

COPY

VIDEO INTERVIEW OF DAVID BENSON-POPE

INTERVIEWED BY: Detective Sergeant M N T INGLIS
AT: Dunedin Central Police Station
ON: 21 September 2005
CHARGE: Assault

12:53:17 Tape start.

INGLIS Um, right, just those um, tapes are running now and I've just got a few um things to run through here and its, um, we need to state the location of the interview, and its at the Dunedin CIB Office ah in Dunedin, Great King Street, and today's date's the 21st of ah September 2005, and the time um on the clock says 12.53 which I say is out by about um oh 8 odd minutes, I make it um 12 um 44

BENSON-POPE So do I

INGLIS Yeah, okay. Um, just um, as you are aware my name is Malcolm INGLIS, I'm a Detective Sergeant stationed here at Dunedin and if you just introduce yourself, Mr BENSON-POPE

BENSON-POPE My name's David BENSON-POPE and ah I'm a Dunedin resident and the MP for Dunedin South.

INGLIS and your address

BENSON-POPE [REDACTED]

INGLIS Okay, and your date of birth

BENSON-POPE [REDACTED]

INGLIS an ah Mr HAIGH if you would just introduce yourself for the tape

HAIGH John HAIGH, Barrister, Auckland

INGLIS Okay, um, and we're the only three people in the room at the moment

BENSON-POPE Yeah

INGLIS Okay, um a colleague of mine um, whose assisted me with the interview may just turn up and sit in the back to observe, if that's alright with you. She's a young girl who's been involved with the interview, with all, the inquiry right through

HAIGH No he won't participate in

INGLIS She won't, no won't participate at all

HAIGH Okay, I've no objection

BENSON-POPE No

INGLIS Um, the reason for the interview is some allegations that have um come out of um Parliament and through the media involving some um possible assaults on two pupils in 1982 while you were a teacher at Bayfield High School. One involved ah tennis balls and tape and the other involved a hit to the nose on the school camp. Um, being the reason for the interview. The interview's being video, ah videotaped but not filmed, only ah audio and you're happy with that

BENSON-POPE Yep

INGLIS Okay, um

BENSON-POPE There are also allegations made that I was unreasonable in my application of corporal punishment, does the inquiry touch on those as well

INGLIS Well we've covered corporal punishment and this, the, there has been some of that but I don't think anything that steps outside the bounds of, in relation to caning, ah, steps outside that, um, it has come up other discipline on school camps are being made to stand outside in your night attire and bare feet for a length of time in the cold, is the only other thing that came up um in relation to not going to sleep at camp.

BENSON-POPE It's the best way I know of encouraging people to go to sleep

- INGLIS Mm yeah, and it um, so that, that was the other thing that came up that seems to have stuck in some people's mind also
- BENSON-POPE Mm its very effective
- INGLIS Um, just if we can keep our voice up, that's the microphone there, um and I've got to go through that caution again, um, you're not, ah, you have the, sorry you're not obliged to say anything unless you wish to do so but anything you say will be recorded, which the audio tape's now doing and may be shown in evidence. You understand that.
- BENSON-POPE Yep
- INGLIS Okay, and you have the right to consult and instruct a lawyer without delay and in private ah and for free, ah and you've had time to do that with Mr HAIGH
- BENSON-POPE I have
- INGLIS Okay thank you. Um, alright, um just prior to starting the interview we discussed um the allegations and how they came to surface through a [REDACTED] phoning, ah emailing Rodney HIDE getting no response for that, then later on he ah emailed Rodney HIDE again and phoned TV3 about February of this year. TV3 sent reporters, a reporter Duncan GARNER down here to investigate it, then in May the allegations were brought up on television then on TV3, and from there it was referred to the Prime Minister's Office, Solicitor General through to the police. Um, and we discussed those allegations how they came to light and um how many pupils we've spoken to and staff members.
- BENSON-POPE and, and I made the comment at the time that Rodney HIDE is on record as having said that he was first approached on these, some of this, these matters five years ago.
- INGLIS Right, okay. Um, now what I've got here is some photographs which I will get out now, photographs of the, the class that um [REDACTED] which will help you with your memory obviously if you won't remember him.
- (gets out photos)
- His one, and a better one here with, see if I can find it,

BENSON-POPE Interestingly [redacted] has subsequently come to see me on a constituent matter, he currently runs a contracting business

INGLIS Yeah

BENSON-POPE he came to see me on an issue he had with Telecom cables and, I think Telecom or one of the utilities and the issue for him as a contractor and having to pay for the ah, for the maps and the search to make sure the cables weren't, weren't breached

INGLIS We've got a list of all the people in that class, um, and there's a photo of 4G as well, which is the other class. The other thing I have here ah which may help are the year books for that year

BENSON-POPE Mm hm

INGLIS and a list of all the teachers, who were um, so I'll grab that now. Which may assist if you want to. Now what I was just hoping to run through first is that you were a teacher at Bayfield High School and if you'd just give me some background of when you started and how long you were there for.

BENSON-POPE Um, (clears throat) I started teaching at Bayfield in 1975, after returning from two years in Wellington as the President of the Student Teachers Association um, I'd previously to that been the President of the Students Association of the Christchurch Secondary Teachers College. Um I was employed to teach ah Latin and English I think um predominantly, um, but quickly moved onto my specialist European language teaching and taught with only a, only one significant interruption um through to um the end of 1998, ah mostly German ah and also subsorderly classics with a smattering of other things as is the norm with most staff members. I um was on a couple of occasions Acting um Principal on the absence of other senior administrative staff, from my earlier years I had ah pastoral responsibilities and discipline responsibilities as a dean or form level coordinator, we moved through with that year cohort, ah and I was also um a position of responsibility um in outdoor education and the Head of Languages at the end of my teaching career.

