures themes and key issues, as well as aspirations for meaningful change.

Takatāpui, Rainbow and MVPFAFF+ people suffered many kinds of abuse in State and faith-based care settings from 1950 to 1999 and to the present day, where they should have been safe and protected from harm.

More broadly, Takatāpui, Rainbow and MVPFAFF+ people have suffered marginalisation in Aotearoa New Zealand because of the nature of our society, the dominance of Western social constructs and the legal system born of English law. However, this report intentionally focuses on expressions of Takatāpui, Rainbow and MVPFAFF+ identity without and beyond the framing of struggle, conflict, harm, abuse or trauma. One survivor said:

“I always knew who I was. I can recall right back to as early as about four or five. I just knew it. To say that I didn't know who I was until I was 16 / 17, I think it's absolutely rubbish ... My point is that, as a child, you knew.”

One aspect of this focus on identity includes responding to what survivors, survivor advocates and other sources said:

“Being visible allows Takatāpui to find each other. We claim Takatāpui to feel connected and included – to belong. Within whānau and in safe spaces where Takatāpui are accepted for who we are; we can support each other. With a place to stand, Takatāpui can organise, advocate and address the discrimination that impacts on our tinana, hinengaro, wairua and whānau – our bodies, our minds, our spirituality and our families.”<sup>1</sup>

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1 Kerekere, E, Takatāpui: Part of the whānau (2017), <https://takatapui.nz/takatapui-part-of-the-whanau#mana-takatapui-contemporary-issues>.

Survivors said:

“The reason government focuses on the deficit model is because it creates a problem to solve ... what we’ve been talking about is the identity of people isn’t the problem. We’re talking about a system that is problematic and wondering about then instead of demarcating the populations who have been affected, clearly defining the positive contributory components of what a person’s identity is with the ability to highlight from our different communities and juxtaposing that against a damaging system.”

“It was the fact that the families, the schools, the church, but also Māori culture, Samoan culture; when you look at it very deeply, it’s whānau ... Whatever you are, you’re still whanau.”

“Being a fa’afafine is really part of that and being Samoan, but it was always about giving to other people. I really believe that. Because there are people who have now gone, and who helped me along.”

This report recognises and celebrates a diversity of indigenous understandings of Takatāpui, Rainbow and MVPFAFF+ identities – understandings that locate these identities within (and not excluded from) origin stories and histories, within (and not excluded from) indigenous mātauranga and traditions, and within and as a part of whakapapa. In the words of one survivor:

“[I]n my re-indigenising stages of my life, it is not about trying to understand from a Western construct where that sits; trying to align to what a document says has to happen is hard because he ao wairua ke te ao Māori – we live in a celestial realm, we live in a holistic realm; we live in ‘what’s best for our hinengaro and our wairua before we even think about the physical aspects of ourselves ... another aspect of ours that was taken from us through the abuse we suffered as kids in care.”



Takatāpui, Rainbow and MVPFAFF+ communities have become a powerful presence in Aotearoa New Zealand today. This position has emerged on the back of years of continued struggle, countless and unrelenting champions and advocates, and uncountable numbers who are no longer with us – either through the natural course of life, or through relenting to the constant pressures and abuse Takatāpui, Rainbow and MVPFAFF+ communities face. As we heard:

“...The development in this country, the stigma, and the discrimination, and for me personally, you know, it’s almost like part of your DNA, and you just park it, and you get on with it, because it’s somebody else’s views and not necessarily your own. But it’s just to acknowledge first and foremost for me, that they are very special people who in the past, who are no longer here, Māori and Pacific, who have really helped me in my journey to where I am and helped me, and so these Takatāpui, whakawahine, who have long gone.”

The Pākehā and Western, cis and binary shapes, forms and ideas that dominate our society marginalise those ‘other’ people who identify or act in ways other than those prescribed by the dominant norm.

Both socially and legally, othering has gone beyond exclusion and ignorance, and reached the realm of visceral harm, hatred and abuse. These dominant traditions are intrinsically tied to colonisation, but as noted earlier, they go back beyond te Tiriti o Waitangi and Pakeha authority in the Pacific to Westminster law to the unnatural binding of law and church in England and other Western policies. This binding plagues our history and society today, shapes our history of colonisation, and features heavily in survivors’ experiences of abuse in care in Aotearoa New Zealand. For example, our community shared:

“I always say I’m Samoan first and then fa’afafine because it’s the first thing you notice. Cause we also notice it’s not just about homophobia or trans – whatever the Pālagi word is. It was just about racism.”

These traditions aren’t abolished (or even modified) because Takatāpui, Rainbow and MVPFAFF+ communities have become a powerful presence

in modern Aotearoa New Zealand; instead, this powerful presence has emerged despite those traditions, and now exists alongside them in the hope of forming new traditions.

“It’s racism. It’s a deep hate towards Rainbow peoples. It’s trying to uphold values and beliefs that are taught to them through their religious institutions. It’s passing the buck, too hard to fit in or work with, pass it on to someone else or I don’t want to be associated with that type of person. Nor do I want to be caring for them because it goes against my own moral and values and beliefs.”

“If I was a little young, transgender or fa’afafine or whakalati coming through, when the school is all against you, because all you hear is the heterosexual model and it’s all Pālagi and everything, and you don’t quite fit ... so how can that make it safer for you to come to your full potential as a child, as a person and what kind of things need to be in place?”

For now, though, these relatively recent advances in visibility, consolidation and acceptance are in a cycle of contest and confrontation with the old, Western, colonising traditions. Survivors said:

“I want to acknowledge also that Fuimaono was also in the place, as well as about 50 other Pacific activists who really fought to ensure that our cultural terms and identities were utilised within spaces where LGBTQIA+ was the dominant framing of our communities. And to highlight why it is nuanced and can be detrimental when we are framed in a Western paradigm, or we are framed in experiences that lean more to the Western context rather than our own cultural context.”

This report recognises those people, families, whānau and communities impacted by traditions that have harmed and continue to harm Takatāpui, Rainbow and MVPFAFF+ communities. It recognises the intersectional nature of Takatāpui, Rainbow and MVPFAFF+ lives and the aggregating harms constructed by those intersectionalities.

“What types of harm have Rainbow communities historically experienced in care? Colonisation – devaluing of Takatāpui identity and lives, impact of church and colonisation, medicalisation of sexuality and identity rather than recognising diversity of humanity.”

“So much of that discrimination comes from that lack of understanding, the lack of education, so we need that at all levels, we need that in our schools, but we really need to target these people who are entrusted to look after the wellbeing of our young people.”

It also recognises the ongoing struggle inherent in the development of personal identities that face barriers and are frequently placed into real conflict in the public gaze, and therefore seen as conflicting.

This report records evidence of this harm and attempts to reflect it fairly and appropriately, without diminishing it or misconstruing it. But it is not able to contain and elevate every expression of that harm or trauma that Takatāpui, Rainbow and MVPFAFF+ survivors discussed.

## **Key themes and conclusions**

### **Identity**

Identity matters to Takatāpui, Rainbow and MVPFAFF+ people. They consistently took time throughout the engagements to celebrate and acknowledge their own identities and those of the people around them. Survivors said that there is often no separation between their identities, and that their identities were and are deeply connected to their wellbeing. Survivors also said that abuse of any kind does not define the people and communities impacted by abuse.

### **Hope**

Survivors articulated a compelling vision of hope for their communities, for young Takatāpui, Rainbow and MVPFAFF+ identifying individuals facing similar challenges, and for the future of care in Aotearoa New Zealand.

They talked about moving from negative associations of their identities to more positive associations, and about turning points in their lives that saved their lives.

## Harm

Survivors said that society and its care systems – as well as the action of individuals that abused or inaction of people to prevent abuse – have caused significant harm to Takatāpui, Rainbow and MVPFAFF+ survivors, whānau, communities and identities. Similarly, survivors talked about opposition to their identities within care settings and motives to try to ‘fix’ them.

The types of abuse endured by survivors and outlined in this report include psychological abuse, conversion practices, sexual abuse, medicalisation and neglect. It includes abuse targeted at them because of their Takatāpui, Rainbow and / or MVPFAFF+ identities.

Takatāpui, Rainbow and MVPFAFF+ survivors shared experiences of medicalisation; being seen as medical conditions to be treated. This includes medicalisation through counselling services and conversion practices.

Many survivors talked about the role churches have played in the abuse. This includes church practices that treat them as ‘abominations’ and ‘sub-human’. Survivors said they were made to feel their identities are contrary to the Bible and the word of God, which condemned them to lives of sin and an eternity in hell. Survivors shared examples of complaints of abuse to church clergy being mishandled.

For some survivors, deep trauma occurred when the abuse they suffered was ignored and or not believed. Survivors said they felt forced to validate their experiences of abuse. In many cases, the absence of reporting systems and the failure to care for victims compounded the abuse, leading to low self-worth and suicidal thoughts.

