

Executive summary

Terms of reference

The terms of reference require us to examine and make findings under four broad headings:¹

- the nature and extent of sexual and other abuse
- the factors that caused or contributed to the abuse
- the acts and omissions of the school, its trustees, officers and staff in responding to, or addressing, complaints of abuse
- the adequacy of the policies and procedures in place at the School today to prevent any future abuse.

What the report is about

This report answers the questions posed under the terms of reference. It is based on our analysis of information provided to the Inquiry by 175 former students; 30 family members, some representing deceased students; over 100 people who were employed by Dilworth or closely associated with it, including all living headmasters, 10 of the 13 living trustees, and personnel from the Anglican Church. Our analysis also included an in-depth review of a wide variety of documentation. Regrettably, it is a catalogue of damage and injustice, and we acknowledge the distress it will cause to the Dilworth community at large.

What the report is not about

According to Dilworth, the total roll during the period under review was 4,693 students.² The report does not, therefore, speak to the experiences of the other students who attended the school in the period under review and who did not speak with the Inquiry. We acknowledge the many caring, talented and capable teachers we spoke to and heard about and the students who built successful careers, lives and families after leaving Dilworth and feel a huge debt to their school.

1 Inquiry into Abuse at Dilworth School, *Terms of Reference*, 2022. These are in appendix 1 of this report.

2 Data provided by Dilworth to the Inquiry, 30 June 2023. The Inquiry has not independently verified this data.

How we went about the Inquiry

This Inquiry was structured by the Dilworth Trust Board to be led by lawyers and to be independent of the Board. Lawyers are trained to follow and understand the principles of impartiality, fairness and independence, and this training has been important as we investigated the events that gave rise to the Inquiry. Staff employed to assist us as lawyers, investigators and administrators were also guided by these principles, and we have all sought to maintain the highest levels of privacy and confidentiality.

Mindful of the risk of distress and trauma that recounting abuse may cause, the Inquiry took a survivor-focused and trauma-informed approach to communicating with former students who reported having been abused and wellness supports were put in place. We have also been struck by the mistrust in the school leadership and Board expressed by many former students, leading to unnecessary additional stress for some.

Anyone who wanted to participate in the Inquiry contacted it through a publicised website, phone number or postal address. Most were interviewed. Some former staff and students and various others were approached if it appeared they might have relevant information. No former student was contacted for the purpose of asking whether they had been abused. In all, the Inquiry conducted 416 interviews and drew up 265 written statements.

We outline the Inquiry's processes further in chapter 2.

Dilworth School

Dilworth was established as a private boarding school for boys in 1906. Its purpose was to help boys from financially disadvantaged homes to be good and useful citizens. The school is led by a headmaster. A chaplain guides the students in the Anglican faith.

The Dilworth trust is administered by a six-member trust board. Since its inception, the Dilworth Trust Board has had a primary focus on managing the trust assets.

Students are admitted to Dilworth under the terms of James Dilworth's Will and are not charged fees. Students have typically been very young, usually aged 8 or 9, when they began boarding at the school. Many came to the school following family trauma or dysfunction, serious parental accident or illness, death, separation or divorce, and most lacked a father.

Although the Board's guardianship role has altered significantly in the last two decades, for generations it assumed almost complete guardianship responsibility for students in the school's care with little or no consultation with parents.

As a private school, Dilworth has minimal state oversight. We set out the legislative framework that applied to Dilworth throughout the period of the report in chapter 8.

Nature and extent of the sexual and serious physical abuse from 1 January 1950 to July 2023

The detailed response is addressed in chapters 3 to 6 and 9 by headmaster era: Mr John Conolly, 1951 to 1966; Mr Peter Parr, 1967 to 1979; Dr Murray Wilton, 1979 to 1997; Mr Donald MacLean, 1997 to 2018; and Mr Dan Reddiex, 2019 to today.

Sexual abuse

Extent of sexual abuse

Sexual abuse is not defined in legislation. For the purposes of this Inquiry, the term ‘child sexual abuse’ is interpreted to include acts of physical contact, such as touching, kissing, fondling and penetrative and non-penetrative contact with the anus or genitals, and non-contact behaviour such as exposure to sexual imagery. We expand on this definition in Chapter 2.

