

SCHEDULE A

RESPONSE OF FORMER DILWORTH HEADMASTER MURRAY WILTON

DEFINITIONS

1. For the purposes of this notice, the following definitions have been adopted:
 - a. **Abuse** means physical, sexual, and emotional or psychological abuse and neglect.
 - b. **Dilworth School** or **the School** or **Dilworth** refers to Dilworth School.

PREAMBLE BY MURRAY WILTON HEADMASTER 1979-1997

In what follows I have given in response to the questions posed, a very full and frank account of everything I remember about the abuse cases that occurred on my watch at Dilworth. It is a very long document and I apologise for its length. However, I felt duty bound, for the sake of the genuine victims as well as all those whose lives and reputations have been damaged by the events as portrayed in various media and in Facebook exchanges, to set out clearly and fully all that occurred in those years. Everything is not as it appears in media stories and accounts reported by alleged victims. I welcome this opportunity to tell the other side of the narrative.

I am well aware of the enormous scope of the Commission's investigations and the amount that has to be read, absorbed and analysed. My hope is that those charged with reading it will be able to summarise succinctly what I have written in detail to pass on to the Commissioners. But if you are only able to read this preamble and the final section (26) you will, I believe, have a reasonably clear idea of how I feel about the whole business of abuse at Dilworth and perhaps better understand how I dealt with it, as well as how I would have dealt with it with today's knowledge and understanding of the issues.

In what follows I wish to give a summary of my background and experience and also attempt to account for some of the unique situations that contributed to the Dilworth situation. I earnestly hope it will add to the Commission's understanding of what happened and assist the Commissioners in making their final assessments and reports. It will become apparent to you that I have a deep understanding and knowledge of Dilworth, born of a long and intimate acquaintance with the School at every level. Now, even in my later 80s I still have a clear perspective of the past at Dilworth and how it affected the future. I apologise again for my verbosity.

Outline History of Murray Thomas Wilton

Early Education Born 30th March 1936 in Christchurch, the second of five children. Family moved to Auckland in 1939, my father seeking work as a trained dental technician, and a better lifestyle for his family. In 1940 my father was called up for war service, joined the NZ Dental Corps of the NZ Army and was first used to train dental technicians in Trentham as there was a serious shortage of trained technicians and an army whose dental health was very poor. He was posted to the Pacific region in 1941 and served in the Dental Corps base on Fiji Island for the rest of the war. Apart from brief periods of furlough my father was not seen by his family for most of the war years and only survived for five years after it ended.

My first education was at Meadowbank and Remuera Primary Schools, but in 1943 my mother applied to Dilworth for me to be admitted. I was accepted and started in February 1944 at age 7. Those were very grim days. Even though the war in Europe was turning in favour of the Allies, Japan was still a very real threat for New Zealand. We had regular air raid drills, the windows of the classrooms where we did prep (homework) at night were blacked out and the main school building (the original Dilworth homestead) was sandbagged, severe rationing was in place and meals were very basic and repetitive. It was an austere climate with draconian rules and severe punishment (caning) visited upon offenders for often very trivial offences.

Bullying at Dilworth in the 1940s and 1950s. At first I hated the place. Bullying (by boys) was endemic, and it was a very difficult environment for a shy little boy entirely confused as to the reasons he was there. In retrospect I believe a lot of the bullying was learned behaviour. The masters bullied the boys into submission; the boys bullied their younger fellow-sufferers into submission of a different nature. The harsh discipline was administered by masters who followed the lead of a Victorian (literally) Headmaster whose mantra was "spare the rod and spoil the child". And yet these were men of honour and strict morality who would have shrunk at the thought of sexual abuse of their charges. They must now be turning in their graves at what their school is suffering in the minds of the public through the current media attention. Quite simply, there was not the slightest hint of misconduct on the part of our teachers and housemasters. I never saw any sign of it in my 11 years as a boarder, nor in the 8 years I served as a teacher and housemaster in the 1960s. There was plenty of sexual misconduct among the boys. Was it not always thus in the monastic environment of a large boys' boarding school where hundreds of adolescents with raging hormones are thrust together, not seeing a young female for months on end? The only females we saw regularly were elderly women who had been brought back from retirement to fill the gaps left by teachers called upon to serve their country overseas. Leave was granted only once a month, and only for a few hours on a Sunday. So females were a mystery to us. I managed to escape this sort of unwonted attention by concealing myself at times when it might occur, or by attending Bible classes run by a young House Tutor who knew that his audience were there, not to learn about Cain and Abel, or anyone else, but to escape the "press gangs" of marauding fourth formers on Saturday evenings when there was a degree of unsupervised mayhem. There was not much effort to separate out the younger from the older boys at that time.

Through a certain degree of natural resilience and a strong survival instinct, I survived the first early years, found my niche in academic and sporting success and ended my Dilworth School career in 1954 as Head Prefect, the School's first Queen Scout and winner of the trophy for the Best All-round Student.

Tertiary Education, Training and First Work. I started part-time at the University of Auckland in 1955, at the same time undergoing primary teacher training at Auckland Teachers' Training College. Graduated B.A. in 1960, M.A. (honours in French Language and Literature 1964) and Diploma in Education (1966). I taught briefly at two Auckland primary schools but decided I wanted to move into the secondary area. At the point where I was starting to look at applications during 1960, I saw an advertisement for a French teacher at Dilworth. My old French teacher had resigned. I applied, more in hope than expectation, and was awarded the position to start in 1961. I was a Housemaster and taught at Dilworth for the next 8 years.

Overseas Experience. Married to Christine (also a teacher) in 1962, we made the decision to seek overseas educational experience and moved to Canada, intending to stay for just one or two years. That turned into a much longer stay, which included positions for me at two prominent independent schools in Ontario and British Columbia and a period as a university lecturer and research associate at Simon Fraser University in Vancouver and the University of Victoria in Victoria, B.C. My wife also had a position at a girls' independent school in Victoria. Our son was born there. We had all taken out Canadian citizenship which conferred significant benefits, especially on university employees. In effect we had made the decision to make Victoria, B.C. our permanent home. By 1978 I was teaching part-time courses in linguistics and French at both Simon Fraser and the University of Victoria in Victoria where we lived. I was also the Co-Director of the Bilingual Lexicographical Research Centre at the U of Victoria and had completed a doctorate in French linguistics at Simon Fraser.

Appointment as Dilworth Headmaster. An opening occurred in 1978 for the headmastership of Dilworth, but I knew nothing about it until I was phoned in October by the Trust Board chairman, Bill Cotter asking if I might be interested. After a good deal of soul-searching and family conferences, I agreed to apply, travelled to New Zealand in January 1979, was interviewed by the full Board, along with my wife, and was offered the position. There were no other candidates. It transpired that the Chairman, who knew me well, had convinced his fellow Trustees that the School needed me as a trouble-shooter and problem-solver at this very difficult time in its history.

Early Years as Headmaster. It was a difficult start. I was unaware of what had happened with the Chaplain before I arrived at the School in August 1979. I would now describe the School in 1979 as "out of control", dominated by a hard core of extremely difficult adolescent boys who seemed intent on destroying the School. On my first visit to the chapel in January 1979 I was browsing through the printed chapel service folders and was appalled to find the pages littered with graffiti and disgusting images peppered with phallic symbols. It was a clear sign, if signals were needed, that all respect for what went on in the chapel, in fact all respect for the School in general, had evaporated. The boys were managed by a staff which numbered some very unsatisfactory teachers and Housemasters who did not possess the required skills for

leadership. The Houses were seriously undermanned, and the staff were overworked and fatigued, some of them in danger of burn-out.

During the inter-regnum, between the departure in May 1979 of Headmaster Peter Parr and my arrival in August, the Acting Headmaster was the Deputy John Burnett. He stood out from his colleagues as a very experienced educator, a strong leader of the old school variety and a man of principle. I was very fortunate to have him as my right-hand man. During the inter-regnum, with the full co-operation of the Trustees, he began removing boys who simply did not want to be at Dilworth and were making everyone's lives, including their own, a complete misery.

The process of weeding-out and replacing bad boys by good ones continued upon my return and for the next three or four years. It was a long and painful exercise, but vital to the overall health of the School and its inhabitants. Changes were also made in the teaching staff team and boarding hostel staffing levels. The Board changed their selection policies (see further on this below) and adopted the mantra "We take in good boys and make them better".

While this difficult action, effectively pushing the reset button, continued the staff and I had to confront and deal with a multitude of problems, large and small. It did not help that some of the dissident group who had been removed came back to the School to wreak further havoc from a safe distance. The night before Prizegiving 1979 they sprayed black paint graffiti on the stone walls of the chapel and the copper A-frame roof. The main message was that "NNP is still alive and well". NNP was a name they had given themselves and it stood for "Neo Nasty Party", and that's exactly what they were: nasty individuals who were bent on causing trouble. There were also bomb threats, false fire alarms, a real fire in the kitchen maliciously lit, drugs brought into the School, smoking, burglaries, shoplifting, breaking bounds, and physical assaults on present boys by skinheads.

It did not help that I and my Deputy, both living on the premises, had to field crank calls in the middle of the night, the disguised voice at the other end muttering obscenities and threats of violence against us and our families. As I had two teen-age daughters and a four-year-old son at that stage I was naturally alarmed for their safety. Our phone numbers were public knowledge because we had to be on-call 24/7. The numbers had to be monitored by police and then changed and kept confidential to just a few people.

All this was enough to make me want to catch the first flight back to Canada where we had enjoyed a peaceful and rewarding lifestyle. But I am not one to give up. I was hired to bring the School back to where it has been in its heyday (up to the 1960s) and I was determined to fulfil my commitment. The record shows, in spite of the abuse cases that have dominated everyone's thinking for the past few years, that I and my team did indeed return the School to its true status. While there are few, if any, success stories from the 1970s, the 1980s and beyond are awash with the stories of outstanding alumni as well as the exploits of the present boys. When Old Boy and former Dilworth Trustee and Chairman David Beattie was appointed Governor-General in 1981 that was a shot in the arm for Dilworth and was the signal for better days to come.

I retired in 1997, having achieved most of what I had set out to do. In retirement I was appointed Chairman of GAP Activity Projects (NZ) Ltd, a branch of the British organisation of the same name that arranges "gap years" for school leavers. It was unpaid voluntary work but very rewarding. I managed this organisation for the next ten years and built it up from exchanging 50 Kiwi and UK "Gappers" annually to 150 by the time I gave that up in 2005. At the same time I researched and wrote *The Dilworth Legacy*, the history of the first 100 years of Dilworth. In 2006 I was elected Patron of the Dilworth Old Boys Association, the highest office in the organisation. I have continued my close association with the School and the Old Boys right to the present day. In 2019 I was on the organising committee to arrange the 100th anniversary of the founding of the Dilworth Old Boys Association and at the gala dinner was awarded a "Distinguished Order of James Dilworth", an honour bestowed on numerous high-achieving Dilworth Old Boys, including posthumously to Sir David Beattie and, just weeks before his death, to the Rt Hon Mike Moore. They deserved it far more than I.

The Perfect Storm of the 1960s to 1980s

I want, now, to summarise a number of factors which I believe led to Dilworth entering in 1970 into a phase of negativity, poor performance, bad behaviour of boys and misconduct of staff. While hesitating to use the term so well-worn now for all sorts of applications, I believe there were the ingredients for a "perfect storm"

that hit Dilworth in the 1970s and 1980s. I have been led to understand that the Commission may well look upon Dilworth as a “test case” in their deliberations. With the greatest respect, I have to say that Dilworth is far from typical. It is an entirely different school from any other anywhere, and if it is a test case then it is a single example unlike any other you will be dealing with. It is not faith-based, it is a charitable trust whose sole purpose is to offer help to boys from disadvantaged families. It is not an orphanage. It is not a typical New Zealand independent boarding school based on the English Public Schools model. In the interests of brevity I have annotated the points I want to make on this topic, but I would be happy to elaborate on them, if required, in writing or in person.

The ingredients of the perfect storm

1. International influences The 1960s and 1970s were decades of international turmoil and upheaval, almost as though the inhabitants of Planet Earth were trying to re-invent everything. In the USA President Kennedy was struggling to confront the bullying tactics of the USSR, the Cuban Missile Crisis and winning the arms race, while at the same time preparing to send men to the moon. While these tumultuous events were happening there was still the serious American domestic problem of racial disharmony and student unrest to confront. It is said that when America sneezes, the rest of the world catches cold. Certainly much of what occurred there in the 1960s and 1970s spilled over into the rest of the world and on to New Zealand. The student unrest and campus disruptions of the 1960s found their equivalent actions here in our universities and schools. At Dilworth in the 1970s there were student “food riots” in the dining-room, open rebelliousness and disrespect of staff and endemic misbehaviour.

2. Abrupt changes in headship In 1966, the last of a chain of military Headmasters stretching back to the foundation in 1906 came to an end with the retirement of Brigadier John Conolly and his replacement by Peter Parr. I knew them both very well, had been a student then colleague under Conolly and a colleague with Parr. Conolly was a strict disciplinarian who ruled with a military-style iron fist, just as his predecessors had done. In contrast, Parr was a libertarian. While he did not brook unruly behaviour, he was nevertheless known for an attitude that was forward-looking, liberal and more inclusive. There was nothing wrong with this. Peter Parr was an excellent teacher who had an enviable and well justified national reputation in the teaching of mathematics. He was also a fine administrator and manager, with an “open door” policy which made students and staff alike feel confident in approaching him. It is just that the change from draconian iron-fist management to liberal inclusiveness was perhaps too abrupt for the times, and some took advantage of the new free and easy atmosphere. Among them were a few flawed characters on the teaching and residential staff.