INGLIS Alright, so, and, so the teaching career at Bayfield spanned from 1980

BENSON-POPE 1975

INGLIS 1975

BENSON-POPE ah through to 98

INGLIS 98, okay

BENSON-POPE I was overseas for a period of slightly less than two years in the late 70s teaching in Germany

INGLIS Alright, and so predominantly as I understand your subject was, was, was German

BENSON-POPE German, French ah Social Studies, English

INGLIS Yeah

BENSON-POPE ah Latin was phased out in the school

INGLIS Mm hm

BENSON-POPE um and then toward the last three or four years after [REDACTED] left

INGLIS Yeah

BENSON-POPE I took over the Senior Classics curriculum

INGLIS Okay. The, the timeframe we're looking at obviously for these allegations is 1982, it was the year Mr [REDACTED]

BENSON-POPE Mm hm

INGLIS started as Principal replaced Mr [REDACTED]

BENSON-POPE Yeah

INGLIS Um, can you give me sort of an overview of what the school was like at that stage.

BENSON-POPE Ah, bigger, somewhat bigger than it is now, um its coming back up to a sort of a size that it, schools fluctuate

INGLIS Mm

- BENSON-POPE um, an interesting mix school, Bayfield's always had a good ah feed, contributory area from the, shall we say the more affluent suburbs of Waverley through the flat of Musselburgh, Tainui and that sort of way so
- INGLIS Mm
- BENSON-POPE ah a good mixed bunch of students and quite a good microcosm of what our community's like I think, um
- INGLIS Yeah
- BENSON-POPE I was the product of a single sex education having lived on the flat, I went to King's,
- INGLIS Mm hm
- BENSON-POPE um and I, so I actually um really enjoyed the mixed nature of the co-ed environment and ah while people make their own choices, um that's certainly been the preference um for me in terms of the dynamics with the students
- INGLIS Okay, um any conflicts around that time or were things quite ah, like within the school, would you say it was a fair school, a bullying school or a, a
- BENSON-POPE I think it was a, I think it was a pretty fair school, I mean I had no great comparison with other schools other than my own background
- INGLIS Mm hm
- BENSON-POPE um, it was a time when um corporal punishment was going out of fashion
- INGLIS Mm hm
- BENSON-POPE ah I had some part in that um, in, in taking it off the agenda at Bayfield before we were legally required to, largely because of what I consider the inappropriateness of having corporal punishment in a co-ed school
- INGLIS Mm
- BENSON-POPE being applied to males ah and dealing with girls differently. I'm not advocating corporal punishment for girls
- INGLIS Mm

- BENSON-POPE quite the opposite and that's why we got rid of it. Um, I don't think it had any more um difficult environment than in any other school
- INGLIS and, and in that time they were still running a cadet scheme I understand
- BENSON-POPE There was, I had no personal involvement with that, I had been a cadet when I was at high school myself, Oh, I'm sorry I did have a small involvement in one, one year early on with the second year unit, but I didn't maintain that
- INGLIS Yeah
- BENSON-POPE preferring to um do the work that I did subsequently developing our outdoor education programmes, quite extensively
- INGLIS which you became very involved with I gather
- BENSON-POPE which I became very involved with and we developed a programme that was integrated at 3rd, 4th, 5th, ah 5th form compulsorily for the whole, of those levels, and ah offering options for 6th and mostly 6th formers and further ah recreational quite challenging outdoor pursuits such as um snow caving, ah rafting and so on
- INGLIS In the, in the early 80s there, what, what would, how would you describe or what discipline was, was generally used within the school.
- BENSON-POPE Well I guess there was a, there was a mix of teachers um just as there is in any school right now, um, I, I, I like to think and I think some of the correspondence that I've, I've shown to you
- INGLIS Mm
- BENSON-POPE demonstrates that, that I was regarded as firm, but fair, and I don't think I had major, well I know I didn't have major um discipline issues in my own classroom situation
- INGLIS Mm
- BENSON-POPE um, I did also however get responsibility for form levels, we had a situation where, we had a network of um controls around how we did the pastoral, dash discipline

work, where there was a male and female dean at each level

INGLIS Mm hm

BENSON-POPE plus the co, an overall person called a coordinator who looked after the general admin for the, for that year level. The coordinator probably wasn't in place at ah 82 but shortly thereafter

INGLIS Mm hm

BENSON-POPE um and those deans were the first port of call for anyone who had a student in that year

INGLIS Mm

BENSON-POPE who was creating classroom or other round the school problems for them

INGLIS Mm hm

BENSON-POPE so um I certainly had dealings with ... 4th form boys, that was my patch

INGLIS Mm hm

BENSON-POPE um and on occasions um in the regime that we had then, ah, very limited occasions administered corporal punishment to them

INGLIS Mm, corporal punishment was caning and

BENSON-POPE corporal punishment was caning, only

INGLIS Mm hm

BENSON-POPE ah in a very, ah a very clear regime of, always a witness, always recording of the um, the recipient um, the person who had made the decision, the reasons for it, name of the witness, and I'm, I'm sorry that, that um, that record, which was a

INGLIS Yeah a

BENSON-POPE a green hard covered book just like the two that are in the Hocken

INGLIS Mm

BENSON-POPE cover the other detail

INGLIS Mm

BENSON-POPE um doesn't appear to exist any more, it did live in the ah Senior Master's cupboard

INGLIS Mm

BENSON-POPE where the cane also lived ah and so we had a very strict regime of as I say always witnessing, always recording, and ah I think my use um, as I say, I'm sorry the book doesn't exist because it would demonstrate that my use of corporal punishment was moderate and always, always appropriate

INGLIS Just for the record I've tried to locate that book also and it seems to have had disappeared

BENSON-POPE Yeah, I think that's a shame but, but the other documents that you will have seen and these are copies um of what

INGLIS the misdemeanour book

BENSON-POPE the misdemeanour book of what was in the Hocken

INGLIS Mm

BENSON-POPE do show the level of record keeping

INGLIS Mm

BENSON-POPE that um, we did have

INGLIS Yep

BENSON-POPE what's highlighted on my documents are simply incidences where the students