Of the 171 former students who provided information to the Inquiry about sexual abuse,³ 126 reported being sexually abused at Dilworth. Having assessed statements and interviews in detail, and extensively reviewed documentation, we are satisfied the accounts on which we have relied are credible and compelling.

In addition to the 126, the Inquiry is aware of a further 49 former students who were sexually abused at Dilworth making a total of 175.⁴ The Inquiry believes the number of abused students is likely to be higher.⁵ We note the police estimate of 233 student victims.⁶ We have found that sexual abuse was committed consistently at Dilworth from the 1950s until 2005. It peaked between the 1970s and 1990s. There have been two staff reported after 2005, one in 2011 and one in 2018. We have not heard of any further reports of sexual abuse involving staff members since then, but cannot say with certainty there are none due to the known time lag in reporting sexual abuse.

3 Not all students spoke about their whole experience at Dilworth. Some students provided information only on serious physical abuse or other aspects of their time at Dilworth, although the Inquiry was aware from its investigations that other abuse may have occurred.

4 This number includes those students who have died, but information was provided by family members; those where convictions have been entered in respect of abuse or those disclosed through Dilworth documentation, but the survivor has not registered with the Inquiry. The total number of students the Inquiry is aware of having suffered sexual abuse in each era is Conolly 4; Parr 69; Wilton 89, and MacLean 31. Some individuals were abused by more than one offender and in more than one era.

5 The Inquiry has assumed that older abused former students would be few in number due to age and health, that some abused former students would be dead, that it would be too emotionally and psychologically difficult for others to come forward, and that some have gone straight to the redress scheme without making a statement to the Inquiry, as they are entitled to.

6 Data provided to the Inquiry by NZ Police, January 2023. The Inquiry is also aware of three other individuals who were abused by Dilworth-associated adults.

Police have charged 12 former staff and one Dilworth volunteer with various sexual abuse offences in relation to 65 former students.⁷ The first charge was laid in 1994 and the latest in 2022. In total, 11 former staff have been convicted of sexual abuse offences against 50 students.⁸ The Inquiry is satisfied that the scale of sexual abuse of students by former staff is greater than those charged or convicted by police. By way of example, Peter Taylor was convicted of offending in respect of two former students, but the Inquiry is aware of 35 students who were abused by him.

Most students were sexually abused on more than one occasion. While most complaints concerned sexual abuse by a staff member, 42 students reported being sexually abused by another student or group of students.

The extent of sexual abuse known to the Inquiry and occurring during the period under review is set out in chapters 3 to 6, and in a timeline in appendix 5.

Nature of sexual abuse

A full range of sexual abuse was reported, from sending explicit sexual messages to rape. Students were extensively groomed and abused by Dilworth tutors, housemasters, chaplains, teachers, scout volunteers, staff friends and associates and friends of friends. Grooming and abuse occurred in the course of religious teaching, pastoral care, choir practices, leisure time at boarding houses, classroom teaching, and extra-curricular activities such as scouting, camping, school-organised trips, off-site Group Life Laboratory (GLL) camps and hobbies.⁹ Grooming and abuse was facilitated by the age, immaturity and general vulnerability of the students enrolled at the school, many of whom yearned for a father figure. In most instances, when identifiable grooming techniques were deployed, the child concerned was later sexually abused or abuse was attempted. Grooming taught some students as they matured how to use younger ones for sexual purposes. Most children groomed and abused were aged between 8 and 14.

7 This number includes pre-Operation Beverly prosecutions, and victims. Figures relate only to charges in the period under review, 1950 to 2023.

8 Mr Leonard Cave, Mr Ian Wilson, Mr Ross Browne, Mr Alister Harlow, Mr Graeme Lindsay, Mr Keith Dixon, Mr Howard Wynyard, Mr Johnathan Stephens, Staff Member RZ, Staff Member TS and Mr Peter Taylor. Mr Dixon's convictions relate only to offending prosecuted in 2014. Two individuals died prior to their charges being determined.