3. Changes in Board admissions policies By the 1970s the Trust Board had altered their view on a number of provisions in the Founder’s Will. They agonised over the wording that required the parents of candidates for admission to be “persons of good character and in straitened circumstances”. Those crucial words, “good character”, had previously been interpreted as meaning that if parents were divorced they could not be of good character. That would very likely have been the view of the Founder in Victorian times, but clearly it was not how society now saw the breakdown of marriage, which was by this time a much more common event. So the Trustees sought expert legal opinion and concluded that if at least one parent was deemed to be “of good character” then that passed the litmus test. Further to that, they concluded that in the case of adopted boys, including orphans, it was the “good character” of the adoptive parents or caregivers that should be considered in making their selections.

At the same time they reviewed their interpretation of the words “straitened circumstances” to set a limit on income and assets that was much lower than they had previously used as the standard.

They also at this time introduced much less stringent testing of candidates and less dependence on the reports of schools and referees. It was their belief at that time that it was more important to look at the level of desperation in the family than the various qualities of the boy.

4. Effect of policy changes The result of the changes in Board admissions policy was that before long the School had a preponderance of boys from disrupted and often dysfunctional families. They included among them boys from divorced or separated parents; boys removed from the homes of warring parents by Social Welfare; boys being brought up by adoptive parents or grandparents; boys with disabled parents; boys with single mothers and no father or father figure; boys totally abandoned by parents; boys being brought up by an older sibling. Prior to this time the roll was made up of a blend of orphans or partial orphans, sons of widows and widowers, two-parent families where one member, or both, had a disability and was unable to make a reasonable living, and two-parent families in straitened circumstances. During

the Great Depression and the war years, large numbers of boys admitted had fathers serving overseas and in some cases the fathers were or became war casualties. (I was admitted in this category in 1944.)

Many boys admitted at this time (1970s) had serious behavioural, relationship or learning problems, sometimes all three. Some had undetected mental health problems. They had slipped through the net under the new policy of not looking closely at a boy's likely potential to benefit from a boarding school education. While the changes were introduced for the very best of reasons, the necessary infrastructure to deal with the issues was not provided. Thus there was no guidance counsellor, no resident psychological expert, no system for referring boys for specialist help, no suitable physical facilities for counselling, and a serious lack of sufficient numbers and quality in the resident staff team. Counselling was the sole preserve of the Chaplain (GRO-C-1 in the GRO-C, and later Ross Browne) with some fringe support from Housemasters and suitably qualified or experienced teaching staff. Occasionally the school doctor would be consulted and he might advise using the services of an outside psychologist or psychiatrist in serious cases.

The School was thus overloaded with problem boys and not provided with the basic requirements to deal with them. In discussions with Peter Parr after I became Headmaster in 1979, I was assured that he had done his best under the circumstances, that he had constantly lobbied the Trust Board for more in-house support and better staffing levels. But he was constantly knocked back in his requests. (All this is set out in detail in "*The Dilworth Legacy*". It is not news to those who have read it, including present and past Trustees.) There is absolutely no doubt that the Trust Board policies of the 1970s were a root cause of the problems that arose later with boys and staff, and it was freely admitted by the Trustees at the time I arrived on the scene. In their defence, it must be said that they were struggling financially and were unable to provide what they might have thought of as non-essential fringe extras. To his credit, Peter Parr reassured them with his promises to do his best to deal with issues and keep boys safe.

5. Average Dilworth student span. The record shows that of the boys admitted over this time (1970s to early 1980s), a large proportion only stayed for a very short time: 6 to 18 months on average, compared with an average span of 8 to 10 years. They were found simply to be totally unsuitable for boarding school and their parents were encouraged to withdraw them. They also tended not to have anything to do with the School after they left, and only a small number went on to notable careers. Every other decade of the School's nearly 120 years of operation is liberally sprinkled with success stories: of boys who achieved local, national and international renown in a variety of fields; of boys who became wealthy entrepreneurs; and of just plain "good and useful citizens" as the Founder's Will puts the main aim of a Dilworth education. Dilworth Trust Board chairman Bill Cotter admitted to me that in selecting boys for admission in the 1970s the Trustees had "let the heart rule the head", and in retrospect he very much regretted that policy, admirable and humanitarian though it was in many ways. But a large boarding school full of dysfunctional and vulnerable boys is almost entirely ungovernable, and this is how things became by the end of that decade. That is how I found it in August 1979, a totally changed place from the one where I had been educated and subsequently taught. My brief from the Trustees was "to empty the School if necessary" and wind back the clock to restore Dilworth to its previous reputation for excellence.

By the time of my arrival, the Trustees had done a complete *volte face* on their previous admissions policy and the result was, and is, that the best boys from large numbers of applicants are now selected. "Best" meaning best able to cope with boarding school life and with the greatest potential to benefit from it.

6. External factors affecting the 1970s and 1980s

6.1. Teacher Shortages. Those two decades were difficult times for New Zealand school administrators. There was an international serious teacher shortage, especially in the sciences and maths but also other specialist areas. Overseas countries were aggressively recruiting in New Zealand and offering attractive packages for teacher to relocate, especially to Australia and Canada, but also to Britain and the USA. Headmasters and principals were competing for a shrinking pool of available teachers and Dilworth was in a particularly vulnerable position. As an independent school, Dilworth could offer some incentives: slightly better pay and conditions, accommodation on site (in the grammar zone) in exchange for hostel duties, small classes well resources, connection with the National Provident Fund for retirement planning. But the biggest issue for Dilworth teacher recruitment was the reluctance of many teachers to break away from state teaching. If they served in a private school for any length of time they lost their state

status in terms of salary scale and service levels, as well as retirement contributions, and if they returned to state service they had to start where they left off, perhaps a decade before.

6.2 A more liberal society. So many influences from society at large came to bear in the decade of the 1970s. To mention a few: a more permissive attitude towards things that would have been frowned upon a decade earlier; calls for abortion on demand from women and reform of homosexual laws from both sexes; more liberal attitudes to censorship regarding what could be read in books or seen on television and in cinemas; wider acceptance of divorce and single mother households; greater strength and urgency applied to Maori land grievances, the Treaty and the generally depressed state of life for Maori especially in rural areas; moves to effect a more ethnically diverse society

6.3 Economic times The 1970s and early 1980s were times of very high inflation. In addition to their lessening ability to run the School and have surplus funds for future development, the Dilworth Trust Board suffered at this time from low rents from their investment properties which were mainly locked into 99-year leases with 20-year renewal terms. The Trustees were also forbidden, by their own Trust Deed, from selling any properties within a 10-mile radius of the Auckland Chief Post Office. They could not sell off land and invest in properties with better returns. The result of all this is that, by the time of my arrival at the end of the 1970s the Board reported that for the first and only time in their history they were operating in the red. It was at this time that they seriously considered integration of the School into the state system. It is no wonder, then, that the Trustees felt unable to provide everything a Headmaster asked for. In retrospect, however, they might well consider that it would have been far better to provide resources that could have protected boys from sexual or physical abuse, rather than spend money on a new uniform or books for the library.

6.4 The Homosexual Reform Bill (1986) decriminalised consensual homosexual acts between adults over the age of 16. The consequences of men “coming out”, openly forming relationships and making them permanent even if they could not at that time be “married”, were that some homosexual men in particular, and some who may have been bisexual, felt a greater level of confidence in forming relationships even if some were inappropriate. It does not take much intellectual reckoning to deduce that those with paedophilic tendencies also felt emboldened to pursue their evil intent in schools and places where there were vulnerable children.

6.5 The abolition of corporal punishment In 1987 the Ministry of Education banned corporal punishment in New Zealand schools, although they still left the door open for physical correction to occur in serious cases. Given my experience overseas where corporal punishment had been abolished by statute many years earlier, I chose to abolish it under the same conditions at Dilworth as early as 1982 and totally by 1987. It was rarely used at Dilworth after 1982 and only with appropriate consultation with senior management staff or with me in very serious cases. But if a case was serious enough to come to my attention it usually led to suspension or even expulsion, rather than a caning. It was a bold move to implement this at Dilworth where there were still, in 1982, a large number of disruptive and dysfunctional boys, but I found the staff, and even the Trustees, approved of finding other ways to correct misbehaviour. But there will be many who might say that the abolition of caning coincided with a greater degree of misbehaviour and dissidence among Dilworth students. This was not our experience in the mid 1980s and beyond.

6.6 The constant re-development of the School in the 1980s to early 2000s. Once the country had emerged from the difficult economic climate of the 1970s and early 1980s, the Dilworth Trust Board found itself in much better financial circumstances. The integration application was withdrawn and the Trustees agreed to my calls for a complete redevelopment of the School. The most urgent item on my lengthy list was re-development of the boarding houses to provide better amenities for all boys, better and smaller dormitories, study spaces for senior students, better recreation areas, more separation of younger boys from older, better staff accommodation and higher staff -student ratios.

Over the next two decades, right up to my retirement, the Epsom campus was a constant building site as new buildings went up and older ones were demolished or refurbished. In those years we re-developed all three main boarding houses, built two more new boarding houses, constructed the David Beattie Centre (for performing arts), built a new sports centre and swimming pool, re-developed the science laboratories, erected a technology suite and re-developed the library, expanded the staff common-room and study as well as the office areas, planned and built the new Junior School on Hobson Park.

It goes without saying that I was constantly absorbed by the requirement for me to plan and oversee these developments. There were long periods when my Deputy was effectively in charge and dealt with day-to-day matters that did not require my direct involvement. I was blessed with two outstanding Deputies in my time. First John Burnett, a very experienced teacher with a strong personality, high standards and well respected by the boys. He was followed by Bruce Owen, the longest-serving master ever at Dilworth, a fine teacher, matchless Housemaster and a deeply religious and moral man. I had complete confidence in their ability to handle daily events when I was unavailable and to consult me on important issues. It was thus that the few reports of sexual abuse came immediately to my attention, usually through them, but sometimes through the chaplain or other senior management staff member.

7. How Dilworth differs from every other school

As I have repeated elsewhere in this report, Dilworth is unique. It is the only school of its kind in the Southern Hemisphere. According to various records, it is known that the Founder, James Dilworth, wished the School to be modelled on the British Bluecoat Schools, and notably on Christ's Hospital School in Horsham. Its sole purpose is "to educate and maintain" the boys entrusted to its care. Those selected for admission effectively win a very valuable scholarship, for that is how it is now described owing to my own influence, and it is therefore highly valued and jealously guarded. If things go wrong, it is well known that a scholarship can be withdrawn.

Dilworth, again to be repetitive, is not a church school or even a faith-based school. Its attachment to the Anglican faith is simply because the Founder wished boys to be exposed to that particular brand of Christianity. The Anglican Diocese plays no part in the School's administration or management and the Bishop of Auckland only has the obligation to offer suggestions of suitable candidates for the chaplaincy and is required to visit the School once annually to assess the religious education programme and religious observance. (See further discussion in section 9).

Boys who attend Dilworth and spend a full learning career there invariably emerge with a strong sense of duty and community spirit. They feel an obligation to put something back into Dilworth and do so through working for its Old Boys Association; taking positions as House Tutors, teachers, even caretakers; winning election to the Trust Board; working for various trusts established by Old Boys; attending School functions and supporting the work of the present School. The relationships among Old Boys are often described as a brotherhood. Thrust together for years in close proximity in the boarding hostels, they form lifelong friendships and often co-operate with each other in the work world. I have two younger brothers, both of whom attended Dilworth after me, but in some strange way I feel a closer affinity to those who were my peers and classmates.

8. Remembering ALL the victims of sexual abuse at Dilworth

The proven victims of sexual abuse at Dilworth deserve every opportunity for redress and closure. I will be the first to proclaim their right to this. But I also wish to fly the flag for all the other victims of these unfortunate happenings. By this I mean all the upright, decent and hardworking men and women who worked tirelessly, and still do, for the Dilworth educational enterprise. They have been tainted by association with those who were their colleagues and who evilly deceived them and others while they worked side by side, living their twisted, abhorrent double life and preying on vulnerable boys. The Dilworth staff, past and present, have been severely wounded by the media attention, and by reports which have in some cases been wildly inaccurate and even libellous.

All those who have passed through the School successfully, and "gone to their work in the world" as the School prayer puts it, have also become victims, forced to answer the questions of an ill-informed and misinformed public, as well as to defend the place that gave them a chance in life. The families of these Old Boys are likewise deeply wounded by the revelations and the manner in which they have been portrayed.

The Trustees, past and present, who have dedicated their experience, expertise and knowledge for the betterment of Dilworth, are also victims for the same reasons, as are their nearest and dearest.

Finally, and this is the most grievous part of what I have to say in this section, the present boys and staff are having to live through a media storm that constantly portrays their school as an evil place, where atrocities were committed that spill over into the present day. It is grossly unfair that so much media

attention should be permitted to cloud their daily lives and expose them to the ridicule of the inhabitants of other schools. It must be hellish to be a student or staff member of Dilworth under these conditions. I have the greatest admiration for the present Headmaster, Dan Reddix, who has put on a strong front in the face of these events and runs the School like clockwork achieving remarkable success in academic, cultural and sporting endeavours.