INGLIS Mm

BENSON-POPE have, have made ah some of these accusations were disciplined by

INGLIS Yeah

BENSON-POPE whom for whatever. But these are detentions and so on

INGLIS Some of them seem quite minor or

- BENSON-POPE Well they are, they're very, they're minor things but we had a consistent policy
- INGLIS Yeah
- BENSON-POPE their detentions or not, in fact the person signing off most of these is the um [REDACTED], the one who is on record as saying he thought I was a bit soft on students sometimes
- INGLIS Mm. If it, a, a child was in your class and, and misbehaving, ah from the minor level till something say more serious of swearing at you, how would you deal with those disciplines within your place
- BENSON-POPE I don't think it ever happened
- INGLIS Okay
- BENSON-POPE I think um, you may find this difficult given my appearance today
- INGLIS Yeah
- BENSON-POPE but I was young, energetic
- INGLIS Yeah
- BENSON-POPE had long hair and had a lot of pretty zany, um a zany approach I'd say, um light hearted approach to classroom, and, and I mean you can see from the correspondence
- INGLIS Mm
- BENSON-POPE I've sent you that ah students enjoyed my classes, they found them interesting and so I don't really think, I, I cannot recall occasions where I had major discipline or um personal ah
- INGLIS Mm
- BENSON-POPE conflict problems with students of the sort that I often had to deal with coming from other colleagues.
- INGLIS Yeah. If you did have a discipline problem

- BENSON-POPE I guess that my first um, my first approach had always been to diffuse it, to avoid it, to give someone out, a bit of time outside the classroom door just to, to calm down
- INGLIS Mm hm
- BENSON-POPE um but I was in the situation of being the person that ah students misbehaved and got referred to. So other than referring um a student of mine to my colleague woman dean
- INGLIS Mm
- BENSON-POPE which would be the only pathway, I could also refer someone to my Head of Department, who was in the adjacent classroom and I don't think that may have happened on occasions, but I can't recall it, it certainly wasn't frequent.
- INGLIS It has been said to me that um, in some ways you were fortunate in that with the language children you taught they were at the brighter end
- BENSON-POPE Not always
- INGLIS Not always
- BENSON-POPE We had a system that um, was a mix of compulsory language learning for top stream classes and lots of others, but you will find if you look through the classes that I taught, that I often had midstream
- INGLIS Mm
- BENSON-POPE or lower stream difficult classes because I had good strong discipline and we kept on the job.
- INGLIS and, and those classes would be more like for the Social Studies or
- BENSON-POPE English
- INGLIS often
- BENSON-POPE English, Social Studies
- INGLIS Mm okay
- BENSON-POPE I guess there's an internal control that works in schools, if you, if you're lucky enough to be teaching you know

the plum option classes um, the time-tablers don't give you the top stream English class

- INGLIS Mm, yeah
- BENSON-POPE and the others as well, they spread the load around and that's as it should be
- INGLIS In those early 80s, do you remember which class you occupied
- BENSON-POPE Ah the two classrooms I taught in were the two rooms at the top of that end B block, B7 and B8 I think they're called
- INGLIS Oh yeah
- BENSON-POPE Be 17 and 18 now
- INGLIS and do you remember the, the layout of your classroom
- BENSON-POPE I do, I do
- INGLIS the set up
- BENSON-POPE well um it was set up with a, a whiteboard from the very early days with a extensive sound system, a cupboard ah a movable swing sort of cupboard that had part of the stereo and record player in the old days in it, ah and desks which were highly painted and coloured, ah normally individually
- INGLIS Mm
- BENSON-POPE or in pairs
- INGLIS were they, did they sometimes go in a U shape
- BENSON-POPE Yeah I var, I changed it all the time, um often sometimes for traditional, sometimes in a U, a double U, um
- INGLIS Okay
- BENSON-POPE on a, ah if you understand not a W
- INGLIS Yeah, yeah, double, a U then a U
- BENSON-POPE a U and then a U around the outside yeah

INGLIS Yeah, okay. Um the class, we'll deal with the allegations that have come up in relation to Phil WEAVER first

BENSON-POPE Mm hm

INGLIS He was in 4G in 1982 which you took for Social Studies, would that be right

BENSON-POPE Mm, I'm far I'm, as far as I'm aware I think that's right

INGLIS Yeah, they've all said that you, on, on being spoken to that you took

BENSON-POPE Yeah I think that's right

INGLIS Do you remember him

BENSON-POPE I do

INGLIS Okay. How would you describe

BENSON-POPE Oh he was a, difficult boy, I mean I had dealings with him because of other act, other activities of his in the school

INGLIS Mm hm

BENSON-POPE um, he's certainly one who um was part of a gang that did some pretty extensive bullying of other students

INGLIS Mm hm

BENSON-POPE Quite vicious bullying of other students in the case of ah the two who've come forward. Um, but that's something that, that we dealt with as a matter of course, as far as I was concerned when he was in my Social Studies class he was a student like any other.

INGLIS Mm hm, and he generally behaved in the Social Studies class

BENSON-POPE As far as I can recall, yeah

INGLIS He states himself that he was a bit of a talker

BENSON-POPE Well plenty of people are talkers, I

INGLIS Yeah

BENSON-POPE I, in my own school days I got caned for talking

INGLIS Okay

BENSON-POPE French even.

INGLIS He um, I think ah, ah his mother died not just prior to him starting at primary school would that be

BENSON-POPE I, I think that's right

INGLIS Yeah, um, ac, academically how would you, do you remember, like he may have been one of thousands of pupils you have taught obviously, do you remember what he was like academically.