9 GLL camps were created by Mr Browne and run by senior staff of the school. Students the school identified as more vulnerable spent a week at a camp in Huia, West Auckland, doing group activities and they were encouraged and pressured to disclose personal problems, including sexual abuse. Activities at the camp included students participating in individual and group hugs and massages. It was left to the student to decide whether disclosures of abuse would be turned into a complaint to be reported to the school and police. These camps were a forum for grooming students, often for later abuse, and confidentiality was sometimes breached on the return to school with students who had disclosed abuse being exposed to school-wide harassment and bullying.

Effects of sexual abuse on former students

Impacts of the abuse were both immediate and ongoing. Educational performance often dropped suddenly; boys developed stutters, anxiety, bed wetting, and insomnia. They became isolated and depressed and lived in chronic fear their abuse would be found out by other boys who would then bully them. Some started smoking tobacco and marijuana, abusing substances such as glue and drinking alcohol illicitly to numb their pain, becoming addicted from age 11 upwards. Some became addicted to pornography after extended exposure to it by their abusers. For many, their behaviour deteriorated dramatically, and, for some, when their complaints were not believed, and the abuse continued, it led to them acting out to be 'expelled'.

The abuse was compounding in its impact. On leaving school, most abused students had achieved well below their educational potential. Of those who went on to some form of tertiary education or training, many did not complete it. Most worked in jobs well below their potential, often moving from one unskilled job to the next. Some had large gaps in employment when they were too mentally unwell to work. Some were convicted of criminal offences, occasionally the result of their inability to earn a living. Some were imprisoned, and others homeless for long periods. Many still suffer from an inability to earn a decent income.

Many, particularly those who had been intensively groomed, felt confusion about their sexuality. Those who had been abused and who had been counselled and encouraged by staff to have sexual relationships with other boys experienced guilt and shame. Many spent their 20s and 30s battling addictions. Some still battle them. Many developed mental illnesses. Some isolated themselves completely from any contact with family and former friends and their community. Most reported major struggles with trust and intimacy. Some were unable to start, and many were unable to sustain, intimate partner relationships. Many reported that they felt they could not parent their children well. Many have broken relationships with their mothers, who they blame for sending them to Dilworth. Lack of trust affected friendships and relationships at work. Many former students have been caught in a circle of interlinked problems, often unable to break out of it.

Most of the men the Inquiry met with who were abused are in various stages of rebuilding from shattered and broken periods in their adult lives. We note their courage and determination with admiration. We acknowledge also the suffering of the mothers and wider families and whānau of those who have died and whose voices we have not heard directly.

Serious physical abuse

Extent of physical abuse

The Inquiry interprets 'serious physical abuse' as physical acts that created a serious physical or emotional injury or impact, such as more than momentary pain, discomfort, hurt, shock or upset. Instances of serious physical abuse reported to the Inquiry are given in chapters 3-6.

Of the 159 former students who provided information to the Inquiry about physical abuse at Dilworth school,¹⁰ 134 reported having been seriously physically abused there. There are two broad categories of reported abuse. The first, bullying, was mostly perpetrated by older, larger or otherwise more powerful students. The other entailed physical assaults on students by house tutors, housemasters and teachers. Most instances in the latter category arose from caning that went well beyond corporal punishment guidelines of the time.

Bullying

In the context of the terms of reference, bullying has a physical element.¹¹

Physical bullying was usually associated with actions such as pushing, punching, kicking, beating up a student, shoving a student into objects, against walls or down stairs, or forcing a student to do painful and humiliating acts. Several reported severe bruising and wounding, broken bones and broken teeth as a result of bullying. Many needed in-house or hospital treatment for injuries incurred, and some injuries continue to affect former students. Bullying against a particular student could continue for months or years.