Survivors talked about historical harm that included intergenerational trauma, continuing settler–colonial impact, genocidal policy and practice, and the intentional dismantling of Māori society. These survivors also talked about the abuse continuing to happen in our care system today.

## Barriers

Survivors said that growing up and developing Takatāpui, Rainbow and MVPFAFF+ identities in Aotearoa New Zealand has always been tough. In care settings, it is even tougher. The risk of institutionalisation is high for Takatāpui, Rainbow and MVPFAFF+ individuals. Factors include them not being ‘straight’, not identifying with a traditional binary gender identity, not being able-bodied, and / or being Māori or people of colour.



## Aspirations for significant and meaningful change

During the engagements, there was a sense of hope about a positive future for Takatāpui, Rainbow and MVPFAFF+ survivors and identities. Survivors shared ideas, solutions and aspirations to help make the systems of care safer for individuals, their whānau and communities.

Many survivors shared their concerns about the State's targeting of tamariki and mokopuna Māori and the continued placement of them into care settings that harmed them.

Key aspirations for change from survivors include:

- a. the State not having have the power to make decisions for children; decisions about the care of children should be made by people who actually love them
- b. survivors being the architects of their own justice and healing the need for accountability from churches who abused and harmed Takatāpui, Rainbow and MVPFAFF+ people, a code of ethics for churches and clergy, and churches being stripped of their charitable status and the connected tax benefits
- c. providing all survivors with their care records, which often record their cultural connections and whakapapa journeys
- d. wanting more Takatāpui, Rainbow and MVPFAFF+ people in professional helping roles, and education for carers and support workers on how to recognise and respond to abuse
- e. wanting improved standards for therapeutic work and improved access to suicide prevention services. This reflects that important services are not sufficiently or securely funded.

This report is important because it intentionally focuses attention on the voices of Takatāpui, Rainbow and MVPFAFF+ survivors who want meaningful change for themselves, both in and out of care, in Aotearoa New Zealand. This report is also important because it is a consolidated record of the engagements Takatāpui, Rainbow and MVPFAFF+ people and their whānau had. As such, it is essential that it is not left on a shelf or in a vault.

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# Introduction

This independent research report outlines many of the Takatāpui, Rainbow and MVPFAFF+ survivor voices and their communities who engaged with the Royal Commission of Inquiry into Abuse in Care (the Royal Commission). Takatāpui is the te reo Māori term meaning intimate companion of the same sex, Rainbow refers to the LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, asexual) community, and MVPFAFF+ refers to Rainbow communities in the Pacific (Mahu, Vakasalewalewa, Palopa, Fa’afafine, Akava’ine, Fakaleiti or Leiti, Fakafifine).

The survivors presented their unique whakaaro and experiences through three main community engagements with the Royal Commission:

- a. Pacific Rainbow MVPFAFF+ talanoa panel – September 2022
- b. Rainbow community online hui – October 2022
- c. Takatāpui Rainbow wānanga – May 2023

This report is written in the context of the colonisation of Aotearoa New Zealand and Western dominant ideals and attitudes that go back beyond te Tiriti o Waitangi Treaty of Waitangi and Pākehā authority across the Pacific into the heart of English society – Westminster law. This context features strongly in the accounts of survivors who reflect on the harmful, longstanding persistence of abuse in care in Aotearoa New Zealand.

It is important to state from the outset that much of the whakaaro and kōrerō pūrākau from Takatāpui, Rainbow and MVPFAFF+ survivors documented in this report focuses on celebration of their lives and identities.

## About this independent research report

Te Whāriki Manawāhine Research was part of the collective of Takatāpui, Rainbow and MVPFAFF+ survivor voices who engaged with the Royal Commission. Te Whāriki Manawāhine Research has provided this report on the basis of what we heard from our survivor community. Te Whāriki Manawāhine Research is a kaupapa Māori research unit based within Te Whāriki Manawāhine o Hauraki – Māori Women’s Refuge. The lead author of this report is Takatāpui – nonbinary, has clinically diagnosed high functioning autism and significant lived experience of State and faith-based abuse. The lead author also attended the online engagement and organised the Rainbow wānanga.

Te Whāriki Manawāhine Research undertook an independent analysis of the notes from the three main community engagements. A qualitative approach was followed and thematic analysis used to capture key themes and issues as well as aspirations from engagement participants for meaningful change.

This report aims to be a genuine reflection of Takatāpui, Rainbow and MVPFAFF+ voices and lived experiences of abuse and neglect in State and faith-based care, including the researcher's own.

At the Rainbow wānanga in May 2023, some people with experiences relating to the Jehovah's Witnesses were present and shared those experiences with the wānanga. Due to court action by the Jehovah's Witnesses against the Royal Commission of Inquiry's Terms of Reference and other matters, at the time this document was drafted, a decision was taken not to include survivors' experiences in this report to prevent them being unduly affected by the court action. The author of this research was advised by the Royal Commission of Inquiry that dialogue and experiences from these people was, however, received and heard by the Royal Commission, and included in the Royal Commission's case study on the Jehovah's Witnesses.

## **Structure**

The report is structured to reflect two different but constantly interacting dynamics.

One dynamic is that Takatāpui, Rainbow and MVPFAFF+ survivors and their communities have consistently acknowledged their own identities, and those of others. This positive identification with their own and their communities' identities is intentional and represents a spirit of mana motuhake, personal sovereignty and empowerment.

This is represented primarily in the opening sections of this report.

It focuses on expressions of Takatāpui, Rainbow and MVPFAFF+ identities, and on the messages of hope for others heard throughout the engagements. Takatāpui, Rainbow and MVPFAFF+ identities must be celebrated outside and beyond the conflict society constructs around their identities. They must be defined in any way other than by abuse, trauma and harm.



The other dynamic is the need to reflect on:

- a. the multiple harms caused to Takatāpui, Rainbow and MVPFAFF+ people over years and the ongoing impacts of those harms
- b. the many experiences of abuse
- c. the continued colonial oppression
- d. what should be done to achieve meaningful and transformational change.

This report ends with a collection of statements as ideas and solutions for change that emerged from the lived experience stories that survivors and advocates shared.

## **Methodology**

On 11 October 2022, the Royal Commission met with survivors from the Takatāpui, Rainbow and MVPFAFF+ communities online asking about their vision for the future. The survivors present felt this conversation was inadequate and asked for an in-person wānanga with all Commissioners present.

Commissioners recognised and acknowledged that survivors from these communities offered unique perspectives on abuse and neglect in care. It was agreed that an independent research report from the Takatāpui, Rainbow and MVPFAFF+ communities would be developed that captured the themes raised across the engagements undertaken within these communities.

This research followed a qualitative inquiry approach. Written notes and transcribed audio recordings, of Takatāpui, Rainbow and MVPFAFF+ engagement kōrero were thematically organised, and verbatim quotes structured to present their collective voice and story. Quotable insights do not require retranslating; what is required is letting insightful voices speak for themselves. This approach uncovered the layers within the participants' pūrākau, captured rich lived experiences, key issues, insights, and their multifaceted aspirations for meaningful change.

This material has been peer reviewed by community members from the wānanga and fono.

# KAUPAPA TUATAHI: IDENTITY

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## The people, whānau and communities

“I don’t think anyone should have the power to make decisions about children who they don’t love.”

This survivor quote speaks to identities, care, harm and hope. They also speak to the methodology of this report, demanding that voices of survivors and advocates are not extinguished.

Takatāpui, Rainbow and MVPFAFF+ people come from all cultures, places and communities, and are connected across time and place, in ways that are powerful and give meaning to their identities and intersectionalities. On this, our community said:

“[On] reflection, my mother and the way that she upholds cultural values is different to the way that I uphold cultural values, which is different to a generation behind me. Some Rainbow individuals or fakafine, they express or see cultural values in a different way, and then the generation behind them ... when we do talk about concepts of culture, generations are exemplified or experienced or received in very differing ways across all the generations.”

Theirs is a deeply and constantly intersectional experience, viewing Aotearoa New Zealand society through multiple lenses, and in ways unique to Takatāpui, Rainbow and MVPFAFF+ people and communities.

“Being Rainbow, being MVPFAFF+, being LGBTQIA+ is also different across all our generations. And the way that we express ourselves as fakafine, how I express myself as fakafine in my nowness is not the same as the generation before me or generations after me.”

“There are multiple iterations of gender, there are multiple identities within gender.”

## **Elevating Takatāpui, Rainbow and MVPFAFF+ identities**

“For me, and the whole thing ultimately, we all want a life, a life that is rich in wellness and in goodness, but always being delivered in love.”

“And then thinking about what relationships do for us. They provide us that sense of belonging and that sense of love and comfort. Quite often, these can be found in different spaces.”

This section puts into practice the elevation of Takatāpui, Rainbow and MVPFAFF+ people and their voice. Those identities are about their multifaceted and intrinsic qualities as people and this report supports the right of Takatāpui, Rainbow and MVPFAFF+ people to define their own identities, and the words that represent them.

We heard from survivors:

“Identity is important all throughout. Identity needs to be respected and acknowledged in care. People need control and autonomy over their identity.”

