

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY
FAITH-BASED INSTITUTIONAL RESPONSE HEARING**

Under The Inquiries Act 2013

In the matter of The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

Royal Commission: Judge Coral Shaw (Chair)
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Ali'imuamua Sandra Alofivae
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Mrs Fiona Guy-Kidd and Ms India Shores for the Anglican Church

Ms Maria Dew KC, Ms Kiri Harkess and Mr Lourenzo Fernandez for the Methodist Church and Wesley Faith

Mr Brian Henry, Mr Chris Shannon and Ms Sykes for Gloriavale

Ms Sarah Kuper and Mr Matthew Hague for the Presbyterian Church

Venue: Level 2
Abuse in Care Royal Commission of Inquiry
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TRANSCRIPT OF PROCEEDINGS

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4 **MS ANDERSON:** Thank you, Madam Chair, perhaps before you administer the oath/affirmation
5 to Dr Wilton, I should probably introduce myself visually given I haven't had an
6 opportunity to do that today.

7 **CHAIR:** Yes, please do.

8 **MS ANDERSON:** For those listening, I'm a middle aged female Pākehā of short stature with
9 medium length brown hair, I'm wearing green rimmed glasses and a white and cream
10 coloured jacket with brown flowers.

11 **CHAIR:** Thank you, Ms Anderson.

12 **MS ANDERSON:** Would you like to administer the affirmation.

13 **DR MURRAY WILTON (Affirmed)**

14 **QUESTIONING BY MS ANDERSON:** Murray, welcome. You've provided a detailed written
15 statement to the Inquiry and together with a further two page statement that you and
16 previous chair Mr Firth have prepared. But you've also prepared a summary document to
17 speak to in opening for--,-- to give a summary of your evidence.

18 **DR WILTON:** That's correct.

19 **MS ANDERSON:** Would you like to begin with your opening in the way you wish to begin, and
20 when you've concluded we'll move into the phase where I'll be asking you some questions
21 arising out of your witness statements and from some of the documents that you've seen in
22 the bundle of documents that's been provided to you.

23 **DR WILTON:** Yeah, I understand.

24 **MS ANDERSON:** I'll hand over to you.

25 **DR WILTON:** Kia ora tātou. Ngā mihi nui. Tēnā koutou, tēnā koutou katoa. Kei te whare, e
26 rangatira mā, tēnā koutou katoa. Good afternoon, everyone, I greet you and acknowledge
27 the mana of this Royal Commission gathering, Madam Chair, Commissioners, learned
28 counsel and victims of abuse. I want to begin with just one or two introductions.

29 Quite a number of people have come along here today to give me moral support.
30 I won't name them all, I will simply refer to the two who are sitting beside me in the
31 witness box. The first is Gerald Smutz, sitting on this side here, who is the president of the
32 Dilworth Old Boys Association of which I am the patron. He was one of the first Pasifika
33 boys admitted to Dilworth and is one of my former students from the 1980s.

1 Sitting next to me is another man, Vaughan Couillault who was a brilliant teacher
2 and housemaster on my staff in the 1980s, one I had identified as a young man going
3 places. He is not a Dilworth Old Boy. He is now the principal of the Papatoetoe High
4 School and the president of the Secondary Principals' Association of New Zealand. As an
5 acknowledged outstanding educational leader you may have seen him interviewed in the
6 media on educational and Covid matters. He is a shining example of the quality of the
7 overwhelming majority of my Dilworth colleagues who were men and women of
8 unassailable integrity.

9 Acknowledgment of abuse survivors. I want to begin by taking advantage of this
10 first opportunity, for me at least, to acknowledge publicly the harm done to survivors of
11 abuse at Dilworth School. I offer my personal apology to all who suffered abuse at any
12 time but especially on my watch from some of my most trusted colleagues. It was an
13 abominable dereliction of duty by those men and an unforgivable betrayal of trust. They
14 were wolves in sheep's clothing and they deceived everyone,-- the survivors, of course, and
15 their own teaching and management colleagues at Dilworth. And their own families.