We have concluded the bullying, particularly where sustained, had a major impact on the student. At school, it led to feelings of fear and social isolation, changes in behaviour and personality, and reduced levels of educational achievement and participation in leisure activities. Former students reported self-harming and suicidal thoughts after severe bullying. Some attempted, and some died by suicide. Poor health in adulthood, attributed to the abuse or trauma of the school experience was also reported. In adult lives, major emotional distress and psychological harm were still being experienced affecting their ability to reach their potential in study, work and relationships.

10 Not all students spoke about their whole experience at Dilworth. Some students provided information only on sexual abuse.

11 The Inquiry adopted the Ministry of Education's definition of bullying, which requires a deliberate intention to harm someone; the misuse of power based on physical size, age, gender, social status, digital capability or access; and the behaviour to be usually repeated, harmful to the recipient and not a normal part of growing up.

For most of those witnessing bullying, it led to fear, silence and a strong desire to conform and become invisible to the bullies. For the bully, it led to unhealthy feelings of power and dominance. For some, it created a desire to retaliate when they were older, by repeating the behaviour on younger boys. It reduced empathy, and in adulthood, many former bullies have experienced guilt and shame.

Many students reported having no escape from the relentless, cruel name calling, harassment and taunting, occurring during the day at school and continuing in the boarding house. Bullying has been a major problem at the school until well into this century. For most decades causative factors included inadequate staffing of boarding houses and reliance on senior students to keep order.

Caning as a form of serious physical abuse

We have considered the use of corporal punishment by staff members against the legislation,¹² Education Board guidelines¹³ and school guidelines that existed at the relevant time, in determining what caning could be considered to fall outside 'reasonable force'.

The school used caning as the primary means of controlling and disciplining students, including for minor offences. Many boarding house staff used the cane excessively causing severe physical and psychological damage until its reduction in use in the 1980s and prohibition in 1990. Caning guidelines were ignored and, with few exceptions, housemasters and tutors, notorious for their cruel misuse of the cane, were not held accountable for their actions.

Many students reported being caned for trivial things such as leaving toothpaste on a toothbrush and being caned so severely it split open their skin on legs, arms, torso and backsides and caused observable major bruising and welts lasting for days or weeks. Many reported being caned in situations that caused injuries to heads and hands as well¹⁴, and some were aware that staff were gaining sexual gratification from caning on bare skin. Some were caned in response to their disclosure of sexual abuse by a staff member.

Younger students were terrorised by the risk and frequency of caning. Caning brutalised students, taught them to use physical violence, and further disempowered them from standing up to bullying and sexual abuse.

12 Section 68 of the Criminal Code Act 1893 provided that a parent, or person in the place of a parent, including a schoolmaster, was able to use force by way of correction towards a child or pupil in its care, provided that the force was reasonable under the circumstances. Section 59 of the Crimes Act 1961 continued this authority.

13 The report references by-laws issued by the Auckland District Education Board as this is the relevant geographical catchment.

14 This included instances where students were made to put their heads between heated towel rails and then place their hands on the heated tubes while being caned, so that when they reacted to the caning, they hit their heads on the towel railing and put their burning hands on their heads.

Factors contributing to the abuse

The presence of staff who sexually abused Dilworth students, students' vulnerability, parental disempowerment, the harsh, violent school environment and culture and failings in school leadership and Board governance, created the ideal conditions for abuse to occur and continue.

Staff who were abusers

Staff members who sexually abused students fell into two groups. The first were tutors, often young men, who cared for the students in the boarding houses after school and in evenings. These tutors were largely opportunistic and abused one or two students each. The second group comprised of long serving staff in trusted senior positions, who were often boarding house staff as well. They each abused multiple students.

Several abusing staff in the Parr era knew of other staff who were also abusing students and on occasion assisted each other. Several students were abused after an offending teacher introduced a friend with a sexual interest in boys into the scout troupe. At his home they were plied with drugs, alcohol and pornography and often sexually abused.

Vulnerability of Dilworth students and parental disempowerment

The fact students came from families in "straitened circumstances"¹⁵, and had often come from families where there was trauma and loss and most lacked a father figure, made them particularly susceptible to grooming from male staff. Parents were kept at arm's length for much of the period under review and were never represented on the Board. They were seldom told of bullying, health concerns, sexual abuse or serious physical abuse complaints made by their sons, including when the school knew their sons had been abused. The protective role parents play was almost entirely missing for much of the period under review.