“What is the relationship between Pacific cultural identities and Rainbow and MVPFAFF+ identities, and how do those interact? I just really wanted to reinforce it and highlight that because everything that is stated in those two sentences are me as a whole, not me as different points.”

## **Defined by Takatāpui, Rainbow and MVPFAFF+ identities – not by abuse**

In the context of this report, it is noted that while these voices were gathered through the lens of an inquiry concerned with abuse in care, abuse of any kind does not define the people and communities impacted by abuse. The people whose voices are captured in this report most frequently offered positive expressions of identity before reflecting on or discussing abuse. A core lesson is that for Takatāpui, Rainbow and MVPFAFF+ people, their identities matter.

“The other thing of course ... for Samoan, for me, and that is the tautua, the tausi. And I really believe that’s the major role of fa’afafine, is we are carers of our families. And how many fa’afafine I know of that have brought up their own brothers and sisters, their brothers’ and their sisters’ children, and they become like the third parent.”

“Connectivity, seeing ourselves as multiple identities that – within our own rights to identify, articulate, and live, that is how our values work.”

Survivors were clear that there is often no separation between their identities, and their identity and cultural identity was and is, deeply connected to their wellbeing. In turn, the way their identity was nurtured and respected impacted their wellbeing.

“What I really wanted to highlight here is that first and foremost, before I am fakafafine, before I am a trans woman, I am tangata Niue, and within all of that cultural identity, MVPFAFF+ identities and how they interact, they interact autonomously, like there’s no separation of them.”



## Identity as resilience

In this sense, Takatāpui, Rainbow and MVPFAFF+ identities operate as resilience factors for Takatāpui, Rainbow and MVPFAFF+ individuals, especially when they are nurtured to be expressed within this unique and diverse community.

Being able to openly express Takatāpui, Rainbow and MVPFAFF+ identities can represent a moment where those identities can transform from creating conflict and exclusion, and undermining self-esteem, to being a source of pride and self-worth for many people. It is a critical step in wellbeing, and a step that is enabled or constrained by many social, cultural, and environmental factors.

“We know it is such a protective factor ... to be around community and to have that positive community where you’re affirmed for who you are. Especially if people have come from faith communities where they couldn’t be who they are.”

“Social cohesion work to support families to be safe places for Rainbow children and young people, or children and young people who are breaking sexuality and gender norms.”

“It’s not just about blood links, genealogy or whakapapa. It’s about a community of people who share those same experiences.”

It is also recognised that there are more than just personal barriers to claiming and expressing these identities, which are treated with distancing, and conflict in our society. One advocate noted:

“This population group have very little in the way of personal freedom – the freedom to make choices, the freedom to bodily integrity ... but even just to explore being your sexual self.”

One survivor experienced the diminishment and misrepresentation of their identity at the hands of their church:

“In terms of impact from the church who mention homosexuals in the same breath as child sex abusers and people who abuse animals, I was suicidal from the age of about 16 to when I left home and for a year afterwards ... I couldn't see myself living past my mid-twenties because of the amount of hurt inflicted on me.”

Another survivor reflected that living their own identity could have a transformative impact, opening doors and dialogue for others:

“We need to give ourselves permission to be visible at home, because you don't know who is standing beside you, who is sitting next to you, until something happens, and they give you a little bit of information and a little bit of knowledge.”

At the same time, survivors and advocates expressed the shared desire for an increase in respect and understanding for Takatāpui, Rainbow and MVPFAFF+ people in their whānau, in the wider community and in service contexts.

“The law [banning conversion practices] is not enough on its own, so we need that psycho-education piece to come with it.”

This notion of coming together for support is something that seems inherent in many of the statements we heard, and seemed to also be inherent in the Takatāpui, Rainbow and MVPFAFF+ identity itself (though it is acknowledged this coalescing is also a response factor to harm and marginalisation). As one survivor said:

“We know our young people are over-represented in State care, especially our Takatāpui communities. Why are people still not trained to work with our communities? Why are we not looking at cultural safety, and upskilling ... the people who are trusted with these young peoples’ lives don’t have even a basic level of competency. That is so frustrating. All Oranga Tamariki staff, all those staff in those homes, need that urgently. That is a top priority, to receive training and support so they are not creating more harm because we know so many of them are just perpetuating that harm.”

“Now we have an awesome community that I am able to get behind. Give those organisations that are at the forefront of change, fighting and advocating for our entire community, from rangatahi to pakeke, give them the autonomy, the mana motuhake to be able to contribute to what that looks like for their communities.”

## **If we could start over**

When asked, 'what would good care look like for Rainbow communities if we could start from scratch,' answers included:

"Education of all health professionals about LGBTQI+ communities – including psychologists and other social work and social care professions."

"Queer friendly staff – informed and open to diversity and inclusion across all government and State health and justice systems."

"Compassionate communities and counselling, treatment and financial reparation for those who have been abused historically in 'care'."

"Strengthen education opportunities relating to the experiences of our people."

"Rainbow and Takatāpui people have better outcomes when supported by their families. Having opportunities for whānau to learn about these issues could reduce the amount of people leaving home due to unsafe environments – something which our people experience at disproportionately higher rates than the general population."

"Oranga Tamariki need training around sexuality, gender identity, Rainbow communities etc – it shouldn't fall to the community to educate them."

## Intersectionalities

Takatāpui, Rainbow and MVPFAFF+ identities intersect with all other identities. The explicit expression of these intersections represents a unique and holistic view of self. Secondly, intersectionality offers a unique and holistic way to understand barriers that confront these diverse individuals and communities.

We recognise Takatāpui, Rainbow and MVPFAFF+ intersectionalities in relationship to ethnicity and cultural identity contributes to the timeless solidarity of indigenous identity:

“As Māori we claim our identity through whakapapa – through generations of tūpuna (ancestors). As Takatāpui we search for our tūpuna Takatāpui amongst them as we strive to see ourselves reflected in the past. By connecting with the past, we aim to enlighten our people ...”

We also heard about intersectionalities between culture and diverse abilities, and how the act of institutionalisation (placing a person into care) reaches across these intersectionalities and targets them all in specific ways.



People shared:

"As we were growing up we always heard Mum and her sisters and other brothers asking, 'I wonder what happened to Bill and Mark, where did they go? What's happened to them?' As I got older I asked, 'what happened?' Their memory was – those two boys were out in the paddock, one picking blueberries and the other chasing him with a knife. They don't know who but somebody had contacted the local doctors and told them something was wrong with these kids. Partly because they were running around the paddock, but one of them was naked. They had just come from a swim in the creek. My Aunties said, 'We remember them being taken away in a black maraea [car]' – so that was a black police vehicle or hospital vehicle. Each in a different vehicle. The last thing they remember of their brothers was waving at them as they were being taken down the road."

"[For some] it's their 'Rainbowness' that results them going into care – coming out can be a case for why they are placed in care (being rejected by their families)."

We heard that the act of institutionalisation is fundamentally misguided:

"We are still ripping kids out of homes and – for young people with a disability – placing them in residential special schools to be 'fixed'. There is nothing wrong with who they are; their disability is part of who they are and their identity ... they don't need to be fixed – they need access to the right supports to be able to access whatever they need to live their own life."

"Fifty per cent in the residential schools (disability settings) are Māori and in those schools, they have the highest rates of restraints in any school. So there is something about these children, their behaviours are 'mad, bad, and sad' so they need to be put in places to be fixed, and while they are there, we will control them by restraining them."

## Identity and vulnerability

Takatāpui, Rainbow and MVPFAFF+ identities are neither well understood nor well accepted in mainstream siloes of our society. There are, therefore, challenges and risks that accompany those resilience factors. One of these is being targeted as different and being committed into care for that reason, or being vulnerable like all young people going through developmental phases, but with additional factors creating vulnerability.

Looking back, one survivor felt that their vulnerability had been targeted within a church setting:

“When I was 20, I went to a fundamental church; had all the smoke machines, lights, hot boys, choir – it was really cool. At the time, I was on the DPB, my son was 4. I had just come out so his mother had left and relocated to another region. I was just generally vulnerable – still seeking some kind of validation.”

The same survivor concluded their thoughts on the role their vulnerability played in their journey through faith settings in this way:

“I just wonder, if that church wasn’t there to take advantage of vulnerable people, perhaps I wouldn’t have had to go through that journey. But what I do know is that it didn’t help.”

A number of survivors from faith-based settings expressed versions of the conflict they experienced between the natural desire to seek validation as a young person and the vulnerability inherent in doing so, and the knowledge that their identity could and would not be validated within the faith community that formed a large part of their spiritual identity.

Some survivors reflected a natural vulnerability through this stage of life and in developing a Takatāpui, Rainbow and MVPFAFF+ identity, and on identity in general.

“Every life is worthy. Every journey is worthy. In fact, we are God’s chosen, why? Because of intersectionality or want of a better term, we have two, three, and four times the kinds of lives that leave us on the margins of the margins.”

