

# Victim Impact Statement

Aug 1

**WINGS Note:** This Victim Impact Statement was submitted to the New Zealand Court, as part of the standard judicial process. It is published by WINGS with the permission of the victim who wrote the statement.

It illustrates the devastating long-term impact of CSA.

A report on the case is available at <https://wingsfortruth.info/2023/05/12/eric-walter-smith-nelson-new-zealand-convicted-of-12-child-abuse-charges/>

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## Details

I am a 36-year-old full time student and mother of 3. I live with my partner and children. I am Eric Smith's niece by marriage.

## Financial costs

To manage the affects the abuse had on my life I have spent the last 8 years in counselling. I have modestly estimated the cost of this at \$37,000.00 and \$4,500.00 in petrol costs directly related to travel for this.

Before giving my statement to the police I was working for the head office of a national franchise, Baby On The Move for 20-30 hours per week earning \$18.00 per hour while studying. This was the head office of a national franchise. At 20 hours per week I was earning around \$300.00 per week after tax. Within a few months I lost my job because of my inability to focus on my work. This was devastating for me and has impacted on my confidence in my employability.

The abuse had a profound impact on my education. Up until the offender was married into my family my average grade was an A. After the abuse started I began failing at school and became incapable of even attending. I cannot even begin to calculate the financial cost of 15 years' experience and earnings in a chosen career or the financial benefits of having an established reputation when re-entering the workforce after having children.

## **I have chosen for this section to address the offender directly as follows:**

I have sat down to write this statement so many times and been overwhelmed by the enormity of it. I have struggled to find the courage to put into words the scars you left me with. Since the trial these scars are once again open wounds that will take time to heal and

I feel incredibly vulnerable sharing them with you as you do not deserve to know what is reserved only for those I trust and who respect me.

I also struggle with the word victim as I don't identify as one. In those moments where you touched me I was a victim but I have not been since because although I did not choose to be a victim I have chosen not to remain one.

This statement has been one of the hardest thing I have had to do. In writing it I have been forced to reflect on the impacts you have had on my life where before I was too busy living with them.

I wish today I could say I feel the way I did when I was 10, before you impacted my life. I wish I again felt ready for and capable of anything. I wish I felt excited about challenges and could grab every opportunity, but I can't, you took that away from me and although I have fought so hard to get it back. Even now 21 years since you last touched me, I am forced to acknowledge the devastating reality that I may never be free from the limiting impact you have had on me. The social, psychological, academic and financial impacts have been immense. It sounds so cliché to say you stole my innocence but yes, you did. You stole the innocent belief my home was safe, the innocent belief that people are inherently good, and my ability to innocently explore intimate relationships based on my emotional maturity. But you stole so much more, you stole my education and you stole my ability to make friends, as it is difficult make friends when you feel so different, so damaged and so exposed.

At the time, you came into my life I had a strong faith in god. For years I struggle to understand what I had done wrong and I tried to ask god for forgiveness daily without the language to do so. I felt abandoned by god and spent years believing I would go to hell. You stole not only my faith but also my belief in god. Although I am now comfortable with my spiritual beliefs, throughout my teenage years and as a young adult this was terrifying and incredibly painful.

You stole my dreams for the future. I dreamed of being a marine biologist taking classes in school and planned to further that study in Palmerston north. That dream is forever gone because you stole my self-worth and my belief in myself. You stole my ability to focus and function both at school and in my own home.

For 5 years you systematically traumatized, hurt, devalued and objectified me for your own delusional gratification but it wasn't over when you stopped molesting me, for years you stalked me, visiting regularly and causing me anxiety and fear in my own home and place of work. But still you hadn't taken enough from me, you chose to cause even more hurt and fear by grooming my daughter, partner and even me your previous victim so you could seek that same gratification from my daughter. The intense terror I felt and the guilt of being incapable of protecting my own daughter from a calculated sexual predator impacted heavily on my mental health resulting in the Mobile Community Team involvement and needing to be heavily medicated to be able to function.

Because of your actions I have fought depression, anxiety, self-harming and suicidal thoughts. I have had times where I could not walk into the kitchen to feed my children without having to fight the urge to cut or burn myself as I felt I needed to physically see the pain to understand the intensity of my internal pain. As a teen I fought unhealthy obsessions, brushing my teeth so often I removed the enamel from them and I washed my hands so often they would be raw and painful, but still I felt dirty.

Still today I drive down to the shops and come home without getting out of my car because I lose the courage to be away from my home and the fear of seeing you takes over. Too many times you have driven past me to carry on with your day while I go home incapable of functioning. My children, partners and family have at times been heavily burdened by my trauma.