School Environment

Recent Australian research confirms that boys' boarding schools are very high-risk environments for their students.¹⁶

¹⁵ Qualifying term in James Dilworth's will for enrolment of students.

¹⁶ P Parkinson and J Cashmore, *Assessing the Different Dimensions and Degrees of Risk of Child Sexual Abuse in Institutions*, Royal Commission into Institutional Responses to Child Sexual Abuse, Commonwealth of Australia, 2017, p 25. Parkinson and Cashmore's research was undertaken at the request of the Australia commission to establish a means of differentiating types of institutions in terms of the level of risk of child sexual abuse.

Until the 1990s, the Dilworth boarding school environment reflected that assessment and was described as harsh and uncaring with serious physical violence and pervasive bullying. It was hierarchical, rigidly rule bound and authoritarian. Some named staff were exceptions, providing a more supportive environment. They tended to have less influence in the school than those maintaining the harsh culture.

There was insufficient staff supervision of the boarding houses after school and in evenings. With some exceptions, boarding house staff tolerated an unacceptable level of physical bullying and violence up to the mid-1980s. Senior untrained students having experienced harsh discipline themselves were given responsibilities akin to staff members. Until 2018, under the school's policy, senior students could use adult levels of authority and impose punishments on younger students. Senior students' often brutal treatment of younger students caused fear rather than modelled positive leadership. Younger students learned that when they matured, they too could punish and intimidate physically and mentally.

There was a homophobic, macho culture, causing fear among students that they would be seen as different, effeminate or gay. Until the late 1990s, that unchecked perception, led to ongoing, taunting and bullying and exposure to sexual predation by other boys and staff.

Those perceived as weaker or different were particular targets. For decades, there was also a racist culture where Māori and students of other non-European ethnicities were belittled and often targets of bullying.

There was an entrenched, strictly enforced "no narking" code of conduct. Any student who complained was often disbelieved and punished, creating a barrier to complaining. Staff were believed over students, who felt powerless. Students' communication with their families could be monitored and there could be long periods where they could not go home, isolating them from their family support.

Until the late 1990's, students had no education in physical and personal safety, and the inadequate pastoral care itself often resulted in mental or psychological harm. These factors reduced boys' confidence and self-esteem and made them more vulnerable to grooming and less able to resist abuse or complain of it.

The Board was repeatedly told by Mr Parr, Dr Wilton and and Mr MacLean of the risks presented to students due to the inadequate supervision of the boarding houses and that the employment of more staff could ease the problems arising, particularly that of serious bullying. However, it allowed the situation to continue largely unaddressed in the Parr era, with some improvement in the Wilton era, but back on the Board agenda as a serious issue under Mr MacLean.

Failings in school leadership and governance

Failure to respond to complaints and concerns

Many students did not complain of sexual abuse. Reasons included shame and confusion, threats to remain silent, punishment, the no narking culture, no known avenue of complaint, and the disempowering, harsh school environment. Similar factors led to even fewer students complaining of serious physical violence.

However, in all eras complaints of sexual abuse were made, to matrons, older students, housemasters, chaplains, teaching staff, senior leadership and headmasters. They were usually made either by the student being abused, students aware of the abuse, or mothers. Chapters 3 to 6 set out a detailed analysis of the response to each complaint made. Most complaints were dismissed without investigation and not reported to the Board.

Students in the Conolly and Parr eras were typically called liars, troublemakers, attention seekers and accused of ruining the good reputation of the staff member complained about. They were often severely punished, mostly by caning. There is evidence limited disciplinary action was taken in some instances. No investigations were undertaken to determine the extent of the problem.

Many complaints in the Wilton era were dismissed or minimised, and not investigated. Students were told they were making things up and mothers who reported concerns were told they were reading too much into matters. Students complaining to the chaplain in the MacLean era were told the reported behaviour was normal, even when they were reporting non-consensual sexual activity with other students. Multiple rumours and expressions of concern or unease about the chaplain in the MacLean era were not acted upon in favour of waiting for a 'concrete complaint', as Mr MacLean understood this was the legal advice received by the Board.