16 In my written submission I referred to the genuine alleged victims of abuse at
17 Dilworth, that was an injudicious choice of words for which I apologise. I do not mean to
18 suggest that some victims are more genuine than others, or that some claims or allegations
19 may not be true. I want to clarify immediately, so there is no room for misunderstanding,
20 that I accept without issue the legitimacy and genuineness of the survivors' complaints of
21 abuse at Dilworth. It happened. Of that, with huge regret, I have no doubt. I am very sorry
22 that it happened at an institution that I love and that some of the abuse happened on my
23 watch as headmaster.

24 To the extent that I could have done something, in hindsight or otherwise, that may
25 have avoided any instance of abuse at Dilworth, I am truly sorry. I do not and did not
26 condone any abuse, sexual, physical or verbal at Dilworth. The lifelong effects of abuse on
27 the survivors is heart-breaking to read. I have read the statements. I understand its awful
28 consequences and I'm deeply sorry for them.

29 I dealt with what I knew about at the time in what I believed at the time was an
30 appropriate way.

31 No doubt in some aspects Dilworth and I as its headmaster could have done better.
32 I did my best at the time but I am not perfect. Time and changing social contexts have
33 highlighted that we ought to have done better in order to prevent abuse in the past. I accept

1 categorically that to the extent that abuse existed at all at Dilworth, the leaders of the school
2 failed the victims of it. I tender my sympathy and my apology to all victims.

3 A word on sexual abuse reported to me during my tenure as headmaster. I was
4 headmaster at Dilworth from 1979 to 1997, having attended Dilworth myself as a student
5 from 1944 to 1954 and served as a young teacher there from 1961 to 1968. I spent 11 years
6 in between 1968 to 1979 studying and teaching in Canada. In 1979 I was employed as
7 headmaster of Dilworth at a time when its reputation for excellence had diminished. The
8 Trust Board's financial circumstances were difficult and a sea change was required to
9 restore Dilworth's fortunes and deliver on the promise of our students.

10 I was not briefed in any detail about the abuse perpetrated by a previous Dilworth
11 chaplain uncovered in the 1970s prior to my arrival as headmaster. I knew little about
12 sexual abuse in institutions. Teachers were not trained about how to deal with such matters
13 in those days. I had never been privy to the investigation or management of any cases of
14 sexual abuse in my previous employment here in New Zealand at Dilworth or overseas in
15 Canada.

16 At Dilworth I was a hands on headmaster and committed, but I also, like all school
17 principals, relied on and trusted the staff at the school. However, it was expected that all
18 complaints about the conduct of staff would be referred to me and the Board expected me
19 to inform them of any serious issues. In fact, the Board had the last word on all matters of
20 staff discipline.

21 When cases of abuse or unacceptable conduct arose, I took what I considered an
22 open and common-sense approach for the time. I sought advice from headmasters of
23 similar schools, King's College and Auckland Grammar School in particular. I involved the
24 Dilworth Trust Board on every occasion.

25 What was considered to be the appropriate response developed as the years
26 progressed.

27 Now I wish to summarise the instances of abuse reported to me and the school's
28 response. Rex McIntosh, December 1979. My first term as headmaster. McIntosh was
29 reported to me for showering naked with the boys. I immediately informed the Board.
30 I discussed the matter with the Police at Newmarket who advised that the conduct was
31 likely not criminal and should be dealt with internally. There was no Teaching Council at
32 the time. The Board Chair and I confronted Mr McIntosh and he was asked to leave the
33 school immediately. No reference was given. Allegations of sexual abuse against
34 McIntosh were not made until 2019.

1 Howard Wynyard, June 1983. An inappropriately close but apparently platonic
2 relationship with a student in Wynyard's boarding house was reported to me. Wynyard's
3 family had apparently and seemingly adopted the boy, but that was not permissible in a
4 boarding school context. I fully briefed the Board. Wynyard was told to end the
5 relationship or resign. He chose to resign. We investigated thoroughly.

6 At the time, he protested his innocence of anything untoward. There did not appear
7 to be anything approaching criminal conduct at that time according to our inquiries. There
8 was no Teaching Council to report to at that time. A brief reference was given to him
9 indicating what I deemed a mental health issue as his reason for departure. Allegations of
10 sexual abuse in his case did not surface until 2019.