Why should the media be permitted to destroy the reputation of an unique institution that has changed the lives of some 6,000 boys and their families? A school that has produced a Governor-General and a Prime Minister, several MPs and cabinet ministers, two Rhodes Scholars, the Head of the World Trade Centre, world-leading scientists and academics, captains of industry and entrepreneurial businessmen, tradesmen, lawyers and priests, military leaders and heroes, leading educators in many schools and universities, "thousands of "good and useful citizens".

The time has now long past that victims have had an opportunity to come forward after reading about the court appearances of the predators. Surely now it is time for the media to desist, or be required to do so, and to let matters run their course in the courts, in the work of this Commission and in the efforts of the present Trustees to conduct their own internal inquiry and to offer redress to those affected?

9. The most difficult job in the world. Running a school, as any principal will tell you, is an extraordinarily difficult assignment. In one school there are hundreds, in some cases thousands, of students, each with their own unique personalities, strengths, weaknesses and problems. Add to that a staff numbering in the hundreds, also with their own strengths and weaknesses, and sometimes problems, and the parents and families of all the students, and it is no wonder the person in charge has an impossible task. It is quite simply impossible for one person to be all things to all those people.

Dilworth is not a large school by state school standards. But now numbering in the 600s, all full-time boarders, with the large staff numbers needed to manage and organise them, and it becomes perhaps even more complex and difficult to direct than a say school with two or three times the roll numbers. In my tenure the roll increased from about 350 to just short of 600. The impossibility of one person managing those numbers is clear and has to be achieved through a large degree of delegation and a management structure that includes leaders at various levels.

I make this point simply to emphasise that I did not know everything that was going on all the time. This in spite of the fact that I was a "hands-on" head who avoided too many outside commitments and interests. I dedicated my life in those years to ensuring that the School was well run and the boys safe.

10. The billion-dollar school

Much has been made in the media about the billion-dollar wealth of the Dilworth Trust Board. What nobody ever says or attempts to explain, is that most of those billion dollars are tied up in the physical plant of three separate school campuses. The rest is in the value of land and buildings they own and lease out to generate the funds necessary to run the three schools and contribute to a war chest for future development. They cannot simply liquidate these assets and use the cash to pay redress. That money will have to come from their cash reserves, money held for maintenance and future development. Large pay-outs, however well deserved, will mean dipping into those reserves and having less ability to do more for more boys (or girls). They do not have a billion dollars sitting in a bank account.

It is unfortunate, or perhaps mischievously made to coincide, that the media announcement of the Dilworth asset wealth was announced at the very time the Trust went public on its intention to correct the wrongs of the past and encourage all victims to come forward. I have a serious problem with those timings.

ROLE OF HEADMASTER

- 1. Please briefly describe your role and responsibilities as headmaster of Dilworth relating to the prevention of abuse and response to reports of abuse.**

1.1 Headmaster's Role

I was the last line of defence for abuse of any kind. When I returned to the School as Headmaster in late 1979 I found that I had inherited a School that was in many respects out of control. This has a significant bearing on much of what happened in the next two decades. I have enlarged on this theme in the preamble included with this response.

My management style was inclusive and co-operative. I considered myself *primus inter pares* and always involved my senior management team in any decision I made, in all interviews for staff appointments, and in every submission I made to the Trust Board. I had an "open door" policy and anyone could consult me at any time, and did.

A boarding School is a complex enterprise and Dilworth was and still is the largest full boarding School in New Zealand, and perhaps in all Australasia. In 1979 there were 350 boys aged from 8 or 9 years to 18 years all living on the Epsom campus. They were accommodated in five separate boarding houses ranging in size from 20 boys to 80 boys. Each house had its own staff of Housemaster, Matron, and two House Tutors (usually young university students). The Housemaster in charge reported to the Senior Housemaster, who in turn reported to the Deputy Headmaster or the Headmaster. By the time I retired in 1997 the number of houses had almost doubled to 9 houses on two campuses (5 at Epsom and 4 at Market Road), catering for 550 boys with a staff of 44 resident housemasters, tutors and matrons.

The prevention of abuse was therefore the role of each Housemaster. The comparatively rare occurrences of sexual abuse reported in my 18-year term as Headmaster were always brought to my attention through the chain of command and dealt with immediately. Only two of these were reports of actual sexual abuse, and only one occurred during my tenure. Thus, when I say "comparatively rare", I refer you to the actual cases that came to light on my watch over an 18-year period:

1.2. Specific cases

(a) **Rex McIntosh** December 1979, reported for taking showers naked with the boys in his House in the years before I arrived. The report came direct to me from a young staff member in whom boys confided. McIntosh was overseas on study leave in this final term of 1979, my first term as Headmaster. As soon as he returned, just before Christmas, he was confronted by the Trust Board chairman and me and was instructed to leave immediately. No allegations of sexual abuse by Mr McIntosh were made at this time, and not in fact until 2019.

(b) **Howard Wynyard** June 1983. [This case is still before the courts and there is currently a name suppression order in place. Therefore any reference to Mr Wynyard by name in this document should be redacted.]

There were several reports from staff to me about Mr Wynyard's inappropriate and obsessive relationship with a boy in his House. The relationship was not sexual and was with the full knowledge and acceptance of his wife and family since the boys spent time with the family at weekends and holidays. From the perspective of the School management it was considered unsuitable for Mr Wynyard to be showing special affection for one boy in his House over all the others. He was advised several times by senior staff and the Chaplain to give this relationship up, but he would not. In an interview with Wynyard I gave him an ultimatum: either desist from carrying on the special friendship or resign his position as teacher and Housemaster. He chose to resign. As it was not a case of sexual abuse there was no report to police or to educational authorities. The Trust Board were fully briefed on the matter and confirmed their agreement with the action taken. The more recent accusations against Wynyard were emphatically unknown to us at the time of his resignation. At this time he is still protesting his innocence of the allegations.

(c) **Leonard Cave** June 1985, reported to me for supplying alcohol to boys at his Waiheke bach and one incident of inappropriate touching. This matter was reported directly to me by the victim and his mother. At their specific and insistent request, no report was made to the police and Cave was asked to resign. No other boys present at the incident on Waiheke Island reported any abuse at that time or any other time. The Trust Board was fully briefed on this case and took the action dismissing Cave. Again his further offending only came to light in 2019.

(d) GRO-C-2 December 1994, a report was made to me that there had been an on-going case of sexual abuse by Mr GRO-C-2 with a boy then aged 15 who had reported the matter to the Deputy Headmaster who immediately reported it to me. There is a letter from the victim on file outlining the details

of the abuse. GRO-C-2 apparently ceased the activity when he announced his engagement to be married to GRO-C. In our investigations at the time it became apparent that there was an element of a "lovers' tiff" in this matter and that even though illegal it was consensual. The details were reported by me to the Trust Board. By this time the School and Board policy was that in any case of this nature, no matter how trivial, the details were to be reported to the police and the Teachers' Council. Mr GRO-C-2 was reported to police, subsequently prosecuted, and sentenced for his crime.

(e) **Ian Wilson** December 1996. During the year I received a phone call from an Old Boy complaining that he had been sexually assaulted by Mr Wilson during the 1970s (before my arrival). As it was something like 20 years earlier, the complainant was asked to report the details to the police and eventually did so, although only after considerable delays. It was therefore late in the year before Wilson was confronted, admitted guilt and was dismissed immediately. There are letters and notes on file about this case and the part played by the Board and their legal advisers who were fully involved in the procedure. Wilson was prosecuted during 1997 but received only a light non-custodial sentence for what was described as "inappropriate touching". We had no knowledge of any other offending by Wilson until these matters came to light in his further prosecution in 2021.

(f) **Alistair Harlow** His offending was not known to me or the staff during his time at Dilworth. It is only recently (2020-2022) that he has been accused, admitted guilt and been sentenced.

(g) **Ross Browne** was not accused of any misconduct during my time at Dilworth. His removal from Dilworth in 2006 was for entirely unforgivable actions in a classroom situation. Again, his offending only came to light in the recent investigations following accusations made in 2019-2021.

2. In relation to your responsibilities to prevent abuse and to respond appropriately to reports of abuse, please briefly comment on what you considered were:

- 1. your legal obligations (statutory requirements) and what they required you to do; and**
- 2. your obligations under policies or procedures in place at Dilworth and what they required you to do.**

2.1 As a totally independent School, Dilworth was only subject to those statutory requirements relating to the delivery of education. The School was regularly inspected by the then Education Department Inspectorate, and subsequently, from 1991, by officers of the Education Review Office. What happened outside School hours was of no interest to the inspection teams. It was only in 1991 that I issued an invitation to the first ERO team to visit the School after hours to view how we operated. The invitation was accepted and the team were entirely satisfied with the performance of resident staff teams caring for nearly 500 boys. I would take the "legal obligations" in the question above to mean that any illegal act or activity would be subject to the same requirements of any individual group or organisation. To that end I believe I always acted within the law in the management of the School and specifically in the way in which cases of sexual abuse were handled.

2.2. When I arrived as Headmaster at the end of 1979 there was only a sketchy handout of a few pages for staff, which could be termed a "policies and procedures" document. I suspect it was not very much different from what I had seen as a young teacher at Dilworth in the 1960s. Over time senior staff and I worked on a new handbook for staff which was far more comprehensive than anything previously in place and covered every possible eventuality. It was completed in the late 1980s and became from then on the standard document of policy and procedure. All staff were provided with a copy and were expected to read it and be familiar with all details that concerned their particular status or situation. Referring to it recently I note that there was nothing particularly relating to sexual abuse other than the usual advice to male teachers to avoid being closeted in a room with a boy on his own. It was always implied that this meant avoiding any situation which might lead to compromise of either party. I believe all teachers are well aware of this advice through their training and did not need it spelt out in a handbook. Younger staff employees (House Tutors) were always given clear advice on their obligations at an annual orientation session at the beginning of their appointment. Matters concerning sexual abuse by staff, or older boys on younger boys, were always dealt with at a Trust Board level and I always reported such cases to them. By 1995, following the events concerning Mr GRO-C-2 (above 1.1 d), the Trust Board requested their solicitors to prepare a policy document relating specifically to staff misconduct with pupils and this was done.

2.3 My understanding of my obligations as the leader of an independent School was that I was entirely responsible for the well-being and safety of the boys in our care, as well as of the staff under my management. I took this responsibility very seriously. Why would I, as a former Dilworth student myself, not wish anything but the best for my charges? The likelihood of sexual abuse occurring is manifestly more possible in the boarding environment than during the day. Therefore the first line of defence is with those charged with the management of the boarding hostels and the care of all the boys in their Houses. It is also a fact borne out by the respective areas of interest of the accused Dilworth predators, that sexual abuse is more likely to occur in situations that invoke emotional responses (music, religious involvement, counselling) as well as in scouting endeavours and social contacts.

It was a clear understanding at Dilworth in my tenure that serious misconduct of any sort, whether by boys or staff, would always be referred to me, and that is exactly what happened throughout my term as Headmaster. However, it was also true that the Trust Board, and in particular its chairman, demanded that all decisions relating to serious misconduct of boys or staff were to be referred to them for decision making. The Trustees jealously guarded their right to select the boys and review any staff appointments or dismissals. In effect they took full responsibility for employment matters. These were not statutory obligations but internal requirements established under the terms of the Founder's Will, which is the founding document that determined the manner in which the School operated.

3. Please outline your reporting obligations (Police, Trust Board, and/or any other person, body, or organisation) when allegations of abuse were made.

3.1 As indicated above (1.1) those instances of proven or admitted sexual abuse by staff were reported to police. But of the five reported cases during my 18-year tenure only two (GRO-C-2 and Wilson) were actually reported to police for the reasons given above. The earlier cases (1979, 1983, 1985) need to be considered in the light of the prevailing conditions. The School had a good working relationship with the local police station based in Newmarket at that time. There was a police liaison officer (youth aid officer) to whom I could refer instances of what might be termed illegal activity. This was almost invariably to do with shoplifting and drugs (marijuana being rampant in the community at that time and inevitably finding its way into Schools). When I spoke to the liaison officer in 1979 about the McIntosh case he informed me that taking a shower with boys, while ill-advised, was not a criminal offence and the police would be reluctant to embark on a prosecution. At best they might have charged McIntosh with indecent exposure, but they advised us to deal with the matter "in house" and that is what happened.

3.2 As indicated above (2.2, 2.3) every reported case of alleged sexual abuse was immediately referred to the Chairman of the Dilworth Trust Board and no action was taken without the Trustees having been advised and having approved of the action.

3.3 Before 1989 there was no Teaching Council and therefore none of the three earlier cases cited in 2.1 were referred to an educational authority. At that time there was no obligation for independent Schools to take any action involving state educational authorities in matters of discipline. Independence meant that we could operate on our own terms (apart from conforming to curriculum, external examinations and reporting of roll numbers). But it also meant that we did not have access to state organisations who might have been able to give advice and assistance. The two later cases (1994 and 1996 in 1.1) were referred to the Teaching Council, although I am aware that my successor as Dilworth Headmaster had to remind the Teaching Council to remove Mr Wilson as a practising teacher because he was apparently still on the list of registered teachers in mid 1998.