# KAUPAPA TUARUA: HOPE

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## Hope for Takatāpui, Rainbow and MVPFAFF+ people and identities

The theme of hope follows the theme of identity because survivors most frequently offered positive expressions of identity and hope before reflecting on abuse and harm. We heard:

“Whakahokia mai te mana motuhake ki Ngāi Māori – give us back our mana motuhake and, to take it a step further, the indigenous realm is heavily affected by the way the State and religions have imposed their power, and we must not forget that.”

This section recognises that Takatāpui, Rainbow and MVPFAFF+ people hold and have constructed compelling visions of hope for their communities, for young Takatāpui, Rainbow and MVPFAFF+ identifying individuals, and for the future of care in Aotearoa New Zealand.

One survivor noted the need for the Takatāpui, Rainbow and MVPFAFF+ community to have better access to becoming carers within the system – something that is currently not effectively enabled.

“We need to support more of our queer communities to be able to do those fostering and caring roles.”

Many survivor accounts offer hope by walking the talk when it comes to supporting those in their community who have been abused, regardless of government support or otherwise. This is tangible hope – change in action, happening at the community level.

## **Supporting survivors to design their own solutions**

Part of the mahi the author of this report does is to tautoko survivors. We support survivors, and we employ survivors, so survivors can take care of themselves, work for themselves, have access to the resources they are entitled to have access to, to design their own solutions and their own healing pathways. As we heard:

“That for me is part of what needs to change. It is about creating space, and having the courage to get out of the way.”

## **On re-indigenisation**

“Re-indigenisation belongs to indigenous people; decolonisation is about tauwi decolonising themselves, that’s where part of the answers lie. It’s not about trying to be more Māori, it’s about feeling comfortable in your own skin and feeling proud about that, regardless of which indigenous culture we come from.”

## **On decolonisation**

We heard:

“Decolonisation is huge: in order to decolonise we need to decolonise ourselves first. How do we navigate our trauma – it’s not about forgetting about our trauma, but about drawing down on it, and articulating it in a way that fits your kaupapa.”

“That’s constantly something about navigating that decolonisation world, always trying to find better ways to do it, so it’s understandable. Because it is the white elephant in the room always, and that is part of people not understanding what decolonisation means.”



“So in order to do that, again, whakahokia mai te mana motuhake ki Ngāi Māori – return the land – huge statement, but in them there’s very loaded statements about what actually needs to be fixed and what actually needs to be right – and I bring that back to us as survivors: give us the power to what we know is best for ourselves. Allow survivors to contribute to decision making, to allow them to have a seat at the table.”

## **Recognising that Takatāpui, Rainbow and MVPFAFF+ identities should not be ‘fixed’**

Mainstream ignorance pairs with considered and planned opposition in faith settings. This revolves around the ideas, at both ends of a harmful spectrum, that Takatāpui, Rainbow and MVPFAFF+ identities are not allowed, and are abominations, or represent mere personal choices that could be changed. Mainstream views expressed through social media and media often fall along this spectrum and negatively impact Takatāpui, Rainbow and MVPFAFF+ communities.

We heard one survivor express a clear understanding of how the practical application of these views played out in their life, with a healthy dose of the wisdom of hindsight:

“I did this programme and training for three years, so I was facilitating this group of ex-gays ... but it didn’t heal me, because there wasn’t anything that required healing.”

## **People who love children should make decisions with them and for them**

The care system has done great harm, especially through decisions made from a distance, from a procedural perspective, and through world views in which both children and care are marginalised considerations. Reflecting on this harm and the multiple systemic approaches that have caused it, and responses to failings over decades, a researcher with lived experience of the care system noted:

“I don’t think anyone should have the power to make decisions about children who they don’t love.”

As a lens on how decisions should be made in the future, the condition that those who love the child, such as family and whānau, should lead the process, is a powerful statement of hope and expectation. On the flip side, this insight suggests that on the rare occasions when a decision is required to be made by those who don't love the child, added layers of care, caution and protection for the child should be in place.

## **Turning points and connections that changed lives**

We heard many accounts that featured a turning point in a survivor's life, where a chance meeting or a change in circumstances provided a catalyst to move from negative associations to more positive associations with identity and self. The survivor who facilitated the programme for 'ex-gays' above explained:

"Changing point for me: a flyer in a café – it was for a Takatāpui hui, a queer camp hui in Wellington. So I rang it and Ms [name removed] answered the phone. She said, 'do you want to come down?' That was when I found my tribe – these are my people; gay accents, couldn't tell who were boys and who were girls, and I loved that. Once I found that space and my tribe, they became my church. I thank God for that meeting."

The theme of turning points is one that offers a great deal of hope, reminding us that something just around the corner, known or unknown, can have a profound effect on us, and that caring people who are able to communicate, empathise and align with survivors can have a real and lasting impact.

## **Seeking real justice**

"For me it's important the churches hear this, that they know the shit that they have put us through and the fucked-up lives we now have – or we struggle with I should say; we've got great lives. But they just get to sit in their little ivory towers and get to carry on with their little lives."

## Having queer champions and role models

These statements were shared by our community:

"I'm obsessed with this program[me] 911 Reno because it's got a queer relationship that is positive, they are getting married, everyone around them supports them ... and I'm going 'why am I obsessed with this program[me]? Because it's got a role model in it that I can look to and think maybe I could live a life like that ... maybe I could be happy, maybe I could have a family."

"I think we need to look to find those people who are here in Aotearoa living positive queer lives, and in our sector, in order to prevent conversion practices, I think we need to find those role models and be getting them on the TV, getting them on the radio, getting them to start talking about their life and the positiveness they've found in that, so that the young [people like me] can go – maybe that's me."

## On hope

"I just love New Zealand, just love how small and agile we can be, and I'm really hopeful that in the future we can do some of the things we are talking about here and maybe make a better future."

## With hope

"I'm thankful for survivors and the journeys that you navigate ... the contributions you make just by drawing a breath. I'm really happy to get up again to be a part of today [the hui] All of you matter beyond what you know. Why? Because it's not just your individual experience – you're here representing those who are no longer in the world. Like our good friend, who's left us. Like children in State care and faith-based settings, who lose their lives every day."

# KAUPAPA TUATORU: HARM

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# Harming Takatāpui, Rainbow and MVPFAFF+ people and identities

“Resoundingly, taking someone’s identity away is the biggest act of abuse.”

Societal attitudes, care settings, regulatory systems and procedures, faith institutions, the State itself, people working in those systems and places, bystanders who chose not to act, and our collective denial of well-documented truths have caused harm to Takatāpui, Rainbow and MVPFAFF+ people and communities. This harm comes in many different forms and expressions.

## Many forms of harm

Many forms of harm that hurt us while in care, and some that continue to do so to the present day, were described by our community.

“What types of harm have Rainbow communities historically experienced in care? Incarceration in mental institutions for their sexuality. Incorrect diagnoses to enable commitment. Electric shock treatment and [being] drugged as punishment. Various and often intersecting forms of oppression:

- racism, homophobia, transphobia, sexism, ageism, ableism.
- violence including physical, sexual and psychological violence. Exclusion and erasure. Settler–colonial contexts. Repression of natural sexual desire, and re-education or conversion practice.”

"We have been subjected to practices that seek to 'convert' us. These are much broader than what is covered in legislation, and includes treating sex, sexuality, and gender diversity as abnormal, unnatural, wrong – and something we can change if we want to. This has involved extreme physical abuse, but also much more subtle practices to undermine our dignity, autonomy, and rights to self-identify."

"I was born and raised [in the faith]. I experienced abuse from both the church organisation as well as on a personal level. During the time when the abuse was the worst my Dad worked in the local congregation leadership. While he was in that position, he subjected me to very damaging emotional and psychological abuse."

"With [the church], there's a lot of history of that but at the moment they are really gearing up and really attacking the work being done in schools – so that's the work of organisations like Inside Out. It's an attack against any kind of Rainbow teaching in schools, it's coming from a number of conservative groups but largely based in faith communities ... now we are seeing them pull these other vulnerable communities in with them and it is becoming a giant campaign."

"Some people find out later on in life they are intersex. Even then when they are told, they are not told by people they need to hear it from. Taking one's identity away from them is a huge abuse. Interfering with someone's body when they shouldn't have."

## Conversion practices

We listened to survivors describing the harm of conversion practices.

“Where to even start? ... I’m a survivor of both conversion practices and church abuse, and they are very interlinked.”

“I should have been able to freely choose whether I want to participate in church and religious activities; I should have been free to wear clothes that made me feel comfortable and affirmed; I should have been able to walk away without having to choose between my life, and my family; and I should be able to live in safety and not be terrified of the outside world.”

In this survivor’s life, the intolerance of faiths and ill-conceived conversion practices resulted in a suicide:

“The word abomination really latched on to me, and it’s still there. I haven’t got rid of it. Because it makes you feel not human, and it makes you feel like a defect. So remember I’m ADHD, can’t catch a ball, I already feel like a defect and now I’m being told by God that I’m a defect ... So, that’s when you start feeling rubbish, and you start thinking, well, if I’m a defect I should just die. I’m 12, 13 ... I shouldn’t be having this conversation with myself.”