11 After initial denials, Wynyard has now pleaded guilty and is due for sentencing this
12 month, I believe.

13 Leonard Cave, June 1985, reported to me for providing alcohol and inappropriate
14 touching of one boy. The victim and his mother reported the episode to me in person and
15 insisted that no Police report be made. I fully briefed the Board. Cave was asked to resign
16 and he did so. Investigations of other boys on the trip revealed no other abuse. There was
17 no Teaching Council at the time.

18 I provided a reference because the victim and his mother did not want Mr Cave's
19 career to be irreparably damaged. No subsequent employer ever contacted me about
20 Mr Cave. Further abuse allegations in his case came to light in 2019.

21 The next name is redacted and referred to in the text as GRO C 3, December 1994.
22 Ongoing sexual abuse of a boy aged 15 was reported to the deputy headmaster who then
23 passed it on to me. I immediately briefed the Board. GRO C 3 was reported to the Police,
24 prosecuted and convicted. The Teaching Council, when it existed then, was notified. No
25 reference was given. Further allegations in his case arose in 2019 and 2020.

26 Ian Wilson, 1996. Report was first made to me on 17 July 1996 by an Old Boy
27 victim of abuse which had occurred apparently in the 1970s. The complainant was
28 encouraged to report to Police and eventually he did so. Dilworth checked to ensure that
29 that occurred. I fully briefed the Board who were intimately involved in the process. Legal
30 advice was taken. At an interview with me and the Board Chair, Wilson resigned in
31 December 1996, while not admitting the abuse.

32 Wilson was prosecuted and pleaded guilty in 1997. The Teaching Council was
33 advised. In his case a reference was provided on his request before the complaint was

1 received. Wilson presumably later used this now inaccurate reference to gain employment
2 at the Manukau Institute of Technology. The MIT never contacted me about him.

3 And finally, Alister Harlow was accused of an abuse offence after I had retired and
4 Ross Browne was accused of sexual misconduct many years after I departed Dilworth. No
5 offending or misconduct was ever reported to me in regards to these two men while I was
6 headmaster.

7 Ironically, and awfully in retrospect, Browne was the chaplain and led the school's
8 outreach programme to help vulnerable boys with low self esteem. I was asked by Browne
9 for a reference after he resigned in 2006. I had not been informed at that time of the reason
10 he left and wrote the reference in complete ignorance of those reasons and, of course, the
11 subsequent accusations made against him.

12 It can be seen from this brief summary that the school became more rigorous in its
13 approach to reports of abuse in the 1990s than in the 1980s. In both decades, the Board was
14 fully involved and the staff member would be confronted with the complaint and in all
15 cases left the school immediately.

16 By the 1990s, all such complaints were referred to the Police and there was the
17 Teaching Council also to be advised.

18 Mistakes were made. As I say in my full submission to the Commission, my deep
19 regret is that the instances reported to me as outlined above were not fully and properly
20 investigated to uncover other instances of abuse at the time. In that respect, our response
21 was inadequate. I fully accept that had the complaints about McIntosh, Wynyard, Cave,
22 GRO C 3 and Wilson been fully investigated by appropriate experts, their other abuse may
23 well have been revealed then. And possibly the abuse perpetrated by Harlow and Browne
24 may also have come to light as a result of investigations into abuse by these other staff.

25 A further contributing factor to the failure to uncover abuse at Dilworth sooner is, I
26 think, that the boys did not feel safe in coming forward about abuse. I am so sorry for that.
27 I always assumed that boys would not hesitate to report anything as depraved and obviously
28 illegal and immoral as sexual abuse. I was wrong about that.

29 It may be partly because boys were concerned that they might lose their scholarship
30 to Dilworth, or that they didn't want to be a tell-tale or would not be believed or might be
31 ridiculed by staff or other boys whether they were believed or not, or felt guilty that the
32 abuse had in some way been their fault. But it is clear to me now that it is extremely
33 difficult for survivors of sexual abuse to come forward, especially when a complaint is
34 made against a person in a position of authority over them. Special efforts and systems

1 need to be in place to encourage and enable reporting and support the victims. That has
2 perhaps become clearer in all aspects of our society more recently.

3 I regret that the culture of the school at that time that I was headmaster was not
4 sufficiently nurturing and supportive to allow victims to feel safe in coming forward.