BENSON-POPE Oh if he was in 4G he would have been an average student

INGLIS Average student, okay. Um and you would, as we have said you were taking him for Social Studies at that stage

BENSON-POPE Mm

INGLIS Do you remember any of the other pupils in that class at all

BENSON-POPE I remember some of them, I recognise some of the faces, yeah

INGLIS Right and they were all sort of average

BENSON-POPE Yeah it was a nice class

INGLIS Mm hm

BENSON-POPE oh it was a difficult class, there were some kids who um probably didn't want to be at school

INGLIS Mm

BENSON-POPE and that's nothing unusual, and its part of our job to motivate them and keep them on task

INGLIS Its interesting having done this inquiry that um, having spoken to them all, they're all, all actually employed or running their own businesses

BENSON-POPE Yeah

INGLIS or doing their, which is very good to see

HAIGH ... (clears throat)

BENSON-POPE Well I, I have to say, I, I've been really heartened by the um some, some of the messages I've had from kids in that class

INGLIS Yeah

BENSON-POPE and kids around the school

INGLIS Mm

BENSON-POPE ah I know um [REDACTED] who was a member of that class says um on record that I made a major contribution in keeping him out of jail so

INGLIS Mm

BENSON-POPE it's a good thing for all of us really

INGLIS Yeah and I think he, speaking with [REDACTED] he states he could have gone either way. Um, the allegation that's, that come to the surface obviously with Phil WEAVER, he says that, in a statement, in that in sometime in 1982 he can't remember when, he was in a Social Studies class, he was talking, he was told to shut up on a few occasions, sitting beside him he remembers was Aaron TASKER and ah the guy [REDACTED] was nearby as well. Um, now they're also saying that you had in the class was an arrow with a tennis ball

BENSON-POPE Mm

INGLIS on the end of it

BENSON-POPE that's right

INGLIS is that correct

BENSON-POPE Yeah

INGLIS Okay, and that was used for getting the pupils' attention

BENSON-POPE It was.

INGLIS Okay, how was that used, just

BENSON-POPE For tapping on the board, on the desk

INGLIS Mm

BENSON-POPE Um I gently touched people on the head with it, certainly not hit them, that's the other thing

INGLIS Yep

BENSON-POPE that's the only thing

INGLIS Yep, okay ah and, obviously the arrow had been stuck through the centre of the tennis ball

BENSON-POPE Yeah

INGLIS is that right

BENSON-POPE Yeah

INGLIS he's saying that um because he wouldn't shut up, um, that he had the tennis ball put in his mouth, and that it was only in there for a short time but he took it out and threw it on the floor, do you remember that happening

BENSON-POPE No, no, I've got no recollection of any such event, and what I would say is that I have never, I don't believe I have ever treated a student inappropriately, or maliciously

INGLIS Mm hm

BENSON-POPE or used forced on a student.

INGLIS Okay. He goes on to say, um, that initially it started as a bit of a joke he thought, the, the first incident, but then the tennis ball was put back in his mouth and he had his hands um, demonstrating at the moment, my hands flat on the, on the table in front of us, um at the end just like, sort of like that, and then taped around with duct tape, each hand

BENSON-POPE Well, well I have no recollection of any, any event of that kind, and frankly um I've been puzzled by this duct tape references being made before

INGLIS its, its, they

BENSON-POPE Well I just think that that language pre, post dates

INGLIS Yeah

BENSON-POPE then ... I mean its irrelevant because, I have never treated student in a malicious way or assaulted a student in that sort of assault and I, I've, I haven't been there

INGLIS Right

BENSON-POPE nor do I believe that, that the body of information you've got from the students in that class and in the school at the time and prior and subsequently

INGLIS Mm hm

BENSON-POPE ah demonstrates exactly the opposite in terms of my relationship with students

INGLIS Yeah, I'll, I'll come to that shortly. Just so we finish the allegation what he said, he said he was left like that till the end of class, are you aware, um and the timeframe could have been anywhere from 10 to sort of 30 minutes

BENSON-POPE Well let me say, that if such an event had occurred, it would have been known around the school with parents and student in that class and staff next door, within minutes

INGLIS Mm hm

BENSON-POPE You know there would have been official complaints at the time 23 years ago if I or any other teacher had behaved in that way

INGLIS Okay

BENSON-POPE and its just totally implausible

INGLIS How would have that complaint come out do you think

BENSON-POPE Well I mentioned earlier the system we had where we had two deans

INGLIS Yeah

BENSON-POPE ah at every level, guidance counsellors in the school

INGLIS Mm

BENSON-POPE there is no way in a school that was um larger than it is or

INGLIS Mm

- BENSON-POPE about the size it is now, much smaller than a lot of schools in some towns where you know you do get a bit of impersonalness, um there is no way that if an assault of that kind had been committed that other students and staff and parents wouldn't have been talking about it within hours
- HAIGH Can I just interpose here for one second
- INGLIS Yeah
- HAIGH Was there a system whereby students were able to take complaints
- BENSON-POPE Absolutely, absolutely
- HAIGH Could you describe that
- BENSON-POPE partly because of the nature of the co-ed school we set, we set up a structure that I was talking about where we had the two deans who were the first port of call
- INGLIS Mm
- BENSON-POPE both for discipline and pastoral work and because of the potential conflict in those roles
- INGLIS Mm.
- BENSON-POPE um the guidance counsellor is the back up. I mean there are plenty of occasions where when we had our regular meetings, normally on a weekly basis, ah all the deans with the guidance counsellor, there was a man and woman involved in various ways there also, um that any feed, we often got feedback from um around issues that we had been unaware of where someone had gone
- INGLIS Mm
- BENSON-POPE through the system to always potentially to the senior administrative staff but the guidance counsellor was, I guess the point of refuge where people knew there was confidentiality and
- INGLIS Mm
- BENSON-POPE and were able to approach, so, I mean there were systems that would encourage students, there were senior students um, not as highly developed systems as

we have these days ah with the vertical um groupings that we run in schools, but senior students who would have um also reported publicly if any behaviour of that kind had happened

INGLIS

Mm hm, um, also, in relation to that we, we've interviewed as I've said the 29 in the class, ah to date we've spoken to 27, one we can't locate and one we haven't been able to contact in Australia, but will speak to but, of the 27, 9 of the class remember the incident, ah 15 don't remember it at all and 2 rebut it as happening

BENSON-POPE

Well I mean I can't, I can't comment on what they are saying because I don't know what the incident is its been described to them, what I'm saying is I have no recollection of any such incident, and I have never treated a child maliciously

INGLIS

No

BENSON-POPE

or assaulted a student

INGLIS

Obviously in 82 discipline is different to 2005

BENSON-POPE

Yeah, yes it is um, but ah the sort of activity that I'm being accused of, of forcing a tennis ball into someone's mouth would be as unacceptable then as it is now and I was not, I have never committed such an offence.