3.4 The Dilworth Trust Board in the 1970s and early 1980s enjoyed the benefit of having as one of its Trustees Mr Ron Taylor who was at that time the Chairman of the Auckland Education Board. I am aware that they consulted him on those abuse matters which arose during his time as a Trustee. Another Board member in the 1960s was Mr George Drake, the former Headmaster of Otahuhu College. It had been a custom of the Trust Board to elect an educational expert to their ranks at that time. They also sought advice from their own legal advisers.

3.5 The School medical officer was invariably consulted on abuse cases that arose. He was able to give advice from a medical standpoint regarding how to assist the victims. He would also suggest where necessary any further psychological referral he considered necessary.

4. Please outline your practice in relation to providing references for any staff (including Chaplains) who have been accused of, or the subject of a complaint, of abuse.

4.1 I was constantly asked by staff for references when they were contemplating a move to another School or looking for internal promotion.

4.2 Rex McIntosh. I did not know Mr McIntosh because he was on leave of absence overseas when I arrived in the third (final term of 1979). My first meeting with him was to confront him with the accusation that he had been showering naked with the boys in his House. I was therefore unable to provide him with a reference. He was only given a statement of his years of service at Dilworth and the positions he had occupied. It is very probable that he already had a reference from my predecessor as Dilworth Headmaster, the late Mr Peter Parr, or that he asked him for one after he left Dilworth. I simply do not know and as both are now deceased it would not be possible to find out.

4.3 Leonard Cave. Mr Cave had asked me for a reference some months before he resigned. I therefore had a draft on file ready to implement when needed. At his subsequent urgent request following his resignation, I did complete the reference for him because it had been made clear as described above that his accuser, and the boy's mother, did not want Mr Cave's reputation and career to be irreparably damaged. If he had not been furnished with a reference Mr Cave would have had difficulty finding educational employment again. I wrote the reference and pointed out Mr Cave's undoubted skills as a musician of note and a very able teacher, choir master and pipe organ tutor. Re-reading the reference recently I can say that it is not a "glowing" reference as Operation Beverly detectives mischievously suggested in court, and others have described it in the media. In some respects it was damning with faint praise. There was a lot more I could have said about his exceptional musical abilities and skill as a choir trainer.

However, whatever the qualities of the reference I would have been duty bound to indicate to any inquirer that Mr Cave had left Dilworth under a cloud. No subsequent employer of Mr Cave (Pukekohe High School and St Paul's Collegiate School) ever consulted me about him and therefore he was able to continue teaching. This lack of consultation was not abnormal. It was a time of serious specialist teacher shortages, especially in the sciences, maths and music. All Schools were competing for a small and ever-shrinking pool of specialist teachers and were likely to snap up a candidate when available. Independent Schools were in a particularly vulnerable position in the "staff race" because teachers were generally reluctant to make the switch from state service to private. I had great difficulty in finding a suitable replacement for Mr Cave and history records that I never did. It took an entire year to find a permanent replacement and we had to employ part-time teachers to fill the 12-month gap. (I refer to this particular educational issue in the attached summary attempting to account for the misconduct of staff at Dilworth and elsewhere.)

4.4 Howard Wynyard. I also furnished a brief reference for Howard Wynyard after he had resigned for the reasons cited above (1.1b). It was not a case of sexual abuse and therefore it was justifiable that he should be given a reference. I have recently seen the file copy of this reference and it is also a minimal description of a teacher who had many positive qualities. The reference was compiled nearly 40 years ago (September 1983) but I do recall that I was reluctant to say more than I did given the unusual circumstances that led to his resignation "for ill health" reasons. The "ill health" would today be interpreted as "mental ill health", which it was. As with Mr Cave, I was never consulted by other Schools who employed Mr Wynyard and my understanding is that he was never accused of any misconduct in any subsequent employment.

4.5 GRO-C-2 No reference was given to Mr GRO-C-2 If there is a reference on file it could only be that it was compiled at an earlier date in response to a specific request, as indicated above (5.1).

4.6 Ian Wilson. No reference was written for Mr Wilson. If there is a reference on file it could only be that it was compiled at an earlier date in response to a specific request, as indicated above (5.1).

4.7 Alistair Harlow. No reference was provided by me for Alistair Harlow as he did not require one. He was already in permanent employment as an accountant.

4.8 Ross Browne. No reference was provided by me for Ross Browne as he resigned a decade after I had retired from Dilworth. If there is a reference on file it could only be that it was compiled at an earlier date in response to a specific request, as indicated above (4.1).

5. Briefly outline your understanding of policies or procedures in place at Dilworth during the time you were Headmaster related to the oversight and monitoring of staff in the interests of student safety, including:

- 1. whether there were any policies in place in relation to staff inviting or hosting students in staff residential homes and if so, what were the policy/policies and how was compliance with such policies monitored; and**
- 2. whether there were any policies in place for staff who led extra-curricular activities involving students (for example "clubs" or regular meeting groups held on-site), and if so, what were the policy/policies and how was compliance with such policies monitored.**

5.0 I have answered this question in a general way above. It relates in particular to the way in which boys and their staff were supervised in the after-hours operation of a large and complex boarding School.

5.1 Hosting of boys by staff away from the school premises. There were clear guidelines to staff who wished to host Dilworth boys away from the School. The general rule, which is spelt out in the Staff Handbook, was that there should never be just one boy away from the School premises with a staff member. There was a form which had to be completed and approved by a boy's Housemaster if he was being hosted by a staff member. It was a given that the boy's parent/caregiver had to agree to the outing. The completed form had to be submitted to the boy's Housemaster who had the authority to approve the outing or otherwise. If the Housemaster had any concerns, he could consult the Head of the Primary Department (for younger boys at the Junior Campus). In the case of concern about an outing involving a secondary boy, his Housemaster would refer the matter to the Senior Housemaster, or the Senior Master (Boarding Administration), or the Deputy Headmaster. It was very rare for such activities to be brought to my notice. A busy Headmaster does not have time to personally monitor every activity in a large boarding School. I have recently seen a copy of this form extracted from the School files. It is shown as a sample in the "Staff Handbook 1994" on page 27. I do not know whether or not the form is still in use or was changed in any way. For me and my senior staff it was considered to cover all bases at that time.

There are many examples in the School files of permission forms being completed by staff members wishing to take boys on trips. These could either be associated with School curriculum projects, scouting, sporting activities or cultural pursuits. I have recently seen a significant number of these written requests that are associated with Mr Alistair Harlow. He was not accused of any misdemeanours during his time as a resident Housemaster at Dilworth. No complaints were laid against him until more than 20 years after he had left the School.

5.2 Requirement for staff to be involved in extra-curricular activities. It was a requirement of employment at Dilworth that all staff (teachers and resident staff) had to agree to participate in extracurricular activities. The employment application forms in the files show clearly that this requirement was an important aspect of a Dilworth staff career. Always has been and still is. The "Staff Handbook" spells out the responsibilities of staff in extracurricular activities in Section 5 (5.1 to 5.5). With a staff payroll of over 150 it would be likely that there were and are something like 200 or 300 staff involvements annually in out-of-class pursuits. It is impossible for any one person to monitor all of these activities. In effect, just as for the monitoring of boys going out of the School to events with staff members, it was the responsibility of the most senior staff member in each activity to monitor what was being done and whether it conformed to the expected outcomes. On very rare occasions I was given reports of inadequate involvement by a staff member in an activity for which they had given assurances they were capable of delivering the outcomes desired. That usually just involved a friendly chat to get the staff member back on track. There was never an occasion when I had a report of any abuse misdemeanour on the part of staff in extracurricular activities.

The "clubs" referred to in this question came under the same heading as any other out-of-class activities. Staff were often very generous with the amount of time they gave to these clubs. The so-called "coffee club" run by Ross Browne during my tenure was never reported for any misdemeanour on the part of staff or boys. There were occasional remarks made to me informally about the degree of intimacy involved in

“massage” sessions. I took this up with Ross Browne and was assured that these were always sessions involving several boys and that they never occurred when only one boy was present. Once again, in a large boarding School with hundreds of activities going on all the time, there had to be a degree of trust in the character and morality of the staff member involved. I had a good working relationship with Ross Browne and he was well aware from my record that I would not tolerate any kind of abuse. I do know that his relationship with my successor was fraught. It would not take a giant leap of faith to conclude that the crimes he allegedly committed occurred when he felt a lesser loyalty to his superior.

6. In hindsight, what reflections do you have on whether there were sufficient statutory obligations, policies, and oversight practices in place to prevent abuse at Dilworth?

6.1 What is Hindsight?

Hindsight is a wonderful attribute. I don't have hindsight, and nobody does. Hindsight would have enabled Hitler to be eliminated to prevent the slaughter millions of people. It would have encouraged the French explorer Marion du Fresne to be more sensitive to the cultural differences that saw him and 22 members of his crew massacred by Maori in 1772, 250 years ago last month.

6.2 More Stringent Monitoring of Staff

I apologise for what might seem a flippant statement about hindsight, but there is a fatal tendency in these sexual abuse matters to judge the actions of the past from the perspective of the current policies for dealing with them. Clearly there are things that could have been done better to prevent sexual abuse. Better, that is, if various services and the relevant legislation had been in place in the 1970s and 1980s. But even with more thorough vetting of teachers, police checks, Big Brother-style monitoring of activities, or anything else that is now available to School administrators, abuse still goes on in this modern world, in Schools, in the workplace and in homes. I will state emphatically and repeatedly that I and my senior management staff team did all that was humanly possible to protect our boys from any sort of abuse.

6.3 Early Abolition of Corporal Punishment at Dilworth

One of my first actions on arrival at Dilworth in September 1979 was to reduce the amount and severity of corporal punishment, directing that it could only be used for very serious misbehaviour, and only then with the approval and oversight of a senior management staff member or myself. I had spent 11 years teaching in Canada where corporal punishment had been abolished by law for many years. Any kind of abuse was therefore by that time (1979) abhorrent to me. Within three years I had abolished corporal punishment altogether, some three years before legislation outlawed the practice in New Zealand. There have been numerous recent accusations by alleged victims of having been caned in the period after caning was abolished. These allegations are clearly untrue and throw into question the motives of the accusers as well as the verisimilitude of their accusations.

6.4 Development of Policies Over Time

If it is fair to suggest that the in the 1970s and early 1980s the statutory obligations, policies, and oversight practices in place to prevent abuse at Dilworth were inadequate by today's standards, then it is also reasonable to accept that improvements were made over the two decades that I was in charge. I inherited little, if anything, from my predecessor in 1979 relating to the management of abuse. Not even bullying was mentioned or documented in any way. The first two reported cases of misconduct (1979, 1985) were handed in the manner accepted as the norm at that time. But by the mid 1990s policies were set in place to ensure that cases were handled very differently. The Trust Board's legal advisers were commissioned to establish policies that were implemented in 1995. They included:

(a) All staff to be informed that any case of sexual misconduct with boys would be immediately reported to police.

(b) Boys to be given the name of a staff member in whom they could confide, in the knowledge that any sexual abuse would be reported to the Headmaster and the Board. It was to be made clear to the staff

member that any such reporting to the staff member could not be considered as confidential, i.e. no sacred secrets of the confessional.

(c) Parents to be advised of these requirements and also urged to report to the School if their boys revealed any abuse to them.

(d) Counselling of victims to be offered as a matter of course, with a recommendation that outside services be employed.

7. What do you consider are the biggest challenges for a Headmaster in preventing and responding to reports of abuse of students?

There are a number of factors to consider under this heading.

7.1 The Unique Position of Dilworth Boys

Boys admitted to Dilworth in effect have won a very valuable scholarship, worth tens of thousands of dollars annually as the cost of delivering an individual Dilworth education. I know that boys and their families viewed their place at Dilworth as a privilege and they were invariably anxious to avoid losing their scholarship through their own misconduct or failure to profit from what is offered. They may well have also considered that reporting a case of sexual abuse to staff, or even to their families, might jeopardise their scholarship. While this is manifestly incorrect, it is entirely probable that some of the recent revelations of abuse were not reported 30 or 40 years earlier because of this perceived threat to their place at Dilworth. What is not so clear, to me at least, is that given the clearly publicised removal of offenders, those who claimed to have been abused 20 or 30 years earlier did not report the abuse for decades, and only then, I may say somewhat cynically, when it became apparent that a billion-dollar Trust Board would be able to make generous provisions to correct what had happened. The challenge in terms of preventing abuse, or encouraging its reporting, is that on the one hand the value of a Dilworth education is foremost in everyone's mind, while on the other hand the holder of a scholarship may be discouraged from reporting abuse owing to a misconceived belief that such reporting could lead to its loss. But having graduated from Dilworth and gone on to various careers, far from the influence or direction of Dilworth, why on earth did not a single person report any abuse for such a long time afterwards?

7.2 Separation of Age Groups

Until we opened the Dilworth Junior Campus in 1994, all boys lived and worked at the Epsom Campus. From the earliest years that meant boys aged 6 or 7 in Standard 1 (Year 3) mingled daily with boys up to age 18 (Year 13). Not much had changed when I returned as Headmaster in 1979, although the entry age was by this time age 9 (Year 5). Inevitably there was a degree of bullying and probably some sexual abuse of boys on boys. The only respite these young boys had was when they returned to their separate boarding accommodation at night. The establishment of the separate Junior Campus in 1994 has been a highlight of recent developments at Dilworth. The youngest boys now enjoy total separation from older boys and benefit from having a separate and relatively autonomous principal and staff. The curriculum can now be tailored to their needs rather than delivered as an add-on to the secondary School.