5 In regard to child abuse, today's schools are much better informed, have better
6 access to specialist support and are more generously resourced. They have the safety net of
7 the Police vetting system and records are held by the Teaching Council. They are bound by
8 a more structured and well thought out system than was available to previous generations of
9 educators.

10 Under current legislation, educators are required to act on all concerns that may
11 affect the life and learning of students, the lives of teachers, parents and legal guardians.
12 There are directives in place that provide guidance to government and management in all
13 educational settings. 40 or 50 years ago, none of that was available to Dilworth or any
14 other school.

15 All schools now benefit from having access to sophisticated computing systems and
16 software that enable far more efficient recording and monitoring of student and staff
17 behaviour. In the 1970s there was no computer support and even in the 1980s and early
18 1990s, computing was still in its infancy and was crude and inefficient.

19 Allegations of cover-up. I did not receive or uncover any reports of abuse other
20 than those I have mentioned above. I want to state categorically that at no point did I nor
21 the trustees nor any Dilworth staff attempt to cover up reports of abuse or turn a blind eye
22 to it. This allegation is very distressing to me personally and to those who were my loyal
23 team, as well as to the Dilworth trustees past and present.

24 I abhor sexual abuse and any kind of abuse. I dedicated my life to educating and
25 producing fine, well adjusted young men who from sometimes difficult circumstances
26 would have better opportunities in life because of their time at Dilworth.

27 That's what Dilworth is all about. It has been successful in that goal for thousands
28 of boys over decades. But abuse of boys at the school absolutely destroys that mission.
29 I do not and never have condoned it or ignored it. I did everything in my power that
30 occurred to me at that time to improve the living conditions and safety of the boys
31 committed to our care. There was no coverup.

32 Every reported abuse event was immediately investigated and action taken
33 according to the guidelines in place at that time, adequate or inadequate as they might now

1 seem. I certainly did not turn a blind eye. I trusted staff not to be abusive, but I took very
2 seriously any suggestion that any abusive behaviour was occurring on my watch.

3 Remembering all the victims of abuse. The collateral damage caused by sexual
4 abuse of children is wide and affects many people. In my full submission to the
5 Commission I appealed for all the victims of abuse at Dilworth to be kept in mind in the
6 Commission's deliberations and reports. First and most importantly, of course, those
7 survivors who were the object of unforgivable acts by teaching and hostel staff at Dilworth.

8 The victims' families likewise deserve to be remembered, all of them affected and
9 damaged by the events. The damage done by abuse can be intergenerational, even the
10 families of the abusers are forever tainted by the actions of their nearest and dearest. There
11 are thousands of Dilworth students, past and present, and their families, the reputation of
12 the school that gave them exceptional opportunity to break out of poverty and achieve
13 success in careers and in adult life has been sullied by the revelations of historic abuse. As
14 a Dilworth Old Boy myself, I know that this is a very difficult matter to deal with.

15 Finally, there are many hundreds of academic residential and support staff who
16 educated and cared for the boys at Dilworth, men and women of upright character who
17 were genuinely concerned for those in their care, and are now wounded by association with
18 a relatively small group of very rotten apples.

19 The ripples of abhorrence and criminal conduct spread wide. I truly wish I had
20 done more, known more, and acted with greater foresight to prevent abuse on my watch at
21 Dilworth.

22 I hope that in acknowledging and apologising for the abuse and mistakes that could
23 have been uncovered or prevented and taking this opportunity to learn lessons about what
24 can be done to prevent further abuse will bring some relief to the hearts and minds of the
25 survivors.

26 Finally, I hope that my written and oral submissions and my responses to questions
27 today will assist the Royal Commission in their important task. Thank you.

28 **CHAIR:** Thank you very much.

29 Yes, Ms Anderson.

30 **QUESTIONING BY MS ANDERSON:** Thank you, Murray. Just beginning at the point in time
31 when you were a student from, I think from 1944 was when you began as a seven year old
32 at Dilworth and then you finished there in about sort of mid 50s, that's right, isn't it?

33 **DR WILTON:** It is.