Failure to investigate

Between 1971 and 2006, the school received complaints about each of the following charged or convicted former staff: Leonard Cave, Johnathan Stephens, Keith Dixon, Rex McIntosh, Peter Taylor, Howard Wynyard, Staff member RZ, Ian Wilson, and Ross Browne. It also received complaints about charged Dilworth Scouts volunteer, Richard Galloway.

If a complaint was raised with the Board, it treated the matter solely as an employment dispute. Offending staff were offered and accepted the opportunity to resign immediately, sometimes with financial benefits. The school community and students were not told the truth about the reasons for the staff member's sudden departure. In spite of receiving a credible complaint about Ian Wilson and knowing the police had been notified, until he resigned, no steps were taken over several months to protect the students in his care.

Where a student displayed behavioural issues, the school chose to view it as a student attitude issue, categorised the student as unsuitable for Dilworth and arranged for him to leave the school, either through withdrawing the student's scholarship or asking the parents to withdraw their son. There did not appear to be any recognition by the school, even where it was aware that a student had been a victim of abuse that the impact and damage of that abuse might manifest itself through a change in attitude or academic performance.

By failing to recognise students' deteriorating behaviour as related to possible sexual abuse, the school lost an opportunity to address the problem. By removing the students, it also silenced other students' voices and protected the abuser.

When staff left the school, complaints of historical abuse continued to be made, but were neither further investigated nor care provided to the former students concerned.

Failure to report to police or education authorities

Until the end of 1994, the Board did not report staff to the police, and no reports about undesirable teachers were made to the Department of Education, or under the voluntary reporting provision provided by the Education Amendment Act 1996,¹⁷ despite the fact the school was aware of and had access to the lists of undesirable teachers held by the Department.¹⁸ Teachers were being deregistered from the beginning of the 20th century for sexual abuse of students and sexual abuse by an adult on a child was a criminal offence.¹⁹ Reporting abusing teachers to these authorities might have meant that other staff had less confidence that they could continue to abuse without consequence. Dr Wilton gave effusive references for four staff who resigned following complaints of sexual abuse. These references allowed some to go on to teach at other schools and abusing staff to feel emboldened. This placed other students at risk.

In contrast to the Board's failure to report staff, the Board was aware Mr Parr had reported students to the police, advising it of his moral responsibility to do so.

When Mr Taylor was prosecuted in 1994 and 2000, limited assistance was provided to the Police. The Police were not told that Board members and former staff who knew the circumstances of his departure were still available for interview and relevant information was held on student medical records. The only focus for the Board was to ensure it obtained name suppression of the staff member and school.

17 The Education Amendment Act 1996 introduced a new provision allowing for voluntary notification to the Teaching Registration Board of any aspect of the behaviour or performance of any former employee which might be relevant to the Registration Board's performance of its duties.

18 The Board approved Mr Parr's proposal to contact the Department of Education for its list of teachers who should not be employed, but did not report its own offending staff, even when Dilworth knew they had been employed at another school.

19 Department of Education list of teachers' certificates cancelled 1880-1922 and Department of Education index of individual files of cancellation of registration cases 1951-1982.

Failure to implement policies or processes to respond to abuse complaints

Throughout the period under review the school's response to sexual abuse complaints fell far short of what was expected in an educational setting. From the beginning of the Wilton era the Board had knowledge of the sexual abuse of students due to complaints and staff dismissals. Complaints by parents or students were however routinely ignored or dismissed by school staff and no mechanism existed for routine notification of serious complaints to the Board.

In 1984, and 1989, the Department of Education provided specific guidance to schools on sexual abuse and how to respond. Schools were told to report abuse to the police or Child, Youth and Family Services and to provide appropriate pastoral support for abused students. In 1989, schools were also directed, as part of school policy, to have procedures for dealing with suspected sexual abuse of students, as well as a policy statement on the professional conduct expected of staff. Dilworth, as a private school, was not obliged to follow this guidance. Nonetheless, it had an obligation to ensure it complied with the same student safety standards as those applying in other New Zealand schools.