7.3 Boarding Facilities

In 1979 boys were accommodated in five boarding Houses, in large dormitories, with little privacy. The recreation areas were large rooms that encouraged behaviour more suited to a gymnasium. Senior boys had inadequate study facilities and examination results reflected this failure to provide suitable areas for serious study. Moves were made in the mid 1980s to change the boarding houses through a radical re-development of their internal layouts. The changes were largely the result of my own overseas experience as well as learning from the best of what other boarding Schools in New Zealand were able to offer their students. But the challenge for a Headmaster in a School boarding hostel is how to ensure the safety of the inhabitants from the attentions of sexual predators. It seems that even the improved facilities did not prevent abuse from happening, although it was rarely reported now or then as having occurred in the boarding accommodation after it had been improved.

7.4 The Staff Employed to Manage the After-School Care of Boys

When I arrived at Dilworth in 1979 I was disturbed that in the decade since I had left Dilworth as a Teacher-Housemaster in 1968 and returned as Headmaster in 1979, there had been no improvement in staffing levels in the boarding houses. Having worked as a Dilworth Housemaster for 8 years in the 1960s I knew that the job placed huge demands on me, having only two young House Tutors to assist in the management of 80 boys. Effectively I was on duty in the House 24/7 in addition to teaching a full load of classes during the day. In the 1960s the boys did not have as much weekend leave as they do now, so our weekends were mostly spent "on duty" as well. It was a recipe for burnout. My overseas experience in Canada had shown me that higher staff-student ratios made a significant difference in the ability to manage large numbers as well as to monitor staff as well as boys. I made it my business to lobby the Trust Board for an improvement in staffing levels and was eventually successful in bringing them up to the levels enjoyed today.

Finding suitable staff to assume these after-School responsibilities was and is also a challenge. Housemasters had to be chosen from the existing staff or when employing new resident staff. Not everyone has the skills or aptitude for such work. It was a constant problem throughout my time at Dilworth and it is a fact that we sometimes had to rely on men who were really not suited to the work. The employment of young university students as House Tutors is largely a successful strategy. Using "gap year" men and women in these positions has also been a signal success. They are selected for their youthful enthusiasm and athleticism. Their youth also makes them more able to relate to the boys under their care. Employing former Dilworth students is also a very successful strategy.

Each boarding house has its own dedicated Matron who is responsible for domestic matters and some "mothering". It was often a challenge to find suitable women for these positions. The employment of former parents/caregivers is another successful strategy I used.

7.5 Reliance on the Moral Character of Staff

The biggest challenge for a School employer is to be able to judge the character of potential staff. The opinions of previous employers have to be relied upon and they rarely give a bad write-up. How does one assess morality and upright character other than relying on what is conveyed in written references or verbal referees' comments? Predators do not reveal their flawed character in a curriculum vitae. They don't have a sign hanging from their neck proclaiming their sexual preferences or deviant sexual tastes. All a Headmaster can do is hope that the testimonials provided and the personal interview conducted will be sufficient to make an accurate assessment. It will be a matter of record that I was duped by two of my most trusted staff, a chaplain and a senior master (= assistant principal). Both were family men with exceptional skills. But both were already employed at Dilworth when I arrived, and nothing in their behaviour over the next 18 years gave me any indication that something was amiss.

7.6 Inadequate Teacher Training

I was trained first as a primary teacher and subsequently moved in to secondary and, for a short time, tertiary education. Nothing in my training prepared me for the possibility of dealing with staff sexual abuse of children. There was very little, almost nothing, in my training, that dealt with avoiding compromising situations myself. The only item remotely connected with the subject was the admonition given to us as male student-teachers that we must always avoid being closeted alone with girls. I do not believe the same warning was given to female student-teachers. I recall the Headmaster of my first School as a young teacher giving me the same warning. I did a course in adolescent psychology at university which provided some insights into the problems of puberty. But neither did that course provide advice on how to deal with abuse in real situations.

Teacher training, therefore, should include courses in child and adolescent psychology as well as instruction from acknowledged experts on how to identify child sexual abuse and how to deal with reports of sexual abuse in all Schools and for all sexes. (Note the use of the words "all sexes" here, because no training ever prepared any teacher for the possibility that there would be more than two versions of sexuality.)

7.7 The Reporting of Abuse

The bottom line is that if abuse is not reported it will go unchallenged and unpunished. In the 18 years that I was Headmaster of Dilworth there were only four reports of staff misconduct (McIntosh, Cave, GRO-C-2, Wilson). Only two were reported by present boys or their families (Cave and GRO-C-2). McIntosh was reported by a staff member who heard of his behaviour , dating back several years, from the leaving class of 1979. Wilson was reported by a past student from 20 years earlier. We now know that there was much more alleged sexual abuse than we knew about. The reluctance of boys to report these matters is an area of deep concern.

8. What changes do you consider would make the biggest difference to a Headmaster's ability to prevent abuse and respond to reports of abuse of students?

- 8.1 Establish protocols that would encourage boys and their families to report cases of abuse immediately, and not decades after the event.
- 8.2 Ensure that hostel staff levels are sufficient to ensure adequate supervision. Consider the appointment of full-time specialists to manage hostels and monitor the activities of their own staff. This will not only avoid overworked teachers having to spend almost every waking hour dealing with children and allow the "professional Housemasters" to have a better oversight of their staff and be better able to identify and report areas of concern.
- 8.3 Prevent individual staff members from taking outside activities on their own. In particular, avoid situations where a single (unmarried) man is hosting boys in unsupervised surroundings.
- 8.4 Implement classes for children on student safety and how to deal with compromising situations.
- 8.5 Introduce teacher training courses on preventing and dealing with abuse and avoiding the likelihood of it happening. If teacher training in the area is still inadequate, the School should implement its own specialist training.
- 8.6 Build on the existing protocols for monitoring teacher misconduct and ensuring that all schools, both state and independent, have access to it.
- 8.7 Identify potentially vulnerable boys and monitor them closely.
- 8.8 Establish protocols for regular student assessment of staff to elicit early warning signals of inappropriate behaviour.
- 8.9 Enable closer monitoring of staff out-of-class activities.
- 8.10 Reduce the number of boys boarding at Dilworth by allowing those in the city to be day boys. Keep boarding places for country boys and those with family difficulties. With those smaller numbers engage the services of full-time specialist care-givers (as in 8.2).
- 8.11 Fast-track the move to include girls at Dilworth. Not only is this a fairer distribution of the Founders' benefaction but a co-ed school is less likely to have adult male-on-male abuse of boys who will have a better conception of normal behaviour than is possible in the monastic environment of a boys-only boarding school.
- 8.12 History has taught us that there are likely to be multiple victims of abuse by a single predator. When a case of sexual abuse by an adult is reported, carry out a full investigation into the circumstances to ensure there are no boys not reporting their abuse. Follow up with specialist counselling and ensure parents, caregivers and families are fully involved in the process.

RELATIONSHIP BETWEEN HEADMASTER AND THE ANGLICAN CHURCH

9. Please briefly describe the relationship between Dilworth and the Anglican Church as you understood it at the time.

9.1. Religious observance at Dilworth. I find it necessary to be longer in this response because it is a vital part of what went on with regard to the Chaplaincy of Ross Browne. Dilworth is not a faith-based School. I make that statement, not to imply that Dilworth should not be subject to the investigations of the Royal Commission, but to emphasise the School's unique nature. In the words of the Founder's Will, it was established to 'educate and maintain the sons of persons of good character and in straitened circumstances'. Its main purpose, therefore, is to lift boys out of poverty and prepare them for greater self-sufficiency. The fact that there is a chapel, and that boys are obliged to attend services, is secondary to all the other considerations. Religion is not a major part of daily life at Dilworth, as might be the case in a Roman Catholic school or a fundamentalist Christian school. There is never any proselytising. There are no threats of hell and damnation for those who do not conform to church laws. There is no urgent requirement for students to visit the confessional and tell all to a secret-guarding priest; such things were always fully voluntary and not pushed. No acolytes attended a presiding priest. Services were simple, with no burning incense, coloured vestments, rosary beads, Stations of the Cross, or high altar candles. With the one exception that once a year the high church oriented Ross Browne was permitted to demonstrate how a "high church" service would be run. I agreed that it was good for boys coming from the whole gamut of religious experience, including non-Christian Buddhism, Judaism, and no faith at all, to be exposed to other systems of the worship of God.

In fact religious observance at Dilworth was, and continues to be, relatively informal, even casual: two short before-school gatherings twice a week, consisting of a scripture reading, a brief homily on contemporary issues with suggestions for resolution in a Christian context, a hymn, and a couple of prayers to finish. These mid-week services lasted only 10 to 15 minutes. Regular Sunday evening services were more structured in terms of their conformity with Anglican liturgies. But even there, informality was to the fore, especially at the Junior Campus where a separate service was conducted at the level of junior boys.

9.2. Personal perspective of this Headmaster. My own Christian background is steeped in the Anglican tradition of St Mark's Church, Remuera, whose vicars have mostly been low church: I was baptised, confirmed and married at St Mark's, a chorister for 25 years, altar assistant at Holy Communion services and occasional reader of lessons while a student at Dilworth but attending St Mark's services (there was no Dilworth chapel in those days). When I returned to the School in 1961 as a teacher/housemaster I underwent training as a layreader and had the authority to conduct services (other than Holy Communion). I was licenced by the Bishop of Auckland, and took out similar licences when I worked in schools and tertiary institutions in Canada in the provinces of Ontario and British Columbia. When I returned as Dilworth Headmaster in 1979 my Auckland diocese licence was renewed and continued until I retired.

My view of Christianity is latitudinarian, in the sense that I accept the right of other Christian faiths to practise religion in their own way. Ross Browne should be described as "high church" and would have encouraged greater use of the ancient Christian symbols associated with Roman Catholicism (candles, incense, etc as mentioned above). He was a paid-up member of the Anglo-Catholic Oxford Movement. Left to his own devices, he would have introduced the trappings of Roman Catholic worship into regular services at Dilworth. Knowing the emphatic anti-Roman views of the Protestant Irish Founder, I considered it my duty to retain the strong Protestant dimension of Anglican worship in our school. Fr Browne would have conducted communion services every Sunday, but I insisted that these be alternated with a traditional Evensong service in which boys and staff could participate more readily (readers, liturgy leaders, homily deliverers, musical offerings in modern folk form, etc).

9.3. The relationship between the Headmaster and the Anglican church It follows from the preceding remarks that the relationship is restricted almost entirely to the requirement in the School's founding document (the Will) which directed that boys were to be brought up 'in the tenets of the Anglican Church'. Boys and their families did not have to be Anglicans to be admitted to the School and today most are not, but parents had to agree to this requirement about Anglicanism when their boys are admitted to Dilworth.

The Founder's Will also directed that the Bishop of Auckland should be appointed Official (Episcopal) Visitor to the School. In that capacity the Bishop visited the School just once every year and spent a day going into classes and reviewing the delivery of religious instruction. He had no other responsibility in that

visit apart from reporting back to the Board on his assessment of this instruction. If he chose to comment on anything else he was free to do so, but in the 18 reports I saw there was nothing that suggested the Bishop had strayed from his brief or that he had anything but praise for what he saw. I had no interchange with Bishop Paul Reeves on the matter of GRO-C-1's abuse before I arrived. That was considered settled. But neither Paul Reeves, nor the bishops who followed him, ever discussed with me any matters relating to the safety of boys or the issue of sexual abuse by a Dilworth Chaplain.

The founding document also dictated that no serving Bishop could be appointed to the Trust Board. This is a clear indication that the Founder did not wish the Bishop to have any significant influence in the management of the School. Succeeding generations of Trustees have adhered closely to this requirement and the Bishop's role has continued to be almost incidental.

10. Please describe how the role of the Episcopal Visitor contributed to the safety of Dilworth students.

As clearly set out above the Episcopal Visitor did not contribute in any way to the safety of Dilworth students. In the School's very early years, up to 1940, the Bishop's annual visit included a report on the general health and well-being of the boys. His report, therefore, contained commentaries about the standard of food and uniform, but nothing else. He did not inquire or report on matters of safety or discipline. In 1940 Archdeacon John Simkin, who was already a Trustee, was consecrated Bishop of Auckland, and from then on the episcopal visit was restricted to a review of the religious education teaching only. As a Trustee he did not need to inquire about dress or food. This pattern continued for the next 60 years at least (up to the time of my retirement at the end of the millennium. As indicated in para 10 above, his brief was very limited and his involvement with the School was at arm's length.

11. In relation to the appointment of Chaplains at Dilworth:

- a. **What was your role in such appointments, including in relation to fulfilling your obligations to keep students safe?**
- b. **Please outline any concerns you raised in relation to the appointment or continuing appointment of any Dilworth Chaplain and what steps you took as a result of any such concerns.**

11.1a Headmaster's Role in Chaplain Appointments

One Chaplain appointed in 28 years. There was only one chaplain appointment in my time, and he remained for a decade after I had retired. The Reverend Ross Browne was already doing some part-time chaplaincy work at Dilworth during 1979, before I started as Headmaster (August 1979). There were some aspects of religious observance (Holy Communion, confirmation) that could only be performed by an ordained priest or bishop. The Diocesan School for Girls chaplain, Canon John Cameron, also occasionally assisted in this matter. During the final term of that year it was decided to offer him the position full-time starting in 1980. He had proven to be popular with the boys; his giant stature, strong personality and warmth endeared him to everyone.