- 1 **MS ANDERSON:** You describe in quite harsh terms in your evidence the culture that you
2 experienced as a child at that time; can you just clarify in very brief terms what that culture
3 was like for you?
- 4 **DR WILTON:** Well, in my full submission to the Commission I pointed out the fact that it was
5 the last stages of the World War and that things were very difficult in terms of supplies of
6 equipment, of the inability of the Board to provide comfortable surroundings for the boys in
7 their care. It was quite a small school --
- 8 **MS ANDERSON:** That translated into an environment you described it as austere and
9 draconian --
- 10 **DR WILTON:** Absolutely.
- 11 **MS ANDERSON:** -- and severe punishment for very trivial offences.
- 12 **DR WILTON:** That's totally correct, that's the way it was. But I'm not sure that isn't the case for
13 most boarding schools at that time, I don't think it was a particular Dilworth thing.
- 14 **MS ANDERSON:** Well, we're not comparing it at the moment, but you say that bullying was
15 endemic and that there was also,-- the masters bullied boys and senior boys bullied junior
16 boys.
- 17 **DR WILTON:** I think I mentioned that because in a sense it's learned behaviour, the masters
18 bullied in the sense that their punishments, physical, severe corporal punishments were
19 handed out for fairly trivial offences, and I believe that boys who suffered that kind of
20 punishment, and I have to say myself, not that I was a very good boy, but I managed to
21 escape justice, that it's possible, in my view, that that was learned behaviour so that other
22 boys, older boys, bigger boys, bullied smaller boys.
- 23 **MS ANDERSON:** And then you've had a short period of, relatively short period teaching and
24 then you've come back in 1979 to the headmaster role, and shortly after you've started in
25 that role, you learn about the dismissal of the chaplain who'd been at the school; that's right,
26 isn't it?
- 27 **DR WILTON:** That is correct.
- 28 **MS ANDERSON:** In terms of when you were informed about that, what information did you
29 gather for yourself about what had actually happened that had led to that chaplain leaving
30 school? Do you recall?
- 31 **DR WILTON:** I didn't do any information gathering, it was a past event, it seemed to have been
32 dead and buried in the minds of the trustees at that time. It was barely ever mentioned and
33 I didn't discuss it with them.

1 **MS ANDERSON:** The reason I ask, there's a reference in one of the documents, and it might not
2 be quite accurate, that about in 1980 this chaplain returned to the school, was on the school
3 grounds, and there's reference to the headmaster marching them off the grounds, which I
4 had understood to be you.

5 **DR WILTON:** That's correct.

6 **MS ANDERSON:** So you had some reason, some knowledge that led you to take that action of
7 marching him off the grounds?

8 **DR WILTON:** Yes, certainly by that time I was well aware of what had occurred and why he
9 wasn't,-- well, why he was persona non grata at the school.

10 **MS ANDERSON:** Was there discussion with you, because that chaplain has left in late 1978,
11 you've come on board in '79, was there any discussions that you were involved with about
12 finding out what -- how many boys might have been harmed by that chaplain?

13 **DR WILTON:** No, that was never discussed with me. I know that the Board did an investigation
14 at the time and they had a certain number of names, I believe, of boys who were either
15 actual victims or potential victims, and they offered counselling and advice to them.

16 **MS ANDERSON:** There's a reference in the documents, isn't there, that I think you've seen, that
17 in around '92 or '93, the documents relating to that investigation might have been destroyed
18 in some document clean-up process, do you recall that?

19 **DR WILTON:** Yes, I do. It's my understanding, I knew nothing about it at the time, it was
20 something that occurred later, it wasn't the school records, it was the Trust Board records.

21 **MS ANDERSON:** What is the distinction between the school records and the Trust Board
22 records?

23 **DR WILTON:** Well, the Trust Board records related obviously to personal details about the
24 families of the boys. But my understanding was that they had documents relating to the
25 previous abuse situations.

26 **MS ANDERSON:** That that had been investigated by the Board?

27 **DR WILTON:** Yes.

28 **MS ANDERSON:** And so are you saying it was a Board record that would have been destroyed
29 in about '92, '93?

30 **DR WILTON:** I believe so, I mentioned in my report to the Commission that I was under the
31 impression that, well, my memory is that we weren't able to keep such documents in the
32 school premises because they were so sensitive and so many people had access to them.

33 **MS ANDERSON:** And so you've come into the role of headmaster and you've described in your
34 witness statement that the headmaster is the last line of defence for abuse of any kind, and

1 you describe the housemaster having the,-- being the first line of defence. In relation to you
2 describing your role as the last line of defence, why is it that you characterised it in that
3 way?