INGLIS

Okay, um he was not a boy that you had to discipline do you remember through the rest of the school years or

BENSON-POPE

Well, I, he, I do believe I had to discipline him and others in the bullying around [REDACTED] and um, not [REDACTED] ah

INGLIS

[REDACTED]

BENSON-POPE

[REDACTED] and ah, and um young [REDACTED], um, my frustration in not having that punishment book is that I suspect um I ah caned [REDACTED] for hanging [REDACTED] out of a first floor window

INGLIS

Yeah, I don't th, um I'm only going on memory I'd have to reread the statements, he was present but I don't think, I think [REDACTED] said he did that

BENSON-POPE

Well I, I don't know

INGLIS Yeah

BENSON-POPE that's why I'd like to see the book, um

INGLIS Yeah

BENSON-POPE but that, that was a group where we've got the two victims now talking about the quite outrageous

HAIGH It's a long time ago of course

INGLIS It is a long time ago

HAIGH memory

INGLIS um and obviously yeah some have

BENSON-POPE but there's, there's no doubt from the statements, the letters that I've forwarded to you from um [REDACTED] [REDACTED] and ah [REDACTED]

INGLIS Mm

BENSON-POPE um about the treatment they received at the hands of a group of bullies um at the time

INGLIS The prob, yeah, the problem they were there but they were not in that particularly ah 4G at the time were they

BENSON-POPE No but that's not what you asked me about

INGLIS Yeah

BENSON-POPE you asked me

INGLIS Yeah

BENSON-POPE if I had to discipline around other issues around the school

INGLIS Yeah, oh definitely yes

BENSON-POPE and I certainly did

INGLIS Okay. Um, so as far as you're, you're concerned the incident didn't occur

BENSON-POPE Correct

INGLIS and there was no taping or tennis ball in the mouth

BENSON-POPE Correct

INGLIS Okay. Um, just we'll move on then

HAIGH Can I just ask on that thing

INGLIS Certainly yeah

HAIGH I don't want to interfere at all, but, was there any, you said you were a zany sort of teacher etc, was there ever, ever any sort of zany incidents in the classroom

BENSON-POPE Oh I, I enjoyed myself, I loved teaching right through my career, and um, it was one of the, my enjoyment was sort of infectious with students, um, one of the kids who has written to me tells me that I taped my fingers together at one stage to encourage myself to stop smoking

INGLIS Mm

BENSON-POPE for example. I'm not saying I didn't do things that were a bit unusual

INGLIS I, I believe in what I've heard is, there was always good music playing when before the class started, um people said that, and occasionally notes would be lowered down to the teacher below, things like that, would that be

BENSON-POPE out the window yes

INGLIS Yeah, which were seen as quite amusing

BENSON-POPE Well I mean both in the classroom and in the outdoor education environment ah I, I enjoyed life and I wanted to make sure my students did too

INGLIS Mm

BENSON-POPE I think that um enthusiasm ah, which may have been quietened a bit by time in my current occupation, but it still prevails, I really enjoyed my work and I tried hard to make sure my classes did too

INGLIS Yeah

BENSON-POPE and, and I repeat I do not believe I've ever behaved maliciously towards a student

- INGLIS Okay. We'll move onto the um other allegation at this stage is um the one that's come through from [REDACTED] [REDACTED] who we've, we've spoken to, he's stated um that on the 4th form camp of that same year 1982 which was down in Tautuku
- BENSON-POPE Mm hm
- INGLIS and from what I gather it was sort of, they were held at the end of winter or autumn, it was sort of either
- BENSON-POPE Um, I, I can't, these are very early days
- INGLIS Yeah
- BENSON-POPE in the outdoor education programmes. We moved to a different regime shortly after this stage but 82 was already a time where we, we'd had some major, a major shake up in how we staffed, how much adult presence we had
- INGLIS Mm
- BENSON-POPE and how we ran the programmes, perhaps I need to give you some background. Um, in 75 when I first became involved, my first year in the school with the outdoor education programme, the camp was only partially build, do you know the facilities at Tautuku
- INGLIS I do know yeah
- BENSON-POPE At that stage we had the A block dormitory, the first two dormitories you see
- INGLIS Yeah
- BENSON-POPE and the house that is now, was [REDACTED] house
- INGLIS Mm hm
- BENSON-POPE um was the kitchen. We started using the place from that time, ah Bayfield was one of the schools it was one of the nine schools that were the contributors to the building. I subsequently became the President of the Youth Adventure Trust that built the facilities
- INGLIS Mm
- BENSON-POPE I was the President I think for a couple of terms later on. Um, we did, we, we, we inherited I guess a school camp

regime which was only for 4th formers at that stage, ah where the norm sort of the norm was bad behaviour, bad group behaviour, food fights at meal times and so on

INGLIS

Mm

BENSON-POPE

A lot of us, ah [REDACTED], [REDACTED] notably, current staff members at the time, long term staff members, ah decided that, that it was neither productive nor useful

INGLIS

Mm

BENSON-POPE

ah and um developed a much more challenging education, outdoor pursuits type programme which we also extended to the 3rd form. [REDACTED] who was the [REDACTED] at the time was also intimately involved, and also went um with some resistance from the senior staff in the school, went to a regime of much greater staffing for safety reasons

INGLIS

Mm hm, hm

BENSON-POPE

smaller group numbers, um the sort of ah staff student ratios or, or adult student ratios that are the norm now

INGLIS

Mm

BENSON-POPE

I know there's a letter in the documents I've given you from [REDACTED] whose [REDACTED] at the College of Education here, who refers to the sort of regime we were running as pretty much state of the art now

INGLIS

Mm hm

BENSON-POPE

um and so because we were ah we had a lot more parents there, um, we had a lot more challenging ah outdoor pursuits, we got had a lot of staff trained in kayaking, rope skills and so on, we had a ah pretty powerful imperative to make sure the kids and staff members weren't kept awake by bad behaviour at night.

