

Worker. Both had been parents contacted by and/or were members of her support group.³⁶

27.23 In the absence of any disclosure of sexual abuse, the police closed their inquiry on 20 December 1991 when Detective Colin EADE wrote to the Christchurch City Council. Despite there being no disclosure of abuse, Det. EADE took it upon himself to recommend ELLIS not be returned to his position.³⁷

27.24 On 22 December 1991, Sue SIDEY issued reports on all her interviews acknowledging no disclosure of sexual abuse.³⁸

27.25 On 23 December Peter ELLIS was informed that he will not be reinstated and a cash offering (\$10,000) was made as part of settlement.³⁹

27.26 On the 20th of January 1992 Peter ELLIS advised he still wishes reinstatement.⁴⁰

27.27 On the 24th of January Peter ELLIS was sacked.⁴¹

27.28 In January 1992, held several meetings of her "support group". Included were and

We held several meetings before that. I think and his partner came to one or two, and and

27.29 also described the mood of the parents:

"people were being supportive of me because had said something and we were distressed and other parents were starting to ask themselves questions about their children's behaviour and

³⁶ Source: Notes of Evidence at Trial, page 233

³⁷ Source: Letter from Det Eade to dated 20 December 1991.

³⁸ Source: Report by SSU on dated 22 December 1991; see also letter from Ms Sidey to Det Eade dated 1 July 1992.

³⁹ Source: Letter from to Peter Ellis dated 24 January 1992.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Source: Notes of Evidence at Depositions, page 692.

whether or not it was related to what happened and I think also we were wanting to make sure it was handled properly by the Crèche hierarchy" 43;

and:

"Q. So at that meeting there would have been discussion about what sort of behaviour could point towards possible abuse in children.

A. Yes. Several of us had worked in child abuse in different areas in our jobs and certainly we were talking about symptoms of abuse and whether that fitted in with our kids." 44

27.30 herself had believed that there had been widespread sexual abuse at the crèche from the moment her three and a half year old son, made the comment about Peter's black penis on 18 November 1991:

"Q. When were you convinced in your mind that abuse at the crèche was widespread

A. When first talked to me because of my work in sexual abuse I knew it was rare for only one child to be abused and I knew certain profiles of abusers are attracted to work with children. So I thought at that stage it probably was but I felt stronger about it, my friend had talked to a friend who knew someone who had taken their child out of the crèche earlier in 1991 because the child had been saying something disturbing about Peter and that clinched my feeling I suppose

Q. So really from when your son first made the comments about Peter's black penis in your mind you believed that there had been some widespread abuse at the crèche.

A. I believed it was highly likely." 45

27.31 The support group meetings broke up for Christmas and resumed in late January.⁴⁶

27.32 continued to question her child. about Peter ELLIS in December and January despite showing no indication of behaviour associated with sexual abuse⁴⁷ and despite the fact that when she was asked initially (in December 1991) who did she like that looked after her at the

⁴³Source: Notes of Evidence at Depositions page 692.

⁴⁴Source: Notes of Evidence at Depositions page 692 .

⁴⁵Source: Notes of Evidence at Depositions page 695.

⁴⁶ Source: Notes of Evidence at Depositions page 693.

⁴⁷Source: Original Statement of dated 21 April 1992.

Crèche, the child has responded with Marie, Debbie, Gaye and Peter.

27.33 On 30 January 1992, Sue SIDEY interviewed the sister of [redacted] was never at the Crèche but from time to time accompanied her mother, [redacted] a member of the Crèche Management Committee and a member of the [redacted] support group, to collect her brothers. [redacted] alleges that ELLIS has touched her under her dress; that he told her to take her clothes off but she refused; that it usually happened inside the Crèche; that it happened every time she went there; that he pretended to tickle her; that she had her knickers on; that he was on stilts when he did it and that she knew it happened to other boys and girls because she had seen him do it, but she didn't know who they were; she said her mother was around but she just couldn't see and that the last time it happened she was playing the xylophone near the Crèche door.⁴⁸

27.34 On the 4th of February Peter ELLIS's employment lawyer wrote to the Christchurch City Council advising of an impending personal grievance claim by ELLIS.⁴⁹

27.35 On the 5th of February 1992, the Civic Crèche Management Committee meets and notes that ELLIS may go to the Labour Court.⁵⁰

27.36 On 6 February 1992, Waitangi Day, [redacted] observed [redacted] at play and discusses it with [redacted] and [redacted].⁵¹

27.37 On 13 February 1992 [redacted] set tests for [redacted] play habits, leaving her 7 month old son without his nappy on [redacted] fondled the baby's penis.⁵²

⁴⁸ Source: [redacted] interview transcript 30 January 1992.

⁴⁹ Source: Letter from Mr COUCH to Mr DALLY dated 4 February 1992.

⁵⁰ Source: Notes from Civic Crèche Management Committee Meeting.

⁵¹ Source: [redacted] Notes of Evidence at Depositions page 505.

