

IN THE HIGH COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY

CP No.

IN THE MATTER

of the Criminal Proceedings  
(search of Court Records) Rules  
1974

A N D

IN THE MATTER

of an application by .....  
JOY BANDER under Rule 5  
of the Criminal Proceedings  
(search of Court Records) Rules  
1974

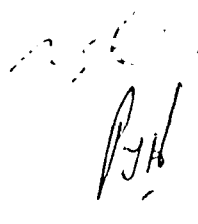
AFFIDAVIT OF ..... JOY BANDER .....  
SWORN 25 August 1995

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YOUNG HUNTER  
SOLICITORS  
PO BOX 929  
CHRISTCHURCH

I G Hunt  
TEL: (03) 3793 880  
FAX: (03) 3793 632  
JKMDOC\2308d1

1. I am the Applicant in this matter and mother of TOMMY BANDER ELLISS ("Tommy").
2. From March 1989 to March 1991 Tommy attended the Christchurch Civic Creche. In May 1992 he made a disclosure of sexual abuse at the Creche and later became a complainant and witness in the prosecution of PETER HUGH MCGREGOR ELLIS.
3. Tommy gave evidence by videotaped interviews in those proceedings. I believe that there are five tapes of interviews. I believe it is necessary to obtain copies of those tapes to assist Tommy in his healing process. He has told me he would like to be able to see the tapes and I think that it is important that he see them in a safe environment.
4. Tommy's behaviour has been particularly bad of late especially since the suppression order was breached by the Christchurch Press and Gaye Davidson. I have noticed he has regressed emotionally and in his behaviour since that time. I consider that these tapes are necessary for us to assist Tommy to come to terms with what has happened to him.
5. He has told me that he is angry that people found out he was at the Creche, because I had promised him and the police promised him no one would find out.
6. Many incidents trigger his recollections of abuse. He withdraws, or has angry outbursts.
7. Tommy has asked me for a copy of the tapes. He said he wants to see the tapes in his own time and at home. I believe it can show the abuse happened when he was young and that he is safe now. Tommy said he would write to the Judge himself but I did not think that was appropriate.

A handwritten signature in black ink, appearing to be 'P.H.', is located in the bottom left corner of the page.

8. Tommy is currently going to counselling with Pat Havighurst and has been seeing her for approximately two months. She anticipates he will be attending counselling with her for the next year. I have discussed this application with her and she has provided a letter in support of this application. Annexed hereto marked "A" is a copy of that letter.

SWORN at Christchurch )

this 25th day of August 1995 )

before me: )

) Signature of "JOY BANDER"  
)



P. T. Harman

A Solicitor of the High Court of New Zealand

"A"  
**TOP FLOOR**

*Pat Havighurst*

Relationships Counsellor - Individual Therapy - Family Therapy - Mediation

29th May 1995.

Jackie Miller  
Young Hunter  
Hereford St,  
Christchurch.

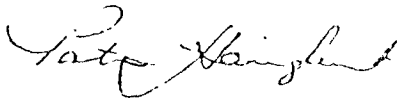
Dear Ms Miller,

As Tommy Bander's counsellor I have been asked by Tommy to write to you to support the request to the Police to return the evidential tapes 1 - 5 to Tommy.

Tommy has told me "The tapes belong to me and I want them back because I may want to look at them later".

It is entirely possible that Tommy may never want to view these tapes in the future. What is important for Tommy's healing is the fact that he has some control in a situation which up until now has been entirely out of his control. The return of his tapes to a place he considers safe and where he has access to them is a very positive step in the direction of Tommy's emotional recovery.

Yours sincerely,



Pat Havighurst.

**EXHIBIT NOTE**

This is the annexure marked "A" referred to in the within affidavit of *JOY BANDER*

and sworn at *CHRISTCHURCH*  
*Pat* this *25<sup>th</sup>* ~~1995~~

day of *AUGUST* 1995 before me

Signature

A Solicitor of The High Court of New Zealand  
(Solicitor to sign in part on Exhibit) *P. T. Harm*

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**T.L.C. - Therapeutic Link Centre**

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