In this survivor’s life, the intolerance of faiths and ill-conceived conversion practices resulted in a suicide:

“When I was 19, I met this other 19-year-old guy that would hang out with us, and I developed a love relationship with him. He went to the pastors and said, ‘I’m having these feelings ... [he] and I are doing this stuff together’ and again the church took that [in] a negative way and he ended up committing suicide. So, my first love died because of this ‘disease’ that I had. And I felt disgusting because I had caused that.”

Another survivor reflected on their experiences of conversion practices in more than one faith setting:

“Life would have been really lovely if I didn’t have to go through all that – but I guess it’s adulting and surviving.”

Conversion practices attempt to alter or prevent the development of non-binary sexual and gender identities, to privilege and maintain the presumed sanctity of binary and heterosexual identities and the constraining pillars of normative identities within faiths and society.

These practices commonly arise within faith settings where Takatāpui, Rainbow and MVPFAFF+ identities are positioned as contrary to the bible or the word of God:

“When I was 8, I was dancing to Madonna and I’d put my fingers through my top to be like the cones she wore, and I’d do the standing splits against the flagpole ... One of the [leaders] saw and told my Mum ‘I think your son has the demon of homosexuality and needs to be exorcised’. So it was instilled in me from very young that it was a disease that required treatment. But you believe it, right, cause you’re a child – you say, ‘OK what do I need to do?’”

We heard that in many faith settings, institutional rules also create a framework of conflict which is not just about conversion of the individual and their identity, but also about control of the family through conflict, fear and social engineering. This survivor echoed the experience of others and was one whose whānau found this level of courage:

“Eventually my mum disassociated from the church in support [of] her queer son. That was a very courageous step for my mum because overnight she lost all her friends and whānau ... and I saw that grief and loss ... But I was so grateful that my mum left the church, this is when I was 18.”



## Posie Parker visit

Wānanga participants said that the visit of the activist Posie Parker in March 2023<sup>2</sup> represented a form of targeted abuse and harm by our society and Government against Takatāpui, Rainbow and MVPFAFF+ people, and more broadly against these identities. Wānanga participants shared:

“Allowing Posey [sic] Parker to come to New Zealand was another example of abuse: the effect on [the] trans community since then has been immense. It’s been exhausting. I personally saw people getting assaulted at the protest.”

“One of my whānau members is [with a church] that was actually one of the people that rode up and around with the Tangata Tū riders – so that’s how there’s that ongoing hatred and hate speech and the fascist agendas. They embolden people who are already here in New Zealand and then what happens is that it is enacted upon us through interpersonal violence that’s very real.”

“I know someone in the trans community who was very badly assaulted after the protests by a family member who has adopted some of the right-wing ideology from the people who are spreading that messaging. There’s ongoing direct harm against our communities.”

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2 Anti-transgender activist Posie Parker to be allowed into New Zealand | RNZ News

One survivor who leads an organisation that supports Takatāpui, Rainbow and MVPFAFF+ young people said that Posie Parker’s visit to Aotearoa New Zealand emboldened local anti-Takatāpui, Rainbow and MVPFAFF+ voices and had the effect of normalising extreme and hate-based rhetoric, as well as fuelling violence against the community:

“In terms of State abuse, I want to name the Government letting Posie Parker into the country ... as abuse against our communities: the flow on from that has been horrific ... That was two months ago, and it is just starting slow down. Almost daily we have to delete these awful comments calling us abusers – we can’t answer the phone anymore because it is people harassing us.”

The ethics, rules and laws of free speech propel, enable and facilitate all free speech except that which is defined as hate speech – a very high threshold that offers no obstacle to racism generally, nor to voices that protest and contest Takatāpui, Rainbow and MVPFAFF+ identities. The construction of the right to free speech as a barrier to other rights is important in our constitutional malaise and has an impact across many facets of our society. It requires us to reconsider what kind of society we are and want to be.

## **Historic harm**

We heard:

“I live daily with the effects of State abuse, in my immediate whānau – and I want us to be very clear it is not ‘historical’. Some of the historical abuse by churches on the ones I love – the impacts on relationships, on how people related to each other – are ongoing; but the ongoing State abuse at the hands of police, or Corrections, that hasn’t stopped. That hasn’t stopped at all.”

This section offers a grounding in harm that is rooted in historic times and contexts in Aotearoa New Zealand. In most cases, this serves to highlight the long-term and intergenerational nature of the harm, rather than suggesting it is no longer an issue.

## “Stop calling it ‘care’”

A key finding of two reports, the Royal Commission’s Interim Report, He Purapura Ora, he Māra Tipu: From redress to Puretumu Torowhānui,<sup>3</sup> and Hāhā-uri, hāhā-tea – Māori Involvement in State Care 1950–1999,<sup>4</sup> both published in 2021, highlighted the care system as one that most often failed to care. Survivors told us:

“Stop calling it ‘care’. What a bastardisation of the term, like calling it child protection or Oranga Tamariki – it’s the absolute opposite.”

“The environments that we are talking about in the Inquiry sense, though, they were never ‘care’ ... should we be referring to ‘care’ in any of this? Because the need for people to survive something demonstrates that care was not there.”

At the wānanga a care-experienced person, who is now an advocate and researcher into whāngai experiences and circumstances, expressed it in this way:

“What I keep feeling is the complete lack of care from the State for kids – there wasn’t a system of care. There was all this pressure put on mostly women; to show they were good mothers by giving up their children even when there was no guarantee that there was a place for those children to go ... so, what was it all about? There was just no care for those children. Whenever the State takes children, they’ve got this idea that they need to go in and do this thing, but they don’t actually care.”

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3 Royal Commission of Inquiry into Abuse in Care, He Purapura Ora, he Māra Tipu: From redress to Puretumu Torowhānui, Volume 2 (2021), <https://www.abuseincare.org.nz/our-progress/reports/from-redress-to-puretumu/>.

4 Savage, C, Moyle, P, Kus-Harbord, L, Ahuriri-Driscoll, A, Hynds, A, Paipa, K, Leonard, G, Maraki, J & Leonard, J, Hāhā-uri, hāhā-tea: Māori Involvement in State Care 1950–1999 (Ihi Research, 2021), <https://www.abuseincare.org.nz/our-progress/library/v/306/haha-uri-haha-tea-maori-involvement-in-state-care-1950-1999>

This next survivor statement echoes many others, and points to the way abuse in care has happened so prolifically in Aotearoa New Zealand, and the way we, as a nation, have treated it, or failed to address it.

“Unless the attitude of New Zealand is changed, there will be no change.”

Another survivor from the wānanga touched on how those attitudes affect the community, while also pinpointing a particular form those attitudes take:

“We’re exhausted. We’re exhausted from fighting hatred. We want the hatred in Aotearoa to stop. You are responsible – all those who make the decisions about children being taken from their cultural roots, their people, their communities. I’m tired of being knocked down and getting up again, I don’t have the luxury of not getting up again. But we are exhausted at the front line. I’m tired. I’m tired of the hatred.”

The attitudes of New Zealanders helped shape the institutional responses of the 20th century, the nature and function of those institutions, and an all-encompassing ignorance of the extent and impact of abuse in care, including how the State works to dismantle Māori society.

## Colonisation: dismantling Māori society

“Land plays a huge part in our whakapapa. For some Māori who are disconnected from our whānau, hapu, and iwi, some of them are still trying to figure out where they belong, where they come from, how do they get the equilibrium right ... my simple kōrero to that was if we had our land, we would have our connections. If we had our connections, we wouldn't have to question anyone. If we wouldn't need to question anyone, we wouldn't need to question our own existence. For those of us that are connected to whenua and those of us who are connected to tikanga, to our values, it is all about where we come from and where we belong, land back is huge.”

Colonisation is a backdrop to much of the historic harm that is expressed through our care system and impacts Takatāpui, Rainbow and MVPFAFF+ communities – including through the Western ideals and attitudes the care system inherently reflects. These attitudes speak to approaches embedded deep in the system: from the idea of isolating people from their whānau and community, to the underlying punitive operation and effect of the system, to the use of the system in progressing colonisation, erasing te Tiriti and dismantling Māori society. One survivor said:

“If our whānau were stronger, if they hadn't been attacked for 200 years, the State couldn't do that. I think that has to be a big part of putting things right.”

These systems, rules, policies and attitudes were framed by one survivor as being intentionally harmful, rather than incidental:

“We can talk about what happens after things have gone wrong, and we have gone into care or been adopted, but before any of that there's been whānau that have been dismantled. There's all the things that the State has done to whānau that allows the State to then say, 'This child is at risk and we will take them away from you' ... [It's a] State-fed cycle – creating poverty and struggle, then deciding kids are at risk.”