4 The reason I ask that is, you know, leading from the top, would normally be
5 expected to set the tone and the culture of an institution. So it's interesting that you've
6 considered yourself the last line of defence.

7 **DR WILTON:** Well, I think again, I explained in my submission that a boarding school is a
8 complex place and there have to be levels of management who deal directly with the boys
9 and then report it further up the chain to me. That's all I intend by that comment.

10 **MS ANDERSON:** And we've certainly seen some evidence from survivors of abuse at Dilworth
11 who described the environment at school in the 70s and into the 80s as being a cruel place.
12 Now, so you've come in at the end of the 70s, do you accept that characterisation that the
13 experience of the boys might have been that it was a cruel environment to be living in?

14 **DR WILTON:** I think it probably was. I mean, I wasn't there in the 70s so I can't speak with
15 authority, but everything I have read and heard about things that went on in that period
16 suggest to me that yes, it probably was a very uncomfortable and threatening environment
17 for many boys.

18 **MS ANDERSON:** And in terms of physical violence at the school, in the period in the 80s, I
19 think you say that you took steps to make sure that corporal punishment was phased out, is
20 that right?

21 **DR WILTON:** I did.

22 **MS ANDERSON:** But there's still a lot of reports from survivors of quite a high degree of
23 violence in the living environment there. Do you accept that there was a culture of
24 violence, boy on boy, at the school at that time?

25 **DR WILTON:** No, I wouldn't accept that there was a culture of violence. I think bullying is a
26 problem in all schools, always has been and still is. But I believe that over time we
27 instituted corrections that would enable, or that would prevent that type of bullying from
28 taking place.

29 **MS ANDERSON:** So if you'd seen that kind of bullying in your role as headmaster or had it
30 reported to you, what would you have done?

31 **DR WILTON:** In the first instance, if it was reported to me it would obviously be because it was
32 ongoing and needed my attention. I do recall there were some cases where boys were
33 actually removed or lost their scholarship for bullying that went on.

1 **MS ANDERSON:** I'm going to take you to a document that's dated October 1979. The reference,
2 it will come up on the screen in front of you, is DWS0000901.

3 **CHAIR:** As there's lot of new faces in the back, just to explain that the Commissioners and
4 counsel and the witness can see these documents, but I'm afraid that you cannot, and that is
5 because they contain a lot of material that is private and sensitive and inappropriate to give
6 to the public. So I apologise. Counsel will read out the relevant parts that she's referring
7 to.

8 Thanks, Ms Anderson.

9 **MS ANDERSON:** Thank you, Madam Chair.

10 You've seen this document in the bundle, Murray?

11 **DR WILTON:** I have, yes.

12 **MS ANDERSON:** So it's a couple of months after -- you've arrived in August 1979, that's right?

13 **DR WILTON:** Correct.

14 **MS ANDERSON:** And this is a letter to HH, which will be headmaster, is that right?

15 **DR WILTON:** HM, I think it is.

16 **MS ANDERSON:** HM, difficult to read the handwriting there, but I think we can agree it's
17 addressed to you. And it's reporting a series of references of physical violence on boys by a
18 particular staff member. It refers to a student being hit on the arm that was sufficient to
19 cause him to be treated by the doctor and an investigation revealed he'd been hit on the
20 same spot by a member of staff, a tutor at the house.

21 It says that the same staff member had hit another student hard enough to cause the
22 boy to cry, but the staff member describes both incidents as accidents. There's a further
23 report of a student hit on the back of the head by the same teacher, and then a further report
24 of the physical violence of a tutor twisting the boy's wrists for making a noise in
25 preparation.

26 Would what you have done, do you recall, on receiving a report of this kind of level
27 of violence by a staff member to students?

28 **DR WILTON:** Well, first of all, I need to explain that the house tutors were young men with no
29 training or experience in dealing with young people and they may well have come from a
30 background themselves of violence in the schools that they attended and assumed that that
31 was a way to deal with it at Dilworth. In answer to your question whether I would have
32 dealt with it, if it was brought to my attention I certainly, - I- don't recall the detail of this

1 case, but I am absolutely sure I would have called him, [GRO-B], in and dealt with it
2 firmly and possibly, - I'm- pretty sure that he didn't last much longer in that position.