INGLIS

Right

BENSON-POPE

and so we ran a regime where people were isolated if they were being disruptive

INGLIS

Mm

- BENSON-POPE because everyone needed a sleep, I mean because what it came down to was if I'm responsible for the life of a young person or their safety in the outdoors I actually want a bit of sleep most of the time as well
- INGLIS Mm hm
- BENSON-POPE whether its in a kayak in quite a hostile physical environment
- INGLIS Mm
- BENSON-POPE as you know at the bottom of the South Island or if I've got someone hanging off my safety rope when they're abseiling
- INGLIS Mm
- BENSON-POPE I want them to have slept, um, so they can do what they're asked to when they are asked to and I want to know that I can concentrate on the job, so we didn't um put up with nonsense um and we had the staff resources to make sure that um we had really good successful activities.
- INGLIS So, as I understand it like the discipline on the camps would be obviously if they weren't sleeping, standing outside in the hallway.
- BENSON-POPE Bit of a mixture, um, in the hallway, on one of the covered verandahs would be the next step
- INGLIS Yeah
- BENSON-POPE just isolating people
- INGLIS Yeah
- BENSON-POPE appropriately um, you know you wouldn't want to be on, on the basis of keeping people safe you're not going to put people at risk
- INGLIS Yeah
- BENSON-POPE but if kids are deliberately disturbing others in the dorm, often who want to sleep
- INGLIS Mm hm

BENSON-POPE ah then you'd isolate them, if a whole dorm was performing, because that was sort of the tariff sometimes

INGLIS Yeah

BENSON-POPE what you mean you've been to Tautuku and you didn't have to stand outside

INGLIS Yeah

BENSON-POPE what sort of wimps are ya, you know

INGLIS So if they were all naughty they got to stand outside in their night, night attire till they were

BENSON-POPE Yeah, but always with lots of staff present

INGLIS Yeah

BENSON-POPE and always, you know well we didn't, teachers don't do things in an isolated way without protection

INGLIS No, okay. Um, so, he's, um, [REDACTED] has stated that he was in a, in a dorm or a sort of bunk room with a, a [REDACTED] who we've spoken about

BENSON-POPE Mm hm

INGLIS a [REDACTED] whose now deceased, and a [REDACTED] and himself were in there, and they certainly weren't going to sleep on this one particular night, and after warnings to be, to be quiet you made them come out into the hallway, do you remember that at all

BENSON-POPE No

INGLIS Okay.

BENSON-POPE The only, the only context in which I would physically um touch a student

INGLIS Mm

BENSON-POPE would be you know like a situation in a kayak for example

INGLIS Mm

- BENSON-POPE but in this sort of situation in a camp um, the only, or at school, the only scenario I can imagine where I would touch students would be to physically separate them
- INGLIS Right
- BENSON-POPE um in a fight, which does happen
- INGLIS Yep
- BENSON-POPE and ah in that circumstance you know people um can um I dunno, get hit, but I've certainly never struck a student in that sense
- INGLIS Okay, he, he says that, repeating from his statement really that, while in the corridor on one side of the corridor was um ah [REDACTED] and the three other pupils were sort of standing opposite him and you were sort of in the middle and he was closest to you. He says that [REDACTED] was trying to explain to you what was going on in the bunkroom, he thought he was, um [REDACTED] was getting the others into trouble, ah [REDACTED] says he kept interrupting [REDACTED] as he spoke and on several occasions you told him to shut up and be quiet. Um [REDACTED] says he wasn't that sort of person and he did keep interrupting and talking, and then he said that you gave him a back hander ah to the face which hit him on the nose.
- BENSON-POPE Well, I've got no recollection of anything like that, and if an event like that had happened then he would have gone and complained straight away to the other staff
- INGLIS Mm
- BENSON-POPE and parents who were there. I just don't find that credible.
- INGLIS He said that it made them, certainly made them quiet and go back to bed, and sleep
- BENSON-POPE I, I just can't comment
- INGLIS Yeah
- BENSON-POPE this is the first time I've heard this
- INGLIS Right

BENSON-POPE um, I've certainly got no recollection of it and as I say I don't believe I've ever treated a student inappropriately

INGLIS He also said a staff memb, member, Mr [REDACTED]
[REDACTED]

BENSON-POPE [REDACTED] or [REDACTED]

INGLIS Yeah [REDACTED] I think it is something, similar

BENSON-POPE Oh true

INGLIS was present um when that incident occurred. Um, just so you are aware I've spoken to ah [REDACTED], [REDACTED] obviously dead, [REDACTED] and Mr [REDACTED]

BENSON-POPE Well that

HAIGH Hang on, just wait and see what they say

INGLIS Ah [REDACTED] says the incident did not occur, [REDACTED] [REDACTED] reluctantly um does remember the incident occurring, remembers [REDACTED] being hit, ah and [REDACTED] says he wasn't there

BENSON-POPE Well I mean, I'm saying I have no recollection of any such incident and as far as I'm concerned it didn't happen

INGLIS Mr [REDACTED] does recall

BENSON-POPE Well hang on, can we just, can we just clear this

INGLIS Yeah, yeah

BENSON-POPE that, there were two staff members and I don't know who was on the staff at that time, was it [REDACTED] or [REDACTED].