⁵² Source: Notes of Evidence at Trial page 196 line 33, and Notes of Evidence at Depositions page 506.

27.38 On 19 February 1992 [redacted] made a statement to Det. EADE. She has already spoken with Sue SIDEY at some earlier time about [redacted] December conversation and had been told by Sue SIDEY that "there wasn't much in it and it probably didn't warrant an interview". After speaking with Det. EADE, [redacted] was of the view that conversations were important after all.⁵³

27.39 On 20 February 1992 [redacted] telephoned [redacted] to say that [redacted] (daughter of [redacted] one of [redacted] original support group) had said that Peter [redacted] had taken [redacted] and [redacted] into the toilets and shown them his penis.⁵⁴ [redacted] had also telephoned [redacted] by this time to say that a female child had disclosed abuse. Neither [redacted] nor [redacted] were to be complainants at trial.

27.40 [redacted] immediately confronted [redacted] with this information [redacted] is in bed. [redacted] said in her April 1992 statement :

"I knew that in terms of what you and Sue had said that it was the wrong thing to do but I just had to know. I went in and told her word for word what [redacted] had said." ⁵⁵

27.41 [redacted] confirmed [redacted] version and further implicated [redacted] one of her friends.⁵⁶

27.42 On 20 February, [redacted] telephoned [redacted] to advise her that her daughter and son have been implicated by [redacted] telephoned [redacted] and was provided with [redacted] disclosure.⁵⁷

⁵³Source: Original statement of [redacted] dated 21 April 1992; Notes of Evidence at Depositions, page 516.

⁵⁴ Source: Notes of Evidence at Depositions page 505, 518.

⁵⁵ Source: Original Statement of [redacted] dated 21 April 1992.

⁵⁶ Source: Notes of Evidence at Trial at page 198

⁵⁷Source: Original statement of [redacted] dated 13 April 1992.

27.43 On 21 February, [redacted] advised Det. EADE of disclosure, and an interview was arranged.⁵⁸

27.44 On 22 February, [redacted] and her husband confronted their children, [redacted] with [redacted] disclosure. Direct statements were put to them and leading questions were asked. Up until this time, neither child had disclosed sexual abuse by ELLIS despite repeated questioning between November and February. [redacted] had been interviewed by S.S.U. on 9 December and revealed no sexual abuse.⁵⁹

27.45 During questioning, the children initially denied abuse and were told to go away and play. When [redacted] later confirmed abuse, she was rewarded with comfort and reassurance that she was believed and was safe.

27.46 The type of leading question that [redacted] was asked was :

"I then asked her that other children had said that Peter had put his penis in their mouths and they said it had happened to too. [redacted] nodded and said "I thought that would be it".⁶⁰

27.47 Also in February, [redacted] advised [redacted] (mother of [redacted] about "tickling"⁶¹ and "things happening in the toilet"⁶² and being taken to Peter's house.

27.48 On 27 February 1992 [redacted] did her first video interview. She subsequently did five more on 28 February, 18 March, 27 March, 28 October and 29 October.

27.49 On 9 March 1992 [redacted] was interviewed and was subsequently interviewed twice more on 6 October and 9 December 1992 (post-depositions).

⁵⁸ Source: Job Sheet, EADE, 21 February 1992.

⁵⁹ Source: S.S.U. Report on [redacted]

⁶⁰ Source: Original statement of [redacted] dated 13 April 1992.

⁶¹ Source: Notes of evidence at Trial page 110

⁶² Source: Notes of evidence at Depositions page 303.

27.50 On 10 March 1992 [redacted] was interviewed. It was his second interview. He was previously interviewed on 9 December. No abuse was disclosed.

27.51 Between November and March, [redacted] continued to question her children and read them educational books on sexual touching including "*The Very Touching Book*" which refers to sexual touching as "secret touching", and "*What's Wrong With Bottoms*"⁶³. It is to be noted that after her first interview, [redacted] used that description consistently.⁶⁴

27.52 On 11 March 1992 [redacted] returned from India and was told by her partner that "*a whole lot of kids had started talking*".⁶⁵ Within two days she questioned [redacted] about games Peter played and being taken to the Park and to his house. [redacted] made no disclosure. He had been questioned by his mother in December and had made no disclosure then either.⁶⁶

27.53 On 14 March, [redacted] was further confronted by mother with direct questions, telling [redacted] what other children had said. [redacted] at trial, says that another mother had rung his mother to say about "Peter doing poos and wees" and she had told his mother to ask him about them and his mother put it to him⁶⁷.

27.54 On 23 March, *The Christchurch Press* published on the front page an article headed "*Parents in Terror of Abuse Discovery*" alleging 200 children of both sexes involved.⁶⁸

27.55 ELLIS' lawyer wrote to the police complaining that matters have "got well out of control".⁶⁹

⁶³Source: Notes of evidence at Trial pages 227-228

⁶⁴ Refer [redacted] in Part B: Children's Evidence

⁶⁵ Source: Notes of Evidence at Trial page 89

⁶⁶ Source: Notes of Evidence at Trial page 89

⁶⁷ Source: Notes of Evidence at Trial page 85

⁶⁸ Source: *The Press* dated 23 March 1992.