3 **MS ANDERSON:** But it's an indication of the culture that you inherited when you came into the
4 role.

5 **DR WILTON:** Well, this particular incident isn't a culture of boy bullying, it's bullying by a
6 house tutor.

7 **MS ANDERSON:** That's right, by a staff member.

8 **DR WILTON:** Who was untrained and didn't have the understanding or common-sense to realise
9 that this was unacceptable behaviour.

10 **MS ANDERSON:** And then you've come on board, you've learned sometime at a certain point
11 about the previous chaplain's circumstances in which he left the school, but you don't recall
12 exactly what you were aware of at the time in terms of the nature of the behaviour that had
13 led to his departure from the school.

14 **DR WILTON:** No, I did not know any details at that point.

15 **MS ANDERSON:** And not within your remit at that time to turn your mind to whether there
16 needed to be an investigation as to whether other boys might perhaps have been harmed by
17 that chaplain?

18 **DR WILTON:** Well, you make a very good point and I wish that such an investigation had been
19 carried out. With the knowledge of hindsight I wish I could have that time again, I would
20 certainly have looked into it more closely even though it was not on my watch.

21 Sorry, I missed the second part of your question.

22 **MS ANDERSON:** No, I think you've answered, you've gone to the point of -- I'd asked you
23 whether it was part of your remit to find out whether other boys had been harmed and I
24 think you've answered that you think it would, with the benefit of hindsight, it would have
25 been a helpful thing to do at the time.

26 **DR WILTON:** It certainly would.

27 **MS ANDERSON:** And quite proximate with that you get the report about Rex McIntosh that you
28 refer to in your opening, where he's reported to be taking showers naked with boys. You
29 appear to characterise this as not being something in the nature of sexual abuse. Have I
30 understood your evidence correctly?

31 **DR WILTON:** Yes, you have, except I probably should say that at that time I didn't consider it
32 was sexual abuse. The manner in which it was reported, it came through a young staff
33 member who attended a party near the end of the year with some of the leaving boys who

1 apparently came out with this comment and this young man very sensibly decided to refer it
2 to me.

3 **MS ANDERSON:** And in fact this person was away from the school at the time of this report of
4 abuse and was allowed to resign. Is that right?

5 **DR WILTON:** I had never met Mr McIntosh. He was on a term's leave of absence overseas. So
6 my first encounter with him was to tell him he was on his way.

7 **MS ANDERSON:** But you didn't consider that this was an example of what could be
8 characterised as indecent exposure by one of the staff.

9 **DR WILTON:** Well, certainly, that's what it was, but no, I didn't at that time, it didn't enter my
10 mind that we were dealing with someone who was probably doing much more than that.
11 I wish I had, it should have been done. I say that very clearly, I wish I had been more
12 sensitive to the fact that this was possibly an indication of what he was up to.

13 **MS ANDERSON:** And this is the beginning of a,-- of conduct which I'll characterise, and correct
14 me if I've got it wrong, as offenders being allowed to resign rather than being dismissed.
15 So that's what happened in relation to Mr McIntosh, wasn't it, that he wasn't dismissed, you
16 say that because he would not confirm or deny the allegations, you thought your only
17 option was to ask him to resign.

18 **DR WILTON:** Yes, well, "ask" is a nice way of putting it. We really gave him no option, we
19 said, "You must resign."

20 **MS ANDERSON:** And you say that you've spoken to,-- not a formal report to Police, but you've
21 spoken to a Police liaison officer.

22 **DR WILTON:** Yes.

23 **MS ANDERSON:** And that you've also spoken to the head of King's College who advised you to
24 "get rid of this man as soon as possible".

25 **DR WILTON:** That's correct.

26 **MS ANDERSON:** So that's the sentiment of moving this person on from,-- get the problem off
27 your books but potentially on to somebody else's books.

28 **DR WILTON:** I wouldn't put it that way myself, but I think the culture of the time in all schools
29 was if something of that nature occurred you had to get rid of the problem, talk to victims if
30 there were any, there weren't any particular victims of this event, it was a very
31 unsatisfactory misdemeanour on the part of a trusted employee who should have known
32 better.