INGLIS Well I'll just correct my pronunciation

BENSON-POPE Yeah I just don't know

HAIGH This is the first time you've heard the allegation

BENSON-POPE Absolutely

HAIGH do you want to discuss it with me before we press on at all

BENSON-POPE Well if you think I should

HAIGH Well I just think we should run over it because its important, and um

INGLIS I'll, I'll identify the teacher for you, [REDACTED]

BENSON-POPE [REDACTED] yeah, mm

INGLIS Yeah

BENSON-POPE Yeah, no, I just didn't know if the other guy was there, and so I thought it was

INGLIS The other guy was [REDACTED] I think, Mr [REDACTED]

BENSON-POPE Yeah. And Mr, Mr [REDACTED] says it didn't occur

INGLIS He says he wasn't there

BENSON-POPE and the students say he was there

INGLIS Um [REDACTED] tells me he was there and he tells me and I haven't clarified this, as yet, he says that Duncan GARDNER told him that Mr [REDACTED] says he was there but that's only hearsay

HAIGH [REDACTED] or [REDACTED]

BENSON-POPE [REDACTED]

INGLIS [REDACTED]

HAIGH So I'll just get the names, [REDACTED] the, the person who, the complainant from

INGLIS Yeah

HAIGH and what's, what's [REDACTED] first name

INGLIS Um [REDACTED] who's deceased

HAIGH Yeah

INGLIS [REDACTED]

HAIGH Yeah.

INGLIS who was present in the bunk room and has said he does, certainly doesn't remember that incident ever occurring

HAIGH Yeah, and [REDACTED]

INGLIS [REDACTED] who does remember it occurring

HAIGH In the same detail

INGLIS Um, ah, [REDACTED] alleges he had a bleeding nose from it, [REDACTED] does not remember that occurring

HAIGH and [REDACTED] says he wasn't there

INGLIS Yeah. [REDACTED] does go on to say however that he remembers an incident being discussed but does not know what, doesn't remember what that incident was

HAIGH Um, can you just give us a couple of minutes

INGLIS Yeah um, look, its um 20 past 1, we'll just stop the tapes there so you can talk

HAIGH We'll only need four or five minutes

INGLIS Yep

HAIGH if its alright. Because it's the first time I've heard it as well.

BENSON-POPE It's the first time I've heard it as well.

13:31:14 Tape stopped.

13:34:53 Interview recommenced.

INGLIS Just restarted the tape, check they're recording, which they are and just restate the time now, its um, I'll put my glasses on, so its approximately ah 1.25

HAIGH Yep

INGLIS Okay, so just restarted the tapes. Now we were just talking about that allegation, we had a slight break so you could discuss it, ah with your lawyer, as it's the first time you've heard of it

- BENSON-POPE Well it's the first time I've heard of it and my comments I guess is simply, I spent 24 years teaching, controlling kids who were difficult or unruly or whatever, ah and I didn't resort to hitting them, and it is just not part of my nature
- INGLIS Okay, so, in relation to that incident saying it wouldn't have happened
- BENSON-POPE It wouldn't have happened
- INGLIS Okay
- BENSON-POPE Well you know, there is no future for a secondary school teacher who, who is aggressive and violent towards the pupils
- INGLIS Mm hm
- BENSON-POPE um and I'm, and I explained at length the regime we had with much higher staffing levels than have previously been the case the, the camps were full of staff members and adults um almost all the adults were parents, we often had as many as six or eight parents in addition to staff. If someone um had been assaulted um people would have known.
- HAIGH Is the allegation that this was deliberate, because in these sort of tight situations
- INGLIS Yeah
- HAIGH presumably people would
- INGLIS Yeah the allegation is a deliberate hit to the face
- BENSON-POPE Well, I'm sorry, its not true
- INGLIS Okay. If, I'm not saying it did happen, if an allegation like that did surface, how would it have been dealt with within the school environment
- BENSON-POPE Oh if something had come ah if something had been complained of like that either in a camp or um whatever the environment
- INGLIS Mm
- BENSON-POPE school swimming sports or any school activity, it would have been taken to the um senior administration and

been dealt with by the principal's determination, probably by the board

INGLIS Okay, did they have a sort of board disciplinary

BENSON-POPE um

INGLIS group then or

BENSON-POPE well I'm not a, its not something a staff member would know whether it ever happened unless they were involved themselves

INGLIS Mm

BENSON-POPE I mean procedures would be determined on a case by case basis now, um, such matters would be ah dealt with by the principal jointly with the school board, they might or might not depending on their own decision have a disciplinary committee. Most ah school disciplinary board disciplinary committees of course are for disciplining stu, excluded students, but if there were a complaint against a staff member that would be treated very seriously and dealt with very seriously.

INGLIS and

HAIGH Were there parents there on this trip as well

INGLIS I believe there were parents

BENSON-POPE Yes

INGLIS but we cannot identify who the parents were, there doesn't appear to be any independent lists

HAIGH Were this youth's parents there, or parent there

INGLIS No, no

HAIGH Were there any there that he knew that he might have been able to

INGLIS No

HAIGH You don't know

INGLIS he can't remember

- BENSON-POPE Well, but it comes back to the, the credibility of this sort of stuff, 23 years on, if this young man felt he'd been assaulted by me, then why would he not have complained to his parents or the school either then or immediately on his return to school, in which case the matter could have been investigated.
- INGLIS It has been said in the interviews that you didn't say anything in those days in 82 because you would get into more trouble, at home, um if you, if you said you'd been got into trouble at school
- BENSON-POPE I don't believe that for a moment. I don't believe that for a moment, nor do I believe the regime in the school was, was at all like that.
- INGLIS Right
- BENSON-POPE The only thing that disappoints me in all of this was that um the sort of extent of some of the bullying that went on
- INGLIS Mm
- BENSON-POPE that we read about in some of these documents, happened
- INGLIS Mm
- BENSON-POPE I think it is sad that the staff didn't know more about that
- INGLIS But there, there was certainly an element of bullying ah in the school, in that, in those early 80s. Um, do you, obviously at the camp, most of the staff would have been involved in discipline issues
- BENSON-POPE All the staff, oh well, what are discipline issues, in keeping students under
- INGLIS Mm
- BENSON-POPE behaving appropriately.
- INGLIS Yes
- BENSON-POPE All the staff and all the parents one way or another would be involved, and as would senior students, no senior students at this time but later we had quite an extensive involvement of senior students um, with the 4th formers as well