In 1994, following Mr Taylor's first conviction for offending against a former Dilworth student, the Board received advice from its lawyer to adopt procedures for responding and recording complaints of sexual abuse and that attempts should be made to ascertain whether there were further unidentified victims. The school also sought, and received, information from the Scouts Association as to the procedures it had instituted to respond to abuse. This advice was considered but not implemented by the Board.

A Dilworth staff handbook produced that year did not contain any guidance for staff about sexual abuse, procedures for dealing with a suspected case, or guidance for providing pastoral care for abused students.

Between 1994 and 1996 the school received complaints, or were made aware of external complaints, about sexual abuse carried out by Mr Taylor, Mr McIntosh, Staff Member RZ, Mr Harlow and Mr Wilson. Viewed in the most favourable light, by 1996, senior leadership of the school and Board knew they were not dealing with isolated cases. They knew of the sexual abuse of multiple students (and that there might be more) by at least six staff, some of whom had only recently left the school.²⁰ Despite this, it did not act on its own legal advice to develop and implement a complaints policy.

It was not until 2000 that the first complaint policy was drawn up. It was rudimentary, and it is unclear if it was formally implemented then. In 2006, the school adopted the first formal process for student complaints, set out in a flow chart entitled "How to handle a complaint". It was not a policy; instead, it set out the steps to be followed by a student before making a complaint. It is notable that the flow chart was designed to address complaints of any nature and did not provide information about what steps the school would take to address a complaint.

20 Mr Taylor, Mr McIntosh, Mr Cave, Staff Member RZ, Mr Harlow and Mr Wilson. School leadership also knew about Mr Wynyard.

Board failure to understand business of school

A major Board failure has been its focus on the commercial aspects of the trust's responsibilities rather than on governing a primary and secondary school. Members of the Board were nearly always appointed for their business and commercial skills, influencing decisions to prioritise the school's reputation over the safety of students. Educational and other relevant expertise in the governance of the school was missing, as was any parental involvement. One surviving headmaster spoke of his largely unsuccessful efforts to have the board engage more with school administration and the welfare of the students, and three headmasters tried over several decades to have staff-student boarding house ratios improved to promote student safety

Board failure to ensure external oversight of school performance

The Board failed to comprehend the implications of the legal status of the school, which, as a private school, was always lightly regulated. The current Education Review Office (ERO) review for private schools is superficial and completed by school management. Most past and current Board members were unaware they could not rely on these assessments to satisfy themselves that the school was operating well and students were safe.

The Board failed to put in place an alternative mechanism to Department of Education and later ERO audits to ensure continuous ongoing monitoring of the performance of the school, including its leadership, which would have resulted in the identification of substantial gaps in student safety protocols. The occasional external review between 1950 and 2019 was inadequate in identifying risk, and the Board relied on the headmaster's reports, overlooking that he had no professional oversight.

Board failure to provide adequate staff, vet or supervise staff

Sexual abuse and severe bullying could happen more readily because the school had too few staff in the boarding houses who might monitor or observe colleagues' behaviour. Nor did the school properly vet or supervise abusing staff. As a result, the school unknowingly employed and retained abusing staff. Over a combined near 30-year period both chaplains were largely unsupervised and sexually abused many students.

Even though policy was rudimentary, staff were aware from the Conolly era onwards that they were not to be alone with a student for any length of time. Yet that was never policed, staff movements were not monitored, and staff routinely took students off-site with very little supervision.

In the Conolly, Parr and Wilton eras, school leadership rejected expressions of concern and complaints about staff, demonstrating loyalty to them in preference to protecting their students.

Failure to ensure training and professional development for staff

The Board and school leadership did not provide professional training and development to educate staff on child sexual abuse issues and complaints processes. Staff awareness of the nature and extent of sexual abuse of children was therefore limited. They lacked proper guidance about how to detect possible signs of abuse, about the need to have appropriate policies, and how to provide support to students who suffered abuse. There was also no guidance provided to staff members on what to do when a student complained to them of sexual abuse by another person.