GRO-C

GRO-C

Dilworth Trust Board appoints the Chaplains. Dilworth chaplains are appointed by the Trust Board on the recommendation of the Bishop of Auckland and with the approval/support of the Headmaster. There is no search process or advertising. It is left to the Bishop of Auckland to come up with candidates for review. In Ross Browne's case, it was unnecessary to do a further search. He came with warm support from the Vicar of St Matthews-in-the-City where he was an assistant priest. He had very positive references from the New Zealand Scout Association, having reached the very senior status of Assistant Commissioner through his work with the Annual Scout Gang Show. In the Gang Show he worked with young people, was a popular show director and never once was accused of any misconduct. Ross Browne was also

enthusiastically supported by the then Bishop of Auckland and Primate of New Zealand The Most Reverend Paul Reeves, later to become Governor-General.

Ross Browne's personal qualities. Ross Browne brought to the position not only his experience as an ordained priest, but also his many other qualities. His Gang Show experience meant he could bring the same skills to Dilworth musical shows, which he went on to direct for the next 30 years with exceptional success. He was an experienced radio talk-back host with a large audience of listeners and interlocutors seeking his advice on many personal and topical issues. With his manly, powerful voice and perfect diction he could win over any audience. Those speaking skills were often used at important School events where he did the announcing and commentating. There is a DVD of him fronting celebrations for the School's Foundation Centenary in 1994 which clearly illustrates his verbal skills. His chapel homilies were pitted at the level of adolescent boys and sprinkled with wisdom couched in modern jargon. Chapel services were given a shot in the arm by the introduction of "folk masses" with modern music appealing to the youthful congregations, exposure to other forms of worship, including high church services with candles and incense (anathema to James Dilworth), boys involved in composing and delivering liturgies and prayers, homilies delivered by boys and staff, greetings exchanged at "the Pax" in services. He had a warm, "fatherly" demeanour, in fact preferred to be referred to as Father Browne, and quickly demonstrated that he could bring those skills to bear in counselling. He came from an educational background: his father was still Principal of Manurewa High School in 1980, his mother was a Senior Teacher at Manurewa East School, his maternal grandmother was one of the first New Zealand women appointed principal of a state School, and his paternal great grandfather was Headmaster of a School in London. These would be universally considered impeccable qualities. In addition to his personal and family attributes, he was a family man with a wife and step-daughter. The fact that he had married a divorced woman with a child seemed to give him an advantage in dealing with the many dysfunctional families at Dilworth.

The previous paragraph may sound like the outline for a "glowing reference", but it is done so to emphasise how well Ross Browne came across in his preliminary work at the School and at his interview with the Trust Board. The Trustees were impressed with his credentials, the enthusiastic support of churchmen and what they had seen of him in chapel and had no hesitation in confirming the appointment. I was also suitably impressed with a man who seemed an outstanding candidate in every way possible. Nothing that I saw or heard suggested that this was in any way an unsafe appointment.

11.2b Concerns Regarding Chaplaincy Appointments

There were no negatives regarding Fr Browne's appointment as Chaplain in 1980. The only apprehension I had was that he was grossly overweight, even for a large man. I was concerned that his health might not survive the rigours of the job. However, over time there were also a few issues related to his teaching methods (Christian Living) and his inability to accept criticism of his personal weight issue and its probable effect on his own health and well-being, as well as his classroom performance. A very small number of boys in the School at that time were classed as overweight, and it was not a good look for the Chaplain to be grossly overweight when we were trying to moderate the diet and exercise of obese boys.

11.2b.1 Classes in human sexuality About five years into Fr Browne's term as Chaplain he was given the task of providing, as an integral part of his Christian Living classes, instruction in human sexuality to boys at Intermediate School level (ages 10 to 13). Initially there were no concerns, but at some point (I believe about 1992) I was given advice by the Junior School Head Teacher, the very experienced John Finny, that he had some issues with what Fr Browne was telling the boys. This came about through feedback he had received from parents/caregivers, as well as some of his own staff, about boys being given "too much information" for their age and developmental stage and talking openly about it among their peers, at home, and in the presence of teachers, some of whom were female. I spoke to Ross Browne several times about this and instructed him to pare the information back to the bare bones required for boys to understand about sexuality without having the specific details he appeared to be imparting. Ross Browne is not one to take advice readily and this is an area of concern about him that had begun to develop in the early 1990s, in other words into his second decade at the School.

When the new Junior Campus facilities were opened in 1994 Ross Browne continued to teach human sexuality lessons and I continued to field questions about what and how much he was telling the 10- to 13-year-old boys. By this time John Finny had retired and the equally experienced and talented Rex Hooton had taken over as Head of the Junior Campus (effectively the Principal of the primary department). I had discussed these matters with Mr Hooton and he confirmed that Fr Browne was still imparting too much

information. At that point we made the decision to stop his human sexuality lessons and instead employed an expert in the field. It seems however, from the reported class masturbation episode after my time (2006), that he had continued to bring such matters into his Christian Living classes under the guise of learning to live in the world. I am not sure why or how he was able to do this in a semi-public place (a classroom) close to other rooms and not far from the Principal's office. It was either the height of folly or else it happened in a manner somewhat different from that described in the media and in court.

11.2b.2. Delivery of the Christian Living syllabus

The NCEA curriculum Early in the 1990s the School was obliged to update all aspects of the curriculum to enable us to deliver the National Certificate of Education which was implemented around the middle of the decade. Prior to this, the School had opted to participate in the independently administered University Entrance course and examinations in cooperation with the main universities at the time. Most state schools only offered the Sixth Form Certificate, an entirely internally assessed qualification which was not universally admired by universities as a precursor to entering tertiary education. Almost all New Zealand independent schools, as well as a few prominent grammar schools and high schools, chose to join this independent qualification which was examination-based.

Updating and improving the Christian Living programme. We made the decision at this time to update all our curriculum offerings, even those like the Christian Living programme, which were not subject to the NCEA requirements. Ross Browne was asked to work on his Christian Living programme and come up with a well-structured and full syllabus which was not already in place. There existed only an outline prescription with little detail of content. Fr Browne was asked to work on his syllabus, along with all the other heads of department and teachers. He did not meet the deadline set for completing this work and had to be hounded to get on with it and complete it some weeks after everyone else had completed their parts. It was a clear sign of his increasing state of lethargy and a too comfortable Dilworth life. As Chaplain, he did not have the same classroom workload as teaching staff because he was allowed time during the day for counselling sessions and some free time to account for a good deal of after-hours counselling work and chapel preparation. Reports of him being spotted at McDonalds and other fast food eateries did not enhance the view that he was losing impetus for his work and had an eating problem. Once again, any advice that was offered was politely accepted and ignored.

Advice on ending a long chaplaincy career. At the end of his first decade (1990) I discussed with Ross Browne the desirability of him starting to think about a move to a different position because he might start to become stale in his work and his own enthusiasm for the job might start to wane. He was already, I believe, the longest-serving chaplain in any of the Anglican schools with which I had links. He did not take that advice on board. When it came time for me to hang up my mortar board in 1997, a decision I had made early in 1996 when I turned 60, I suggested to Fr Browne that it would be a good time for him to make the break. I said we could "go out together", something I considered a very desirable move for all concerned, and not least Ross Browne himself. His response, which I remember clearly, was that it would be better for him to see the new Headmaster "bedded in" and then hand over to a new person. His view, which had some merit, was that it would not be a good thing for two crucial positions at Dilworth to be changed at the same time. He said he would start looking at other career options within the Anglican Church during the remainder of 1997 after I departed in May. It seems that he honoured this undertaking more in the breach rather than the observance. I am reliably informed that he did not get on with my successor, Donald MacLean, in part because he was a Scotsman and a Presbyterian. The differences were entirely due to Fr Browne, not to Mr MacLean. He continued to ignore the advice given to him to move on and his career ended in disaster and, now, in tatters.

The other side of the story regarding the Group Life Laboratories. Those who were at Dilworth in the early 1980s will well remember the difficulties the staff and I had to contend with. The School, as I have suggested elsewhere, was "broken" almost beyond repair. I well recall in discussions with the Trust Board regarding recalcitrant students and ineffective teachers and Housemasters, that the Chairman, Bill Cotter announced at a Board meeting that the Trustees would support me even if I went ahead and emptied the School and fired most of the staff. Such drastic actions, of course, were neither necessary nor possible. There was, however, a move to rid the School of dissidents who really did not want to be there, and over

the next five years the roll makeup was altered dramatically, and in a variety of ways improvements were able to be made in the quality of teaching and after-school care.

It took the best part of my first five years as Headmaster, but things began to change during that time: bullies and dissident malcontents were removed from the school, staff who did not perform were moved on, any sexual abuse cases were dealt with promptly and firmly, corporal punishment was banned, bullying was diminished (notably by the Group Life Laboratory programme which encouraged boys to air their personal and family problems), the boarding houses were re-developed giving personal space to seniors and smaller dormitories for juniors, the primary classes were separated and given their own Head Teacher (John Finny); the curriculum was broadened and enhanced; Maori language and culture were introduced; the classrooms and specialist areas were redeveloped; the David Beattie Performing Arts Centre was opened; a specialist technology centre built (owing to my own interest in the field, computer technology was introduced at Dilworth before most schools); the Junior Campus was built giving young boys the separation from older boys that was so desirable; the achievements of Old Boys were celebrated and brought to the notice of present boys to provide and inspiration for personal success; I could go on. The point is that the school was a vibrant and successful place by the 1990s and most of what is enjoyed today had its genesis in what the Board and I achieved in the preceding years.

Most of the boys admitted to Dilworth in the 1970s and early 1980s had suffered from some kind of family trauma: death or illness of parents, marriage break-up, severe economic hardship, and family dysfunction. It follows that there were large numbers of boys with serious personal problems arising from their family situation. How, it may well be asked, could a school cope with such difficulties and in such numbers without the benefit of a full-time psychologist or counsellor. We were obliged to use the resources we had and the most obvious one was in the Chaplain. In discussions with Ross Browne in the early 1980s, we came up with a bold plan to meet this challenge face on.

The Group Life Laboratories (GLLs), initially called Relational Awareness Workshops, were based on group encounter therapy theories. They were designed to build up a level of trust among the participants (20 boys and 4 staff). Trust was established through a number of activities based on "group therapy" and "encounter therapy". These included written exercises, one-on-one interviews, group discussions, sensory awareness, and personal story-telling. Once an atmosphere was established the subject was given an opportunity to discuss matters that worried him and was encouraged by positive feedback from the group. There is no doubt that these sessions proved beneficial and the results could be verified by interviewing some of those who attended. Boys reported that their self-image and self-confidence were improved as a result of attending the camps. One visible outcome of the GLL camps was the custom, still common today, of boys giving each other a brotherly hug, referred to as "bro hugs". That surely is no bad thing, except when malevolently referred to by critics as "ho hugs".

The GLLs were established as a way to enable boys with various problems to feel comfortable talking about themselves in an environment of trust. The issues the GLLs endeavoured to resolve included personal relationships, self-awareness, loss of self-confidence, interpersonal relationship problems, personal responsibility, and so on. Selection for attendance at a GLL was based on staff referrals of boys showing symptoms of dysfunction. They were chosen from Year levels 9 to 11. A small number of "volunteers" (usually older boys with prior experience of the camps and good leadership qualities) were invited to attend as motivators and role models, together with a staff team of four animators.

Inevitably, as boys will be boys (and men will be men), there were naysayers among the school community, both boys and staff in fact. Because of the degree of trust established, the serious emotional outpouring, and acts of physical warmth (hugs), the camps were labelled by these people as the "Ho Camps", with obvious homosexual connotations. Yet, as one who monitored the camps closely, and with my Deputy attending most of them, I can state categorically that there were never any indications of homosexual behavior or abuse by staff. I would have been the first to deal with that, had it happened, and the camps would have been banned forthwith. The GLL camps were held at Huia Lodge, Huia Beach, in the old schoolrooms which can accommodate 24 people in six 4-man bunk rooms and with a large open area for group sessions and cooking. Everyone was always visible. There were no opportunities for anyone to wander off on their own. Staff quarters were separate from the boys and should one staff member have been absent it would very quickly have been noticed.

I attended camps when I was free, sometimes just for one of the three days, and occasionally for the full programme. I did this for a number of reasons: (a) to show my support for the programme and encourage boys to participate; (b) to monitor what was going on and report back to the Board; (c) to show boys and staff attending that I was a member of the group; (d) to encourage other staff to attend. Fr Browne was always the chief animator at these camps. In addition to my occasional participation, Fr Browne benefitted from the support and attendance of the Deputy Headmaster and numerous other staff keen to experience the camps and support the programme. On one occasion we even had the Bishop of Auckland at a camp (Bishop Bruce Gilbert).