- INGLIS Mm hm. Um, really that's the two major incidents that, that have come, been reported to us, um, and as I said we've spoken to all of that class and um the four people who may have witnessed the, the incident, um sorry the three people at the moment this incident at Tautuku and all the staff from the school to see if they were at that school camp or remembered any of those incidents, and none of the staff certainly remember any incident at camp.
- BENSON-POPE Well, and I'm pleased to hear that um and, and let me add that in 24 years teaching ah, I haven't calculated the thousands of students I took safely
- INGLIS Mm
- BENSON-POPE into the outdoors and brought back
- INGLIS Mm
- BENSON-POPE but I am not aware of any complaint that ever progressed past an initial, he wasn't fair to me sort of analysis, and I know one of the later deputy principals, um I've passed the document to you, who said that there were occasions where students claimed I was picking on them, ah and when he examined those complaints he found out um that in fact that I was applying consistently to them rules that I applied to everyone else
- INGLIS Mm
- BENSON-POPE and I'm not saying that I wasn't a firm teacher, um, but I pride myself on being professional at all times, and being fair. And I think um I have a right to be proud of a successful if not distinguished teaching career if you believe what a lot
- INGLIS Yeah
- BENSON-POPE a lot of what my former pupils say, um, that unfortunately has been sallied by these accusations
- HAIGH This camp incident, incident, wasn't there originally an allegation that ah, David BENSON-POPE was breaking up a fight or something
- INGLIS Mm not that I'm
- HAIGH was it always been this consistent

INGLIS this consistent

HAIGH allegation

INGLIS yeah, that's come to us

HAIGH ...

INGLIS um, as it, there is no doubting as what you've said it's a very common theme throughout the statements I took that you were firm but fair. Um, ah, ah, with your dealings with most pupils. Um they're the, they're the two incidents and I don't see the point of going over them or rehashing what we've said, we've pretty well covered it, but is there anything you would like to add in relation to these allegations or anything in particular

BENSON-POPE Um I don't think so, I, I, I um, as I said earlier I think um I have a very clear view myself that this is highly politically charged, that, that Rodney HIDE has been working with one or two of these individuals who for reasons I don't understand have a grudge

INGLIS Mm hm

BENSON-POPE not unusual for someone whose taught so many students over such a long period to have someone whose offside

INGLIS Right

BENSON-POPE um, I ah, I think the way it was revealed in the media and Parliament in a beautifully orchestrated way reinforces that reality

INGLIS Mm hm

BENSON-POPE ah the fact that ah both the National Party and ACT ah used this to try and discredit ah, a Cabinet Min, a Government Cabinet Minister, people can draw their own conclusions about

INGLIS Mm hm

BENSON-POPE and I repeat that um I'm proud of my teaching record and the, the success of that or the support I've had from students or staff is, pretty powerfully demonstrated even though I have to say it myself

INGLIS Mm

BENSON-POPE um in some of those letters that you have

INGLIS Yep, no definitely. Um

BENSON-POPE While, can I add, um that the sort of accusations that are being made do not fit with the character you are seeing described in those files.

INGLIS Right. You don't know this [REDACTED] who started this

BENSON-POPE No, I certainly know the name, but um

HAIGH Is he in any of the photographs

INGLIS No

BENSON-POPE Photo of

INGLIS No I haven't got a photo of him

BENSON-POPE Is there a photo in that year book, where is it

INGLIS No they don't have class photos. And the photos for year ah, those years are actually missing

BENSON-POPE Well, well I mean, [REDACTED] obviously um I'm not [REDACTED] favourite person. I do not know why.

INGLIS Okay

HAIGH You don't even recall him you said

BENSON-POPE I don't recall him, um, I don't know if I taught him. I certainly recognise the name.

INGLIS Mm

BENSON-POPE Um, and other than having the, the other punishment book that we don't have I don't know if I was ever involved in disciplining him in any way, so I'm afraid it's a mystery to me why ah, why he has it in for me.

INGLIS Just for the advantage of the tape, there was a point we've covered quite a bit and I think we should explain it. You've referred to correspondence um, that's come in and that I've seen. Just for the tape, these are letters of support ah from former pupils and former teachers at the

school who have written to you um supporting you as a teacher and, and in your career now um

- HAIGH They're unsolicited
- INGLIS Unsolicited
- BENSON-POPE Ah almost all unsolicited, ah they started flowing in immediately these allegations were made um, the two students who, whose help I've most greatly appreciated were unsolicited and that was [REDACTED] and ah and [REDACTED] and subsequently [REDACTED] [REDACTED] whose overseas. As part of all of this ah I have been alerted to an extraordinary ah set of media inquiries internationally.
-
- INGLIS Yeah
- BENSON-POPE um that pre-dated um, that pre-dated the revelations so to speak, accusations, um, where people commonly respond once I said you were a good teacher and this was all nonsense and the media no longer had any interest
- INGLIS Mm hm
- BENSON-POPE and the other documents that I would like to refer to are the ah independent ones that ah appeared on the Old Friends website
- INGLIS Yeah
- BENSON-POPE that I also copied to you
- INGLIS Yep
- BENSON-POPE um we didn't know about the existence of that site, ah which is a high school
- INGLIS Yeah
- HAIGH Yeah
- INGLIS Yeah
- BENSON-POPE chat site until someone, um another staff member in the Beehive drew our attention to it, and ah anyone reading those um would see that the completely unsolicited sort of out in cyberspace discussion about all of this um doesn't just exonerate me from any of the um

accusations that are levelled at me but in fact ah, um compliments as a highly respected and highly liked teacher.

INGLIS So that was just basically to explain to the tape

BENSON-POPE Yep

INGLIS what those documents were um and where they had come from so, we had discussed them a bit. So is there anything else you would like to add in relation to what we've discussed here

HAIGH Oh you've covered everything

BENSON-POPE I think we've covered most things

INGLIS Okay. Now I've got to offer it, do you want to hear what we've said, do you want it replayed

HAIGH No

BENSON-POPE No

INGLIS You're happy with that.

BENSON-POPE Yeah

INGLIS That's great. Ah I'll stop the tapes now um and we'll just note the time at 25 to 2. Are you happy with that.

BENSON-POPE 1.36

HAIGH Yeah

INGLIS Okay, so I'm just stopping the tapes now.

13:46:05 Tape end.