## Intergenerational trauma for whānau Māori

Intergenerational harm is where the harm passes from one generation to the next – as in this case, the child of a survivor:

“My relationship with my mum was one to navigate. When I was 9, we went through the courts and my mum lost custody of me. To be completely honest, that had some positives because in her experience, with all the abuse she carried, sometimes it was a hard place for a child to be.”

We heard multiple survivor accounts of the layers of settler-colonial impact on whakapapa and of the intergenerational trauma they and their whānau experienced and how that continues to harm them today.

“So the intergenerational trauma, layers upon layers of intergenerational trauma, and when we think about that in the context of whakapapa and what that looks like, it cannot be underestimated.”

We listened to detailed descriptions of how trauma is held in the cellular memory of survivors and passed on to mokopuna. And how the harm intensified when those mokopuna were taken from their whānau and placed into State and faith-based care settings.

“It reminded me of intergenerational trauma and how abuse can carry on ... it can transfer, and it can manifest in different ways into subsequent generations that come after. And that may be something that happens within our families as well for different reasons. You know, it can stem from colonisation, it can stem from poverty. And the way that this trauma passes on, it's from behaviours that are learned. It's from love that is not shown. It is from a kind of a corruption of values that can be passed on as well ... in discrimination research, they're showing the kind of physiological effects of discrimination can be passed on to children as well.”

We heard from survivors that the act of taking mokopuna from their whānau was often a targeted and intentional act, that was genocidal in nature. Whakapapa disruption is critically harmful for multiple whānau across generations.

## **Lack of understanding, communication, monitoring, and accountability**

“Lack of understanding of tikanga – including the importance of whakapapa and meaningful whakawhanaungatanga.”

We also heard that poor monitoring and a lack of records meant that for many survivors their whakapapa dislocation, isolation and loneliness was a direct result of having no way to piece together their journey through care.

This account is from a survivor advocate whose two uncles were taken into care as children:

“We still can’t find their records. We still don’t know what happened to them in those institutions. When they came out, we got them out, I remember saying to Mum ‘what were they like when they were children?’ – because these fullas would just sit and stare at the wall. So the impact of all that on our whānau were all the obvious things – mistrust of the health system, all those sorts of things, but the other part of that is the whole loss of connection to each other ... So that’s part of the impact of institutionalisation and the impact on whānau Māori.”

This account speaks clearly to the kind of evidence that requires further consideration of intergenerational collective harm and collective forms of redress. In the view of the author, te Tiriti o Waitangi breaches and the enormity of the impact upon whānau Māori across generations, requires its own Royal Commission of Inquiry.

## **Racism, State abuse and heightened surveillance**

A survivor advocate shared what they had experienced in their brother's life; a man who has been criminalised and abused by police throughout his life and is now subjected to heightened surveillance:

"My bro has spent decades being abused by the State and at the hands of the police and all those authorities that exist in our lands. He looks physically well into his seventies, and he is head injured and brain damaged as a result of the physical abuse inflicted by police officers and representatives of the Crown. He doesn't fit into society anymore and never will. He finds it extremely difficult to relate to anybody.

He has guns trained on him constantly, and I'm not saying that lightly – [I] picked him up from prison last week, one of many pick-ups from prison, and I lost track of the cops on the motorway as we travelled. When we were at our grandfather's grave in Hawke's Bay they just kept cruising past us. They track him, everywhere he goes. The most amazing thing that I find about the State, the Crown, is that they deny him access to our lands – they can do that through their colonial laws where they have conditions upon his release.

And those conditions have always been that he is not allowed on our hapū lands, on our iwi lands, on our marae, on our urupā, and that is because he is not allowed in a particular area of the country. So that's a complete and utter breach of the Treaty and it has an immediate impact on his wellbeing and his ability to stay alive, and on our ability to be well as a whānau."



# KAUPAPA TUAWHA: BARRIERS

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## **Barriers confronting Takatāpui, Rainbow and MVPFAFF+ people and identities**

“Queer people were / are perceived as victims; they were seen as if there was something outside of their control making them this way.”

“Rainbow communities’ experiences are characterised by very binary thinking and clear notions of what is appropriate, for example, women marry men and have children. There wasn’t space in care which acknowledged other paths.”

This section begins to explore the barriers to self-expression and fulfilment Takatāpui, Rainbow and MVPFAFF+ people can face, whether in care, at home or elsewhere. Barriers are factors that stand in the way of Takatāpui, Rainbow and MVPFAFF+ people and identities, without causing direct harm or being outplayed in external or explicit conflict.

### **What contributes to the historic abuse of Rainbow communities in care?**

Thematically, the core causal societal features that can present in care settings, and are identified with abuse in care, are not very distant from the factors that present in our society as racism and in the marginalisation of Takatāpui, Rainbow and MVPFAFF+ people.

These factors revolve around things like Pākehā culture and social norms and the white supremacy it has constructed and holds in place, Western faiths, entrenched Western religious views on sex and gender within faiths and society at large, Western law and fear of difference.

On this, survivors said:

“What contributed to the historic abuse and neglect of Rainbow communities in care? Ignorance, bigotry, homophobia, fear, racism, misogyny and general disinformation about gender and sexuality. White fucking supremacy!”

“What contributed to the historic abuse and neglect of Rainbow communities in care? Disconnections with whānau and family that were caused by church attitudes and teachings relating to homosexuality – these disconnections contributed to the high incidence of Rainbow people going into care and being abused.”

“What contributed to the historic abuse and neglect of Rainbow communities in care? [The] link between criminalisation of homosexuality and colonisation – countries in the commonwealth had higher likelihood to criminalise homosexuality than others.”

The maintenance of the status quo power and power imbalance is of central importance to the violence and abuse happening as a trend within society. One survivor did not believe that government agencies had the ability to change. They alluded to the constant mahi required and carried out at all levels of the State and society to hold systemic imbalance, racism and white supremacy in place:

“Even services and government agencies – I have no faith they are going to change their ways. Their investment in their own power and authority is generations old; it’s thousands and thousands of years old.”

One survivor tempered their lack of faith with a word of hope too:

“[We’re going to need] to be really creative, and it can only happen locally. It has to happen one home at a time, one whānau at a time.”

Another survivor interrogated the organisation of churches into separate legal entities, naming this as a factor in reducing accountability and access to justice:

“My concern is we have all these Pentecostal churches – all these places – I have friends in Auckland who have experienced abuse within the Pentecostal Church, but because there isn’t one head [of the church entity] it’s hard to hold anyone to account – who do you go to?”

We heard from some survivors who attended the Royal Commission’s Faith-based Institutions Response Hearing in 2022 that it appeared the Royal Commission was confounded by the faiths’ legal structures or lack thereof. It seemed that at times the Royal Commission found it hard to have the right person and entity on the stand and, more than once, the answer to probing questions was legalistic, paternalistic, Western and corporate in nature: they (for example, a social services arm of a church entity) are a separate legal entity, we (the clerical leadership of the church) are not responsible for their actions.

## **Clericalism and misogyny: Intolerance baked into rules and practice**

Clericalism is a culture in which church leaders are treated as untouchable and all-powerful. It describes how the organisational leadership in many faiths is clerical (faith leader) and trust in that leadership tends towards absolute. One survivor’s childhood story highlighted the operation of clericalism:

“I was born breach, which meant that I was starved of oxygen at birth... I had a hand-eye-ball co-ordination issue, so I was labelled disabled. As a kid, I also had ADHD, which back in those days no one knew what to do with someone like that, and my parents had no resources. This is where the scary stuff starts. Like most parents who are in churches, they turned to their pastors for help – which is so fucked up!”

Later in life, when this survivor grappled with his Rainbow identity, he was again referred to his pastor for support in that journey. Unchallenged clericalism led this young man into counselling with clerics whose faith was deeply intolerant towards his identity. He presented this recommendation, which highlights the way in which clericalism within faiths creates clerical leaders who are beyond question in their views and actions:

“My first recommendation is that pastors need to fall under a code of ethics. Doctors have to have one, psychologists have to do one, physiotherapists, massage therapists just about have to these days. But pastors get free reign to psychologically abuse people and speak on behalf of God without any code of ethics / code of practice, and it’s disgusting.”

As a final insight, the same survivor noted one more shortcoming that faith entities risk, through an over-reliance on clerical leadership:

“Their reporting mechanisms are all internally messed up because it just goes up to the top pastor, who protects the pastors and it’s just a really messed up mechanism.”

In this account, the survivor echoes many others who have articulated the effects of a lack of monitoring, oversight and accountability on the system and on survivors. Within State settings, reports of abuse were often lost, or took so long to be acted on they offered no justice. Historically the onus was on the survivor to make their case without any records, names or evidence.

Within faith settings, complaints have generally moved up the chain of command to the highest clerical leader who, without internal rules and processes, can dictate the outcome without reference to any standards, police or law. The opportunity to protect the faith entity in the first instance is enormous. A further layer emerges when the complainant is then drawn into conflict with their own faith leader, making a fair resolution almost impossible to imagine.