Failure to recognise weakness in scholarship model

The Board failed to recognise the weaknesses in its 'scholarship model', which allowed a scholarship to be removed arbitrarily, operating effectively to expel students without a fair process and discouraging complaints from them or their parents. This policy was at odds with the evolving state school guidance which recognised that students could act out due to abuse. Students 'stuck it out' despite abuse, rather than risk becoming a financial burden on their parents.

Summary

All these factors lead to a conclusion that successive Boards have failed over many years to prevent serious physical and sexual abuse of Dilworth students. It failed to investigate complaints properly or at all, failed to support students reporting abuse or investigate for further students impacted, failed to report abusing teachers to the police, and the Department of Education, thereby endangering students at other schools, and failed to establish and monitor policies to ensure that students were free from abuse and fear and able to take full advantage of the education and opportunities promised under James Dilworth's will. The Board delegated most responsibility for the school operation to headmasters and senior staff, failed to guide and oversee them, failed to take notice of repeated signs and complaints of abuse and to ensure that it modelled itself on best school governance practice by applying current knowledge and advice.

Dilworth today

Mr Reddiex started as headmaster in April 2019. His message to staff, parents and students has emphasised the school's values of transparency and honesty.

Following complaints of sexual abuse made by former students to the Anglican Church and passed on to the school in 2019, the school advised police who began a major investigation. The school established a Listening Service to provide and pay for therapy by an independent clinical psychologist for any former student and the Board chair and headmaster met former students on request, heard their accounts of past abuse and apologised.

The school began the intensive process to obtain accreditation as a Child Wise school,²¹ resulting in a far-reaching change in the culture of the school.

Accreditation involved participating in a detailed child safety review. This process included document review, leadership interviews, and student, family and whānau, and staff involvement. Accreditation was granted in September 2022.

Accreditation confirms that Dilworth is a school where:

- child safety is embedded in organisational leadership, governance and culture;
- children and young people are informed about their rights, participate in decisions affecting them and are taken seriously;
- families and communities are informed and involved in child safety and wellbeing;
- equity is upheld and diversity needs respected in policy and practice;
- people working with young people are suitable and supported to reflect child safety;
- there are child-focused processes for complaints and concerns;
- staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training;
- physical and online environments promote safety and wellbeing while minimising the opportunity for students them to be harmed;
- the implementation of standards is regularly reviewed and improved; and policies and procedures document how Dilworth provides for the safety of its students.

²¹ Child Wise is an organisation based in Australia that works with government, non-government and corporate organisations in the Asia-Pacific to build child safe communities and cultures.

In addition, Dilworth has developed its complaints policy in close consultation with students, families and whānau to ensure its fitness. It has two purposes: to give students and families and whānau access to a complaints system that promotes students' rights, responsibilities, safety and wellbeing and to ensure everyone understands what to expect from it. It recognises barriers to making complaints and the steps the school takes to remove them. It includes accessible and well-used anonymous tools for students to report concerns, measures for tracking student movements and for recording key information about students and their pastoral care.

There is now a Student Protection Policy and Student Safety: Code of Conduct for Staff which are part of all new staff induction, extensive pastoral and medical care and a school relationship management plan which supports positive behaviours for learning and living well.

Our discussions with current students and their families revealed strong belief that students are now well-protected, that there is zero tolerance for any form of abuse including bullying, and that the headmaster and staff have their confidence. The remaining concerns relate to the inaccessibility of the Board to parents, and an underlying unease about the impact the history of serious physical and sexual abuse may have on current students.

Conclusion

We commend the school for the work it has done to obtain Child Wise accreditation, which appears to have initiated a fundamental cultural change and should reduce significantly the risk of abuse of students.

The factors we identified as causative of the abuse are now being addressed, and we have made recommendations about what additional work needs to be done, particularly at Board level. It will take time for the new culture to embed, and continuous attention to ensure the changes outlined are sustained.