⁶⁹ Source: Letter from Mr Knight to Police dated 23 March 1992.

27.56 On the 26th of March a meeting was held by the Christchurch City Council to plan for the Knox Hall meeting. In attendance were the City Council Community advisor, Human Rights Commission representative, the Police, psychologists from Kia Marama programme and the Department of Social Welfare, Civic Crèche Management Committee, together with Colin, and psychotherapist Sara CRANE who was later to provide therapy for at least one child involved.⁷⁰

27.57 On 23 March, *The Holmes Show* presented a sensational item on the Civic Crèche. Dr Karen ZELAS appeared and advised parents.⁷¹

27.58 On 30 March, Peter ELLIS was arrested and charged with indecently assaulting Det. EADE. EADE acknowledged at trial that the arrest was made because of the proposed meeting next night.⁷²

27.59 On 31 March, the Knox Hall meeting was held. 180 families were invited to attend. It was attended by Det. EADE and Sue SIDEY together with Dr Karen ZELAS. At the meeting, advice was given and a handout distributed. It advised parents what to do if your child tells of his or her abuse. The "if" was handwritten over a crossed-out "when" your child tells..... The document says:

"Believe what they say." ⁷³

27.60 Following the meeting, parents other than _____ and _____ started to react.

27.61 _____, mother of _____ had earlier questioned her daughter and had been reassured, but after the

⁷⁰ _____ began therapy with Sara CRANE on 3 June 1992.

⁷¹ Source: TVNZ News Item - Holmes Show dated 23 March 1992.

⁷² Source: Notes of Evidence at Trial, page 496

⁷³ Source: Pamphlet.

meeting and hearing what the parents of other children were saying, she became concerned.⁷⁴ Of the meeting, she says:

*"I think that holding the meeting had an impact more than what was said there. The allegations were being taken seriously."*⁷⁵

27.62 After that night, questioned further. She had already spoken with on at least two occasions and been told of activities in the toilet, tickling and the children going to Peter's house and had been reassured on those occasions by

27.63 Within a couple of days of the meeting, calls and tells her of ; allegations. She sits down with and tells her that:

*"things had happened with Peter at the Creche and she was going to help her remember"*⁷⁷

27.64 Direct questions and statements were put to .

27.65 and continue to play together and made note of their conversations on 13 June.⁷⁸

27.66 After the meeting, the parents of put to

*"The Police believe[d] that Peter has done bad things in terms of bad touching with children ."*⁷⁹

27.67 After the meeting, the family, parents of started to interpret events differently and was later put through a video interview in which after 34 pages of transcript, he finally conceded that Peter has touched

⁷⁴Source: Notes of evidence at Depositions page 304.

⁷⁵ Source: Curtis Deposition Statement, page 6.

⁷⁶ Refer Analysis of evidence, Vol 4.

⁷⁷Source: Original Statement of dated 27 June 1992.

⁷⁸Source: Original statement of dated 21 April 1992.

⁷⁹ Source: Notes of Evidence at Trial page 33

his penis and described how Peter had cut it off and there was blood all over etc. repeatedly tells the interviewer that he is only tricking, but she fails to follow up and pursues with the interview. Based upon two interviews which allege totally unbelievable acts and contain repeated advice from that "you do know I'm only tricking", ELLIS is charged with Indecently Assaulting The interviewer is Cindy CRAWFORD and the monitor is Det. EADE. (The charge does not proceed to trial).⁸⁰

27.68 The had attended the December meeting with no concerns for their child, But on 1 April, they telephone the Police to mention that had suffered a sore bottom. is subjected to four interviews on 17 June, 24 June and 2 September, and 21 September 1992. Although charges are laid, they do not go to trial.⁸¹

27.69 The parents of had contact with the family and after attending the Knox Hall meeting, they had their children interviewed, not because they had "large concerns but because [she] owed it to the children".⁸² was interviewed six times and although three charges are laid, ELLIS was discharged under s347 in relation to both children.⁸³

27.70 The parents of see that the meeting is to be held on the news and go to the Knox Hall meeting. They then questioned their daughter :

*"I would have asked her if there had been any bad touches at Crèche."*⁸⁴

told her:

*"That Peter Ellis had been arrested because of bad touches."*⁸⁵

⁸⁰ Source: interview transcripts

⁸¹ The charges relating to were withdrawn during the Deposition stage

⁸² Source: Notes of evidence at Depositions page 600.

⁸³ These three charges were subject to a s347 discharge during the Trial

⁸⁴ Source: Notes of Evidence at Depositions page 631

⁸⁵ Source: Notes of Evidence at Depositions page 631