Another survivor highlighted the dichotomy between their family's reliance on the church and the abuse they suffered as a child. On one hand, church, culture and community go together in many ways. On the other hand, many survivors have shared their experience of that clerical model of life and faith being polluted and torn apart by unconscionable actions and behaviours:

"I come from a whānau that was very, very much reliant on its church community because that was a big part of our culture and those are really important community connections, but unfortunately I was sexually abused as a child by a priest."

In the first instance, clericalism seems to have traditionally opened up opportunities for secrecy, isolation of victims, victim blaming, discrediting and silence.

Intolerance among faiths is a key issue pointing to hardship and abuse, and it can come in many forms. One survivor described the reaction he got within his church when he reached out to talk to someone about his sexuality:

"[The church was] a great place for an introverted young person with ADHD to use my skills and find value. But when I turned to the leaders, my role models, and said 'hey, I've got these feelings,' I was told that 'here's some verses in the Bible that say you're an abomination ... you're gonna go to hell'."

One survivor, whose abusive father was a senior member of their church, described feeling trapped and without recourse to justice or safety within the context of that church:

"When my mum disclosed his abuse, and his abuse of me and my brother, to church elders, he did not lose his privileges or role in the church leadership. The elders told Mum she needed to learn to love her husband again."

We also heard that church rules can operate as barriers to wellbeing, identity and safety. In some cases, survivors were able to point to specific rules that plainly operated to protect abusers and make reporting difficult:

“If you accuse someone of wrongdoing you need two human witnesses who are willing to testify. Abusers intentionally isolate victims and don’t want anyone to know that it is happening, so this rule makes it very hard to speak up.”

## Misogyny

Misogyny (contempt for or ingrained prejudice against women) and clericalism (misuse or overextension of the clergy’s authority) are features of many church settings, where an embedded male dominance binds strong reverence to religious leadership, so that both features are mutually reinforced. These are much more than simply barriers to wellbeing or safety for Takatāpui, Rainbow and MVPFAFF+ individuals. They are silent, often subtextual and unseen constructs that make life hard for them or constrain choices and opportunities.

One advocate, who works closely with survivors and whānau interacting with the care system, shed light on the operation of misogyny on a systemic level:

“In my work environment ... Most of our work is intervening with Oranga Tamariki to stop uplifts – [it’s] still happening every day, [we] see it happening all the time: if you are wahine, Māori or tauwiwi, you are the one that is held accountable for the abuse of your partner no matter who did it.”

Some faith settings also have deep-seated rules about what happens if you want to leave the church or are forced to leave for some fault. Excommunication in these contexts can mean excommunication from church, community and family, and as a threat used to maintain the order of the faith. Survivors shared:

“If you chose to leave the church, or decide you don’t believe, or they excommunicate you, members of the congregation and community are directed to shun you – to treat you as if you are a dead person. This includes your family.”

“Here’s a list of things you can be excommunicated for – suspicion of having sex with someone [you’re] not married to in a heterosexual relationship; if I went to a friend’s house for a sleepover, and that friend was gay, I could be excommunicated because they think that if you spend the night together, then you are guilty of immorality; participating in a Pride March; for publicly identifying as a Rainbow person; for socialising with someone who has been excommunicated including family members; for what they call ‘cross-dressing’ which is what they call medically or socially transitioning as a trans person; for supporting your Rainbow child.”

## **Faiths privileged in society and law**

Another potent barrier that we heard multiple accounts about is the privileged position of the church in law and in society, and the protection churches enjoy, and have historically enjoyed, due to the absence of monitoring by the Crown in relation to services. As one person shared:

“It goes back to that narrative of being a second-rate human being: you’re the abomination. So that church shouldn’t be given tax-free rights that it gets because of the way it treats a group of people as a second-rate group.”

Survivors at the Takatāpui, Rainbow and MVPFAFF+ wānanga in Te Whanganui-a-Tara (May 2023) frequently raised the need to remove charitable status from churches. Survivors understood that most churches received funding to do good in communities and, on that basis, were registered as charities and received tax breaks from the State. However, survivors had experienced and witnessed abuse in church settings and had come to understand how it arose, and how it went unaddressed.



Survivors noted that the insular nature of faith institutions paired with poor monitoring by the State creates significant risk of isolation, abuse and cover up. There is now overwhelming evidence of those risks having become the reality. In the words of one survivor:

“It is not right to give tax exemptions to people who hurt and abuse, and to let them act as a charity when they don’t help people. They just make the abuse worse.”

## **Broken promises**

Broken promises are a thematic issue arising in survivor accounts from young people in foster settings, to those interacting with Oranga Tamariki or other agencies. The issue extends to the promise of a complaints mechanism that turned out to be almost impossible for people to navigate and was often retraumatising; to faith settings where the promise of care and counselling turned out to be another attempt at conversion; and to the political stage where big promises have not transformed the care system:

“It’s really important we keep the promises we make, and we don’t make promises we can’t keep. If only Oranga Tamariki social work frontline were able to keep to that, we might do a hell of a lot better than we have in terms of our child protection track record.”

## Media representations

At times, these barriers relate to abuse and abuse in care, but they are often located in the public domain, including in media representations of Takatāpui, Rainbow and MVPFAFF+ people or issues faced by this community. The barriers are, however, almost always constructed by those public forms of definition and narrative. We heard:

“Dominant societal norms [lead to] discrimination and violence towards many, but Rainbow and Takatāpui people in more specific ways – particularly towards those with multiple marginalised identities.”

“Wider cis-normative heteropatriarchy ... constructs sex, sexuality and gender diverse people as wrong.”

## Employer discrimination

One survivor provided an account of being discriminated against by his employer:

“I fell in love with another guy and ended up coming out, and that cost me my job `cause I was working for a church. They fired me and I had to return back to New Zealand. So again, had to cut off all my supports.”

This account bundles discrimination into a context in which the individual is discriminated against and is forced out of supportive networks and into isolation.

## Institutional isolation and loneliness

Institutionalisation has many effects including medicalisation, isolation, neglect, loneliness, lack of love and severely constrained social and personal development, often including a lack of access to education. A survivor recounted a friend's loneliness in care crystallising when she was released:

"My friend still remembers coming back from Salisbury and there being no one there to pick her up. She said, 'I had no one'. It has taken years for her to reconnect. I took her up to the urupā where her sister is buried and she said 'Puti, you've left me again!'"

Along with the experience set out above, another survivor shared how they experienced an acute mixture of guilt, shame, fear and powerlessness as a young person, some of which remains. They also reported understanding as a teenager that they didn't have the life skills, or resilience to cope with leaving their family and church and attempting to live on their own. At the same time, they were feeling depressed and suicidal due to how they were being treated.

"I'm scared when I cross the road – scared I would have a moment of weakness and leap in front of a car; I couldn't see myself living past my mid-twenties because of the amount of hurt inflicted on me; it's still a struggle to leave my house and feel safe when out of my house; regular flashbacks and dreams that I am back at church or back with someone who wants to hurt me ... I'm still terrified when someone knocks on my door in case it is someone from my old church ... I just didn't go home one night because I felt so unsafe at home."

Another survivor expressed just how entrenched the effects of conversion practice are in their life – something that is ever-present and requires multi- systemic personal responses to hold in check:

“It’s an ongoing management type thing, you need intense safety care plans around yourself, I social work myself, and have good friends. If I’m in a really dark place I can just ring them up.”

This survivor also reflected on how his sexuality was treated in his church affected him and his own behaviour:

“I remember not being able to express my sexuality in a healthy way; I remember that that turned into unhealthy ways of expressing my sexuality ... [there is a way] the church says is the only way you can have sex, and you know, masturbation, can’t do that, and it is terrible that you cannot express who you are or explore who you want to be.”

## **Inappropriate counselling and other therapies provided through church**

One survivor clearly articulated their experience of feeling suicidal because of how their church had treated them. This arose when they reached out to the church for counselling and support:

“After the birth of my second child, I had post-natal depression and I was referred to a counsellor, and that counsellor was actually someone from within my church community, and she saw the depression I was going through as caused by my sexuality and my gender stuff and got me to do these prayers and rituals and so forth – and that’s what the counselling was. I just ended up in a very bad mental health state, majorly traumatised, suicidal.”

# **KAUPAPA TUARIMA: PROPOSED SOLUTIONS AND THE NEED FOR SIGNIFICANT CHANGE**

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## **Aspirations for meaningful change**

“[The] biggest thing is to have people to listen, listen to understand, don’t listen to respond.”

This section outlines the aspirations of Takatāpui, Rainbow and MVPFAFF+ survivors, whānau and advocates. Rather than interpreting this important content, it is recorded here as fully as possible.

### **The State shouldn’t have the power to make decisions for children**

All survivors talked about the need to ensure that the State’s power to remove tamariki and rangatahi from whānau must be stopped and whānau given the supports, the resources, the help they need to provide appropriate care. For example, we heard:

“We’ve just got to stop ... need to stop putting people in places, to live with strangers, to be looked after.”