In spite of mischievous reporting in the media and a lack of understanding on the part of those investigating allegations of sexual abuse at Dilworth, the Group Life Laboratories were a significant success in assisting boys with relationship difficulties and other problems to examine the causes and find solutions in a supportive environment.

Was Ross Browne really guilty of the accusations made against him? In spite of those issues, I did not at any time in the 18 years I shared with Fr Browne at Dilworth have any real doubts about him as a person of moral integrity with firmly established Christian values. If there was one area of concern it was as indicated above regarding his teaching methods, his lethargy and also the level of “warm fuzzies” he encouraged at his “coffee club” meetings. Comments were made to me from time to time about these matters and I always discussed them with Fr Browne, urging him to proceed carefully in areas that might lead to unhealthy levels of intimacy, between boys, and between boys and himself. The same applied to the Group Life Laboratories which encouraged a degree of openness and

Relationship between Headmaster and the Dilworth Trust Board

12. Please briefly describe the relationship between you as Headmaster and the Dilworth Trust Board.

The Dilworth Trust Board's offices are on the School's main campus at Epsom. Therefore it was easy to maintain a close working relationship with the Board and its staff. I was in constant contact with the General Manager of the Trust Board, had weekly meetings with him and touched base at other times as needed. He was the direct mouthpiece of the Trustees and anything we discussed would be taken up with the Trustees at their monthly meetings, with the Board Chairman on a daily basis, and with the chair of various Board sub-committees as needed.

For most of my 18 years as Headmaster the Chairman was Mr Bill Cotter, like me an Old Boy of the School. He was dedicated to Dilworth and virtually gave his life to the School, the Trust and the Old Boys Association. I had known him for some years before my appointment as Headmaster. It was thus possible for us to have a strong working relationship. Additionally, Mr Cotter was a semi-retired self-employed public accountant who was able to give many hours of his time to the Trust and the School. He made frequent visits to the Board offices and inevitably called on me when he was on the site.

But in spite of our lengthy acquaintance and warm working relationship, Mr Cotter never left me in any doubt about who was in charge and where I stood in the scheme of things. Although Mr Cotter and his fellow Trustees were generous in their support of any initiatives I proposed, they also had a firm grasp on the tiller and on the Board's resources. It took many years for them to agree, and to be in a position to support, the constant requests I made for better conditions to be provided for boys and staff.

The Board chairman always expected that I would keep him fully informed of any problems that arose in the School, whether to do with the behaviour of boys, the state of the facilities or the recruitment and appointment of staff. The Trustees did not take kindly to any sort of “ambush” at a Board meeting. My Board reports were always prepared well ahead of the Board meetings and reviewed by Mr Cotter in the week before they met. Occasionally he would encourage me to moderate what I was saying or asking for.

13. Did you raise issues or concerns about abuse of students with the Trust Board when you were Headmaster? If so, what did you raise, when, and what was the Trust Board's response?

I certainly did raise concerns with the Trust Board on matters of abuse as soon as they occurred. I was well aware that the Trustees, and the Chairman in particular, did not like surprises, and therefore I never waited for a Board meeting or the writing of my monthly reports to the Board if an abuse issue arose, or, in fact, any other similar serious situation. I have referred above (Para 2 and elsewhere) to specific abuse matters that arose on my watch. To recap briefly:

13.1 I dealt with the reported naked showering of Rex McIntosh as soon as it came to my notice at the end of my first term at Dilworth (1979). I immediately reported the facts to the Chairman and it was handled as described above in Section 1.

13.2 I reported to the Chairman and kept him closely informed of the issue we had with Howard Wynyard, even though it was not a case of sexual abuse. Given an ultimatum, Mr Wynyard chose to resign.

13.3 The reported alcohol and inappropriate touching case of Leonard Cave was immediately reported to the Chairman and the case was managed by the Trust Board with my close involvement.

13.4 As soon as I received the report of [GRO-C-2]'s sexual abuse of a student I reported it to the Chairman and the case was handled in the way described fully above.

13.4 When an Old Boy consulted me about historic abuse dating back to the 1970s and involving Ian Wilson I immediately consulted the Chairman (by this time Mr Derek Firth) and the matter was dealt with as described above.

13.5 The other reports of sexual abuse which allegedly occurred during my time as Headmaster were not reported until 2019, 2020 and 2021 and therefore no reports about them were made, or could have been made, to the Trust Board.

14. Were you part of any discussions between the Trust Board and the Anglican Church about abuse in the Dilworth School by Anglican chaplains? If so, please briefly describe these discussions, when they occurred and any outcomes or steps taken.

No, I was not, because the first case [GRO-C] occurred [GRO-C] I was appointed Headmaster, and the second (Ross Browne) was notified ten years after I retired. I was not informed about the [GRO-C-1] case before my appointment and only learned of it when I inquired about the reasons for the School not having a Chaplain in [GRO-C]

15. In hindsight, what could Dilworth's Trust Board have done better to prevent abuse and respond to reports of abuse?

Yes, of course with "hindsight" the Dilworth Trust Board would have made changes to the manner in which they responded to reports of abuse and would have made more effective moves to prevent its occurrence. If the Trust Board, or I, had benefitted from today's knowledge and understanding of the nature of sexual abuse and its management they (we) would emphatically have acted differently.

I hesitate to point the finger at men long dead who were in charge at the time, but subsequent events have made it clear that, had a more intensive investigation been carried out in [GRO-C] into the [GRO-C-1] abuse case, it might well have been possible to prevent some of the subsequent abuse that occurred. The Headmaster, the late Peter Parr, and the Trustees should in my opinion, have:

- (a) made more efforts to identify and interview all the abuse victims they knew about as well as potential victims;
- (b) consulted the parents of these boys to elicit more information and advice (instead of what they reportedly did) at the time;
- (c) followed up on other potential abusers in the School who have subsequently come to light (Wilson, Cave, McIntosh); but this could only have happened if someone had mentioned them as abusers.

It is easy for me to make this criticism, but the same could be said of how the cases of McIntosh, Cave, **GRO-C-2** and Wilson were handled on my watch. I freely admit that I would have acted differently with the benefit of today's knowledge and understanding of the nature of sexual abuse.

Relationship between Headmaster and the State (Ministry of Education, Education Review Office, Teaching Council, Ministry of Social Development, Oranga Tamariki and the New Zealand Police)

16. Please briefly describe the relationship between you as Headmaster all relevant State agencies.

New Zealand independent schools in the 1970s and 1980s were out on a limb when it came to relationships with government educational authorities. Clearly we had obligations under the Education Act to deliver a curriculum in line with what was prescribed for all New Zealand state schools. To that end Dilworth was regularly inspected by inspection teams from the Education Department Inspectorate (later the Education Review Office). But as indicated above (Para 3) the links to state authorities were limited to those required by law. There was no Teaching Council and no Oranga Tamariki. There were frequent referrals to and from the then Department of Social Welfare regarding advice on boys they had recommended for admission to Dilworth or occasional follow-up work on issues such as disputed custody or family violence.

Regarding the New Zealand Police, we had a close working relationship with the Newmarket police station whose Youth Aid Officer would occasionally visit on matters of concern such as shoplifting, boys picked up by police in town after absconding from the school premises. I have mentioned earlier that I recall speaking to the Youth Aid Officer about the McIntosh case and being told that it would be difficult to prosecute. This clearly influenced the manner in which this case was managed by the Trust Board.

17. In your experience, how did each State agency support Dilworth to prevent and to respond appropriately to reports of abuse?

No state agencies were involved in reports of sexual abuse of students at Dilworth until the establishment of the Teaching Council in 1989 when it became possible and desirable, although not obligatory, to report teacher misconduct to them. This was therefore what happened in the case of **GRO-C-2** and Ian Wilson (1996). From a letter I have seen from my successor Mr Donald MacLean to the Teaching Council, they had not acted to removed Ian Wilson's teacher registration as late as 1998. I do not know the reason for this.

18. Outline any attempts you made to raise any issues or concerns about abuse of Dilworth students with any State agency when you were Headmaster and the response you received.

As stated in Para 18 I did not refer matters to any state agencies. If there had been any referral it would have been carried out by the Trust Board. Independent schools in the 1980s operated in a climate of isolation and exclusion, not by their own choice but simply because there seemed to be a view that such schools were in some way "beyond the pale" and did not have the right to use state services provided by the government through tax-payer dollars. Most independent schools were of course funded by the fees paid by their parents. Dilworth was very different. It was and is a charitable trust which works to improve the lives of those in financial or domestic stress and provides every possible amenity and support at a level unheard of in any other organisation. Put simply, Dilworth did not need state support and did not seek it.

19. In hindsight, how do you consider that State agencies could better support the prevention and response to reports of abuse of students?

Disclosures of abuse

Outline what you knew about the nature and extent of abuse of Dilworth students during your time as Headmaster.

Already answered fully under various headings above. Regarding the "nature of abuse", I only knew what was reported to me. Its "nature", while entirely inexcusable in a teacher and absolutely abhorrent to me personally, seemed at the time of reporting and investigation to be mostly at the lower end of the scale of offending: naked showering (McIntosh), amorous advances (Cave), inappropriate touching (Wilson), supplying of alcohol (Cave). In one case, and this is not meant to excuse in any way what happened, there was a clear indication of consensual behaviour (GRO-C-2).

As to the "extent" of the abuse I can only repeat that there did not appear to be widespread staff misconduct at the time of reporting. Each reported case was separated from the others by several years and only two of those were actual allegations of sexual abuse (GRO-C-2 and Wilson).

20. Please describe how you responded to disclosures of abuse. Please include in your answer:

- 1. whether you recorded disclosures (and if so where);**
- 2. whether you reported disclosures (to the Anglican Church, Trust Board, Police or others); and**
- 3. how you responded to students who were reporting abuse.**

I have responded to these questions in various headings above. To answer the specific questions:

20.1 I recorded fully the disclosures that were made to me in reports I made to the Trust Board. Given the sensitive nature of the events and the possibility that the School files might not be secure, these were invariably retained by the Trust Board and kept in a file secured in the office strongroom. I believe these files are no longer there. I do know that at some time in the 1990s a Trust Board employee (the late John Keeble) was given the task of going through old records and removing anything that was no longer relevant. The important part of that statement is that it was left to his judgment to determine what should be kept and what should be destroyed. Given the importance of having access to those reports today, that was a bad call and one in which I had no part and knew nothing about.

My reports on the cases I dealt with were not included in Board reports but appended as attachments. They were physical hard copy reports and attachments. Computers were not used until the early to mid 1990s. The reports were not added to the staff files of the alleged offenders because many people had access to them and they were not secure.

20.2 The **Anglican Church** had no part to play in the internal workings of Dilworth except when it involved the Chaplain. As no allegations against Ross Browne were made until after I had retired there was no need to report to the Anglican Church.

As I have already indicated several times above, every case of abuse was immediately reported to the **Trust Board**. My access to the Board was through its General Manager and therefore I discussed matters first with him and then immediately after with the Chairman of the Board. Those reports were never more than an hour or two after the allegations were made to me.

Regarding reports of abuse to the **New Zealand Police**, this has been dealt with extensively in earlier paragraphs. The same applies to any reporting obligations to other agencies, such as the Teaching Council after it was established at the end of the 1990s.

20.3 The response to students who reported abuse was always immediate and sensitively handled by the counselling team. At that time this consisted of the Chaplain (Ross Browne), the Deputy Headmaster (Bruce Owen) and another senior teacher with extensive counselling experience (the late Tony Ross). I

know that they spoke to parents/caregivers if this seemed a wise option or if the victim allowed them to do so. (They were more often than not reluctant to have their family involved.) Given the unjustified belief that the Headmaster would be intolerant and threatening to an abused boy's place in the school, I considered it appropriate to remain at arm's length from this involvement, leaving the counselling to those who were trained and experienced in the area and had a closer involvement in the boys' daily lives.

21. Please comment on whether you consider that there was a culture or practice of ignoring, tolerating or normalising abuse at Dilworth. Please set out reasons for your view.

I absolutely refute and reject this suggestion. I did not ignore, tolerate or normalise abuse of any kind. I considered abuse, whether sexual or physical, to be abhorrent and I was totally intolerant of it. Together with my colleagues, I ensured the safety of our boys by abolishing corporal punishment and establishing systems for eliminating bullying. As I have said elsewhere in this report, I also successfully lobbied the Trust Board to improve the living conditions for boys and staff to make their safety more achievable. The manner in which this notion of "normalising" has been conveyed by the media in various reports and interviews seems to have engendered a belief that abuse was accepted as a normal part of boarding school life at Dilworth. It is malicious and unfair journalism and the authors of such reports should be held to account. They are promulgating an untruth and in the process it becomes the narrative that everyone believes.

As an example, there was one New Zealand Herald story (19 September 2020) in which a former teacher, Ted Dawe, a published teen-lit author, stated: "I found everything about [Dilworth] very, very odd. It was more like an orphanage than a school. The relationships were unhealthy and close." Going on to describe the sudden departure of "a handful of teachers suspected of abusing students" Dawe claimed "I remember three incidents where somebody I had spoken to on Friday - I came in in the weekend to do sport, and I saw him packing up, he had a trailer there and he is moving all the stuff up and he had decided to retire during the last 12 hours. And he had been there for 30-odd years." Dawe added that he was powerless to confront the abuse. "I couldn't have done anything about it. I wasn't in a position to. That would have been a very, very bold move for a person who was just a teacher here. My book [*Into the River*, initially banned for its content, and about a young Maori boy purportedly attending a school like Dilworth] was possibly my attempt to do something about it."