I still have disturbing flashbacks impact on my ability to be intimate with my partner. With them comes body trauma. I experience uncontrollable trembling and muscle tension that leaves me physically aching and emotionally and mentally disoriented the following day. I also experience abdominal pain that triggers panic attacks causing me to black out.

I should feel relief now with you remanded in custody. I should no longer be constantly checking out the window for your truck driving past or to experience heightened anxiety when I leave my home in fear of seeing you, but I do, because of you it is a way of function now. This has been heightened further since the trial because you have lied to your friends and family about the court proceedings. You deceived them with your continued denial into feeling confident of your acquittal. This caused them to be shocked, hurt and angry at the verdict. Since then myself and my family have been confronted with anger, intimidation and threats from your supporters through social media, phone calls and texts. I once again fear answering the phone or leaving my home and experience anxiety daily while my children are at school because I fear someone will hurt them. I hope to one day look back on this experience as empowering but for now it has been retraumatizing and has caused depression and intense anxiety. I have had to withdraw from my classes this semester as I once again lack the ability to focus and retain information. My children are struggling to cope with my angry outbursts, long periods of tears and having to wait for my partner to get home from work before I cook tea as I once again fight the urge to self-harm.

It has taken constant effort and incredible strength to get to where I am today but it is still crippling to have to accept that I will never be free from the impacts you have had on my life. In saying this your actions do not define me. Today I have nearly completed a business degree, although it has taken many years I am close to reclaiming my education. Today after years of your total disregard of my wishes, you can no longer drive past my house. Although I sometimes don't feel it, I have reclaimed my home as my safe place.

I will always carry the emotional scars from what you did to me but every day I get better at seeing them as a sign of strength. In writing this statement I have had to reflect on who I could have been had my childhood been different. I have also chosen to reflect on who I wouldn't have been. Because despite the devastation your actions have caused I must also acknowledge what I have gained. If I am to hold you responsible for the bad I also need to

acknowledge your part in the good. I would not have developed the incredible strength I have today nor the resilience that enables me to manage life's difficulties. I wouldn't have gained the depth of compassion and empathy and I wouldn't have the strong intuition and ability to read people that I have developed.

The effects of your offending are far reaching. The pain you have put both your own and my family through is immeasurable. To protect my children, I had to disclose the abuse to my family. I have watched their hearts break because of what you did. I have carried the weight of this ever since and today I would like you to take the responsibility for that back. My siblings feel as though they have had their childhood stolen and feel guilty when they look back on fond memories as they now know I was living in hell at the time. This has caused them to feel that their happy childhood was a lie. My parents struggle with the immense, misplaced guilt because it was their job to protect me. Mum no longer laughs and dad lives in constant torment. Through your actions I have lost my Aunt, Uncles and cousins. Our family has been torn apart with no one knowing if or how those pieces will fit back together.

To hear I was not your only victim absolutely crushed me and I feel responsible because of my silence. For years I believed that what you did was my fault, that I had somehow made this happen. But seeing you grooming children and their families and hearing of others you have impacted I have felt incredible guilt and shame because I did not have the courage to stop you so I continued to keep your secret.

It took incredible strength to face my biggest fears and stand in a courtroom to share intimate details with complete strangers of a life filled with the shame I've carried for you. You have cost hard working New Zealanders thousands of dollars through 2 trials and there have been many people throughout this process, as part of their job or duty to society who have experienced my pain and will carry that experience with them. All because you lack the comprehension and courage to accept responsibility for what you have done. These people make our homes and communities safe from people like you who fail to see the value in children and I will forever be grateful to them for their part in this process.

This process has had a devastating impact on both our families. My relationship with my children and partner have suffered because I made the painful decision to do the right thing and although our families will struggle to recover from the choice I made to break my silence, I know that my actions also lead to our community being safer for children.

If you had any decency in you at all you would be honest to your family. It disgusts me that you forced me into a position where incredible strength was required just to survive and yet you are so cowardly to acknowledge your wrongs and be truthful to your family. You have brought shame on your family and caused them incredible pain. They feel let down by our justice system because of your continued denial. You have not considered them throughout this process, thinking only of yourself.

All I have ever asked from you in return for all you have taken from me was that you stay away from me and my children and complete the STOP program. If you had done this we

would not be here now. Today I give you back what is yours, all the shame, all the guilt and all the fault, it was never mine to carry and I have carried it far too long. I genuinely hope that through reflection and personal growth you will start to heal and find closure for your own childhood traumas that has created this illness. I hand the responsibility of keeping children safe back to you. It is your responsibility to get help for and manage your illness. It is your responsibility to ensure you are safe around children