“How many times does the State have to harm children before they can see that they shouldn’t have the power to make decisions for children. That is something that should be for whānau ... I see Oranga Tamariki struggling with ‘we’ll change the processes, we’ll change the principles or the kaupapa, we might change some of the people’; but the State can’t get away from being paternalistic – and wrong.”

“What we know is that try as we might [to] have people who make decisions think holistically, the human response at this point in time is that ‘I see what’s in front of me’. If the thing that the person needs to see in front of them is that people with fluid identities are valid and then on the flip side, how many times does the State have to harm children before they can see that they shouldn’t have the power to make decisions for children.”

## Will an apology come with meaningful change, this time?

One survivor addressed the expectation that an apology from the State will be forthcoming in the future, expressing the sense that sorry alone is not enough, that this has been seen before, and that promised changes have not, to date, brought transformation or justice:

“Part of putting it right is making genuine apologies – you can only tell if it is genuine when their behaviour changes. I’ve worked in this area for a long time, like many of you, and we know that when someone says sorry and then they continue to do the same thing, [then] you know.”

The survivor expressed misgivings about whose purposes an apology will truly serve:

“I know the State wants to make an apology because it is going to make them feel better.”

“If they don’t change their behaviour, then the same things are gonna continue.”

Another survivor reiterated these concerns, reinforcing the need for an apology to clearly demarcate the pathway toward changes in process and behaviour, as well as a broader need for an apology to mean something to all parties – those making it and those hearing it. An apology is not merely an institutional response to manage risk:

“We’ve talked about how they need to give an apology and they need to change their behaviour. For me, I don’t want to hear it. For me the apology is meaningless. I’m still working with the Church here, and I was in a meeting with the [leadership] the other day, and he said, ‘I don’t know what you’re talking about, we apologised for this five years ago’. So that’s your excuse ... You’ve apologised five years ago, you think there’s a full-stop after that apology, and it doesn’t do that.”

## **Address continuing settler–colonial impact**

“The abuse of the State is still ongoing; the impacts of abuse on people, whether that be sexual abuse, physical abuse, emotional abuse, all the types of abuse that happened to our people by colonial powers just makes me really angry, and the only way that I can think that we can stop these impacts is to remove the power. The other way is to strongly challenge the racism that continues to exist in all these Crown representatives – the ‘State’.”

“Decolonisation is about tauiwi decolonising themselves, that’s where part of the answer lies. Not about trying to be more Māori, it’s about feeling comfortable in your own skin and feeling proud about that.”

“Tautoko people’s words about decolonisation and land back. My partner is Takatāpui and they also are a survivor of violence and conversion practices. And honestly the things that would make a difference to them is land back – is decolonisation, dismantling the Pākehā colonial system.”

## **Survivors should design their own solutions and healing pathways**

As noted earlier, we heard from a survivor:

“Part of the mahi I do is tautoko survivors. We support survivors, and we employ survivors, so survivors can take care of themselves, work for themselves, have access to the resources they are entitled to have access to, to design their own solutions and their own healing pathways.”

“That for me is part of what needs to change. It is about creating space, and having the courage to get out of the way.”



## **Ensure a culture shift for Aotearoa New Zealand**

“Sexual abuse incidents will still happen, but hopefully a lot less if you take away the culture that allows them to keep happening. Recent media reports of violence in schools is a really big indicator that if these all-boys schools, public or private, continue to function, there will be no consequences for bad behaviour when younger, you just disappear and move to another one.”

## **Strip churches of charitable status**

“I’d love to see churches stripped of charitable status.”

“It goes back to that narrative of being a second-rate human being: you’re the abomination. So that church shouldn’t be given tax-free rights that it gets because of the way it treats a group of people as a second-rate group.”

## **Effectively monitor charitable status**

“For the charitable status there needs to be an organisation that is auditing churches, and if you’re not cheering for New Zealand then you don’t get it ... we know how hard it is to keep our charitable status, but churches get it and they are still abusing young people?”

## **Create code of ethics for churches and clergy**

“In order for you to have charitable status then you must have your pastors signed up to a code of ethics. It’s just simple stuff right.”

## **Ensure redress and reparation from churches**

“I really believe that churches need to make reparation to the Rainbow community – we need proper psycho-social support for people who have been through conversion practices and have been through this type of harm.”

## **Provide Takatāpui, Rainbow and MVPFAFF+ communities with ability to create solutions**

“I think so much that people who are part of the Rainbow community need to be creating the solutions for themselves, there needs to be some kind of organic way that that can happen; I think it’s some kind of model where you trust community organisations to actually figure out what needs to be done and what support they could provide.”

## **Increase secure funding for Takatāpui, Rainbow and MVPFAFF+ organisations**

“It is really hard work because of how underfunded the systems are. And I see people facing burnout and that kind of thing in the community. I just think that Rainbow organisations deserve the support. We are doing the mahi but often the way the funding is given doesn’t come through in the right ways or it is very project-based.”

## **Ensure more Takatāpui, Rainbow and MVPFAFF+ in professional helping roles**

“It really needs to be the right kind of support and it really needs to be given by Rainbow people. And one of the things that I find hardest is that if I’m trying to find a Pasifika Rainbow counsellor, you can’t find them. Even finding Takatāpui counsellors is extremely hard. In Auckland, there [are] about two people who are taking openings and sometimes they really don’t have space.”

“[I] really agree with those ideas about the need for grants and scholarships to enable Pasifika and Māori and other people of color and Rainbow people to become counsellors or mental health support.”

## **Ensure more effective standards for therapeutic professions working with Takatāpui, Rainbow and MVPFAFF+ identities**

“All of us should have access to health care as a right. Counselling is so expensive; any mental health care is so expensive ... I know there is funding for it if you manage to jump through the right hoops and fit these criteria you can get this amount of funding. I think we should have it as of right – the downstream impacts are unpredictable.”

“We need good mental health support, and it needs to be encouraged. Not as a ‘that’s another \$150 I need to work how to find ... or more’.”

“If you can’t respond decently to people who have these lives then that says more about you, than them.”

## **Solutions for the State**

### **Provide all records to survivors**

“Putting it right means returning to every single survivor, returning to th[ose] who have been in State or faith-based care, all of their information, unredacted. People have a right to know who harmed them, who violated their tapu, their wairua.”

“For those of our whānau who have been criminalised, the ‘pipeline’ from care to prison, their records need to be expunged – that is part of an apology.”

### **Ensure accountability for State and church, professions and those in registered fields for historic abuse and neglect**

“I think one of the things that needs to happen is having the ability to hold people to account. The Commission is about holding the process to account, but for some of us that’s not enough ... to hold them to account as a profession as well.”

### **Ensure mechanisms that create accountability and justice for survivors**

“It is ensuring that it is safe and that they hear us, and that we have been harmed, and they bear a little bit of that whakama, that embarrassment, that pain that we have had to bear this whole time.”

“A couple of people have asked me ‘who are the churches still doing conversion practices?’ And we know that they are still doing them so there needs to be someone who is actually doing the research and keeping up and maintaining a list.”

## Further solutions from engagement participants

We heard from our community that these solutions are important:

- › Early investment in whānau to prevent tamariki, rangatahi and tangata whaikaha Māori from entering into out-of-home care; work on the beginning of the pipeline.
- › Don't call it 'care'.
- › Remember that language, culture and identity matter.
- › Enact legislative frameworks that reflect Takatāpui, Rainbow and MVPFAFF+ people.
- › End poverty, racism and discrimination towards Pacific MVPFAFF+, LGBTQIA+ and Rainbow people.
- › Reflect accurate deprivation needs.
- › Safeguard people who speak out.
- › Overhaul the outdated budget system.
- › Ensure accountability through strategic intentions documentation.
- › Ensure consequences of government strategic decisions.
- › Ensure consequences for not meeting accountability and community expectations.
- › Provide resources for people and their trauma experiences.
- › Stop using the same legislative framework if it gives the same result.
- › Let tamariki, rangatahi and tangata whaikaha Māori be architects of their own solutions.
- › Let Rainbow communities be architects of their own solutions.
- › Hold the State accountable.
- › Remove the two-witness rule.
- › Ensure consequences for abusers.
- › End the shunning policy of churches.
- › Revoke charitable status.
- › End tax exemptions.
- › Ensure people are free to live their lives.
- › Fund more resourcing for Takatāpui and Rainbow initiatives and organisations.

- › Fund programme delivery.
- › Upskill people working with Takatāpui whānau in State care.
- › Provide training and support for staff and caregivers.
- › Look out for trans and intersex young people.
- › Target people with lack of understanding who are entrusted to look after our young people.
- › Provide education on conversion practices.
- › Provide free counselling and mental health support.
- › Support more Rainbow, Takatāpui people in mental health professions.
- › Provide more funding to cut waitlists for those needing support.
- › Provide safe, confidential reporting mechanisms.
- › Involve Takatāpui, Rainbow and MVPFAFF+ people from the start and don't make empty promises.
- › Provide freedom to practise taha wairua.