The claims made by Mr Dawe in this media report imply that there was a continual succession of abuse cases and constantly departing teachers. In fact, only two occurred while Mr Dawe was there (GRO-C-2 in GRO-C and Wilson in 1996). He describes the School as "more like an orphanage than a school", and yet its facilities were the best offered to boarding school students anywhere. In spite of his protestations of powerlessness to act, Mr Dawe was actually a very senior member of staff, the Head of English and a member of the academic senior management team, and was certainly in a position of power and influence which he could have brought to bear had his claims of a culture of abuse at Dilworth been correct. GRO-C

GRO-C

22. Briefly outline any instances during your time as Headmaster of Dilworth where Dilworth sought to have the name of the School suppressed where a staff member or former staff member was facing a criminal prosecution for sexual abuse. Please explain in your answer why the School took such steps.

I did not at any point in my 18 years as Headmaster seek to have name suppression for Dilworth in cases of abuse leading to prosecution in court. That was entirely the preserve of the Trust Board. I played no part in it at all. The only occasions during my tenure when name suppression was sought and granted were the cases of GRO-C-1 (GRO-C for offences committed in the GRO-C) and GRO-C-2 in GRO-C. By the time name suppression was asked for in the case of Ian Wilson (late 1997 for an offence committed in the 1970s) I was retired.

The reasons for seeking name suppression are self-evident in terms of the accepted practice of those times. It was felt that to have the name of the School published would be injurious, not just to the name and reputation of the school, but more importantly to the inhabitants of the School, the boys and the staff. The current Trust Board's policy of openness has been adopted with the sole purpose of ensuring that other victims of abuse could come forward and reveal what happened to them. I have no quarrel with this. But I do know that it must be highly embarrassing for boys presently at the School, and the staff, to hold their heads up high when all this is raging about them in the media.

It is also unfortunate that the public is being given an impression by media reports of a school where a blind eye was turned to sexual abuse, even though this is emphatically not the case. There is no way that such abuse is acceptable and I deeply regret that it happened, and that by today's yardstick not enough was done to stem the tide. But it is also important to keep matters in perspective. Dilworth has successfully educated over 6,000 boys, in the process breaking the poverty cycle for them and their families. In that sense it could be said that Dilworth substantially improved the lives of about 20,000 people.

23. In hindsight, do you consider that Dilworth adequately responded to disclosures of abuse between 1979 – 1997. Please include in your answer the reasons for your view.

This question has been answered in various ways in what precedes. "With the benefit of hindsight" one would react differently to just about everything we do in this life. Dilworth did respond appropriately to reports of abuse during this period. We responded in the best way we knew, given the then *modus operandi* of all schools, the availability of outside support, the position taken by police in the 1970s and 1980s, and our limited experience and understanding of abuse at that time. That is my reason for choosing the word "appropriately". Whether or not the response to disclosures was "adequate" is the burning question.

23.1 Reporting Our response was adequate in terms of reporting because only two of the revelations in that 18-year period (1979-1997) were accusations of actual sexual abuse ([GRO-C-2] and Wilson) and in both cases we acted swiftly and firmly. Police were informed, prosecutions followed and the Teaching Council were notified and asked to rescind teaching licences. The other cases reported in my time were not at that stage allegations of sexual abuse as outlined above (McIntosh, Wynyard and Cave) and therefore there was nothing to report. The response to reported allegations of abuse has developed over a period of many years, from the policy of "getting rid of the problem" in the 1970s, to the more appropriate actions taken in the 1990s and later to ensure relevant authorities were kept informed.

23.2 Investigating I freely admit that our response in terms of carrying out a full and thorough investigation was not adequate by today's standards. In the early stages (late 1970s to early 1980s) we believed, and were guided by the experience of other schools, as well as our own Trust Board experts, that the first action was to confront the accused abuser, obtain an admission and remove them promptly. Investigation in those earlier years consisted of assigning suitable people to interview the complainant to obtain more information. This invariably involved the Chaplain and the Housemasters. When the late Tony Ross was appointed as Housemaster and Head of English in 1981 he brought with him experience as the former Deputy Principal of Wesley College and counselling skills as an ordained lay preacher. He was always involved in any followup counselling that was done.

23.2.1 McIntosh The McIntosh case is somewhat unusual. As referred to several times in preceding sections, it was not a matter of reported sexual abuse but inappropriate conduct on the part of a Housemaster. (There was no issue with his teaching. He was reportedly an outstanding primary/intermediate classroom teacher.) The episode was reported directly to me by one of McIntosh's colleagues. When confronted, McIntosh would neither confirm nor deny. Our only available option in the circumstances was to ask him to resign for reasons of gross misconduct, which he did.

Given that the School [GRO-C], it might well have been a signal that a thorough investigation should have been carried out to determine if McIntosh's naked performances had a deeper significance. In all my teaching and housemastering experience to that point (10 years in New Zealand and 11 years in Canada) I had never been confronted

with a case of sexual abuse by a staff member. Nor had I experienced it or heard of it when I was a school pupil myself. It simply did not exist at Dilworth in the 1940s to 1960s. There was not in all that time a single episode of a teacher being removed for this reason. The only sexual abuse of children I ever had any first-hand knowledge of was at St John's Anglican Church in Victoria, B.C., Canada, where my wife and I had been members of the choir. The choirmaster was accused of abusing choir boys, was arrested, prosecuted and served time in prison. But we only heard about it. We did not experience it or play any part in its revelation or management.

When the McIntosh episode was reported to me in early December 1979, I had only been at Dilworth as Headmaster for a matter of three months. At the time of reporting Mr McIntosh was still overseas on study leave. I had never met the man. I chose to do several things. First I reported the matter to the Trust Board Chairman, Mr Bill Cotter. He consulted his colleagues (who included Mr Ron Taylor, then Chairman of the Auckland Education Board) and we were instructed to confront Mr McIntosh as soon as he returned to New Zealand and take the action we deemed necessary. While waiting for his return I decided to contact the Headmaster of King's College, the late Mr Iain Campbell, knowing that he was an experienced Headmaster of another large boarding school. His advice was "get rid of the man as quickly as possible". When I asked about reporting the matter to police he said that they would simply laugh the matter off and would be most unlikely to follow it up or prosecute the man. The country had not yet reached the stage of (entirely justifiable) paranoia in these matters that is the case now and for the past 30 years. In spite of Mr Campbell's advice, I did consult the Police Youth Aid Officer and was advised that the police would be unlikely to take any action. It was over to us what action we should take. The rest is as described in preceding sections.

23.2.2 Howard Wynyard As described fully in preceding sections, Mr Wynyard was not accused of any wrong-doing in 1983. He was asked to resign simply because he refused to give up his obsessive relationship with a boy in his House, which in retrospect would probably be diagnosed as a case of a mental disorder. There was nothing further we deemed necessary at the time. As he has not yet faced court action regarding his alleged abuse of Dilworth boys, has pleaded not guilty and still has name suppression, it is not appropriate for me to comment further. I only wish to add in regard to this topic that if a full investigation had been carried out, and if boys and their families had been thoroughly interviewed, it might have been possible to determine that there was more to this case than met the eye in 1983. Mr Wynyard went on to a successful teaching career elsewhere and was not at any time accused of sexual misconduct.

23.2.3. Leonard Cave Also fully described in preceding sections. This was definitely a case of abuse in the sense that Mr Cave provided alcohol to young boys, which is misconduct punishable by dismissal, and could have been liable to police action. It was also a case of sexual abuse, even if at the lower end of the offending scale. We should also have investigated this case more fully to see if anything more than the reported "amorous advances" or "inappropriate touching" had taken place. Once again I had confided in the late Mr Iain Campbell of King's College, as well as the late Mr John Graham* of Auckland Boys Grammar School, and received the same advice, that is, "get rid of the problem quickly". I can only say, again, that at the time our actions (mine as advised by others and directed by the Dilworth Trust Board) seemed appropriate to the situation and in line with what today would be termed "best practice", but judged by today's standards appears, in fact, to be "worst practice".

[*By this time I had a strong relationship with John Graham through our mutual involvement with the Auckland Headmasters' Association, now known as "College Sport". Mr (later Sir John) Graham's lengthy experience of boys' education, as well as his management of the AGS boarding hostel Tibbs House and his matchless reputation as a rugby icon and educational leader, made him an obvious choice as an adviser and mentor to a young Headmaster.]

These matters are further developed in the next section.

24. With the benefit of hindsight, knowing what you know now about abuse at Dilworth, what would you have done differently as Headmaster?

Without going through each case again, as they have been fully described in preceding sections of this report, I offer the following explanations of what I would have done "with hindsight".

24.1 I would have insisted on being fully briefed by the Dilworth Trust Board in 1979 about the situation that led to the dismissal of the [GRO-C-1]. I was told nothing at the time, did not even know there was no [GRO-C-2] until after I had been appointed following my interview in late January 1978. Even then, I only learnt of the absence of a [GRO-C] when I attended a Sunday evening service which was conducted by the [GRO-C]. I just assumed [GRO-C-1] had simply moved on and was yet to be replaced.

If I had my time over again, and had I known then what I now know about the nature and extent of [GRO-B] offending I would have pestered the Trust Board to produce a full report and carry out a very full investigation. The failure of the Trustees and the then Headmaster in not following this matter up more thoroughly could be at the root of the tragedies that followed. Paedophiles, or potential offenders already in the School at the time (Wilson, Wynyard, Cave) may well have gained confidence from the actions, or rather inactions, and felt emboldened to carry on what they might have been doing or planned to do. In defence of the Trustees and their Headmaster (the late Peter Parr), they undoubtedly acted in accordance with "best practice" of those days more than 40 years ago, i.e. "get rid of the problem and ensure the safety of the boys". Were they to be alive and able to answer for themselves, and defend themselves, they would agree, I am sure, that with the benefit of hindsight they would have acted differently.

24.2 When the McIntosh case came to light, even though his offending occurred before my time and I had never met him, with the benefit of hindsight I would have acted differently. If I had my time over again, and knowing what I now know, I would have insisted with the Board that a full investigation be carried out into his appalling conduct in the House. I would have interviewed the leaving class who reported the matter at a party (no doubt fuelled by alcohol and, who knows at that time, perhaps also by drugs which were a major issue in schools). I think that, because McIntosh's behaviour was not at that time deemed to be actual sexual abuse, even though it might well be described as such today, I opted to accept the Trust Board's advice, and that of my peers elsewhere, to "get rid of the problem". Additionally, I chose to get on with running the School which, as I have described in my opening notes, was in a parlous state to put it mildly. In other words, I had more serious problems on my plate and my every waking hour, and often sleeping hours, were consumed by the urgent requirement to get the School back on track. A full investigation might have revealed the nature and extent of MacIntosh's offending, as has come to light in the recent revelations and accusations against him. If a full investigation had been carried out at that time, it is highly probable that further revelations (Cave and Wilson, and perhaps Wynyard) would have come to light.

24.3 The same explanation applies to the other cases I dealt with in my term as Headmaster. Namely, that when the Cave, [GRO-C-2] and Wilson cases were reported, a full investigation and followup could well have elicited further examples of their misconduct with other boys.

24.4 The accusations against Ross Browne and Alistair Harlow were not revealed until 2019 or 2020 following the move by the current Trust Board to be open and frank about historic abuse and their encouragement for victims to come forward and tell their stories to the Operation Beverly team. It is entirely conceivable that, had a full investigation been carried out at the time of the Wilson revelations in particular, there would have been revelations about Browne and Harlow. Nothing was reported about them during my tenure.

One difficulty with this situation is that investigations might perhaps have been driven by Ross Browne as our main counsellor. However, again with the benefit of hindsight, we would have engaged outside experts to do this work. I very much regret that we did not do this, did not have the knowledge that would have persuaded us to investigate fully, and that my own actions were driven as much as anything by the Trust Board's need for privacy as well as financial considerations. We believed, wrongly or rightly, that by getting rid of the problem staff member, reporting the case to police and educational authorities ([GRO-C-2] and Wilson), ensuring that the victims were safe and had access to counselling and other support, discussing the case with parents/caregivers, we had done all that was humanly possible.

Mea culpa (perhaps more correctly *nostra culpa*). We, the Trustees, the senior management team, the staff and I, could have done more. I regret that we were unable to do so or were not collectively or individually equipped with the skills and insights to do so. I apologise unreservedly to those genuine victims who were so grievously affected by our perceived shortcomings and I sincerely hope that these proceedings, as well as the Dilworth internal inquiry and redress programme, will go some way towards balancing the ledger and enabling them to achieve some closure.

I hereby declare that:

1. the information that I have provided is true and correct to the best of my knowledge and belief;
2. the copies of any documents that I have provided are true copies of the original documents to the best of your knowledge; [none actually provided because I do not possess any.] and
3. the response is comprehensive and all reasonable searches of information, records and other material I hold has been undertaken in order to comply with this section 20 notice.
4. I further state that I hold no school records and have not provided any here; that I have relied on my excellent memory of the events, on passages from my book *The Dilworth Legacy*, and notes I have made over time to prompt my memory.
- 5.

Signed,

GRO-C

Murray Thomas Wilton

Former Headmaster of Dilworth

18th July 2022