1 **MS ANDERSON:** Well, I think a lot of the people listening will find it difficult to hear that
2 indecent exposure characterised as a misdemeanour. Do you want to reconsider the
3 language that you've used there?

4 **DR WILTON:** Yes, all right. In retrospect I would say that it was a very serious offence and
5 that's the reason we took the action we did.

6 **MS ANDERSON:** And you did provide just a very short reference for Mr McIntosh, we'll just
7 call it up because it's very, very --

8 **DR WILTON:** It's not a reference.

9 **MS ANDERSON:** It's not a reference, it's a certificate, a very short document, DWS0000071.
10 You can see there it's just two lines, "There is to certify that Mr McIntosh was employed as
11 a full-time teacher at this school from 1 February 1971 until January 1980."

12 **DR WILTON:** Yes.

13 **MS ANDERSON:** And so that's what you describe as,-- that's not characterised as a reference.

14 **DR WILTON:** It's simply a record of his employment.

15 **MS ANDERSON:** That's right.

16 What was the explanation to the school community for Mr McIntosh's departure?

17 **DR WILTON:** I don't remember with clarity but I'm fairly sure I gave them the basic facts.

18 **MS ANDERSON:** That he'd resigned for serious misconduct or that he'd resigned?

19 **DR WILTON:** No, that he'd been forced to resign for unacceptable, immoral behaviour. I mean,
20 we're talking about something that occurred, if I get my numbers right, something like 43
21 years ago. I don't remember with absolute clarity.

22 **MS ANDERSON:** We're just going to call up the reference that you provided for Mr Wynyard
23 that you've referred to in your opening statement, DWS000922, I think I've got the right
24 number of zeroes there, Felix.

25 So we can see there, can't we, that it's a more detailed document than you provided
26 for Mr McIntosh and that you've described it as being,-- that he brought to the housemaster
27 position a strong sense of duty and responsibility and that it was a great disappointment to
28 you and the school at large when ill health forced his resignation last term. And that's, I
29 think, in your opening statement you've said what you're referring to there is mental ill
30 health.

31 **DR WILTON:** That's correct.

32 **MS ANDERSON:** And I think, again, you say that no one contacted you to ask you about this
33 reference.

1 **DR WILTON:** No, Mr Wynyard went on to teach successfully elsewhere I believe, but I was
2 never contacted by anyone. The reference itself, if you compare it with others that I have
3 written and that I wrote over many years, is very short and in some respects it damns him
4 with faint praise.

5 **MS ANDERSON:** Well, the last sentence says there:

6 "I commend Mr Wynyard to prospective employers as a highly competent teacher
7 who will give valuable service and be an asset to any school."

8 That's a key message.

9 **DR WILTON:** Yes, it is. But if anyone had doubts about him they could have and should have
10 contacted me. Nobody ever did.

11 **MS ANDERSON:** And we know, don't we, from the Operation Beverley matter, that some of the
12 guilty pleas he entered related to events after his employment at Dilworth. Are you aware
13 of that?

14 **DR WILTON:** I'm not aware of that, no.

15 **MS ANDERSON:** And no suggestion of going to the Police at that time.

16 **DR WILTON:** Well, he hadn't committed an offence at that time.

17 **MS ANDERSON:** It seems to be quite a sort of strong insistence of characterising something as
18 not really being abuse. Is that what you're saying?

19 **DR WILTON:** Well, once again, if I had my time again, I would have looked at this much more
20 closely. I didn't do it and I apologise for that.

21 **MS ANDERSON:** We've seen,-- we've heard evidence from, and read evidence from survivors at
22 Dilworth and many other institutions where there's a strong pattern of grooming behaviour
23 leading up to more physical contact types of sexual abuse. So when you're thinking about
24 McIntosh now and Wynyard and what's displayed here, do you accept that there seems to
25 be evidence of teachers grooming boys through showering with them, through having what
26 you described as a relationship with one of them, that it's,-- perhaps grooming wasn't
27 something that was on your radar back as headmaster. Would that be fair to say?

28 **DR WILTON:** Yes, it would be fair. I don't think anyone talked about grooming in those days.
29 Again, if we had our time again I'm certain we would have investigated it more thoroughly
30 than we did. We did, in fact, put quite a lot of time into trying to find out what this episode
31 was about in Mr Wynyard's case and we never, at any point, either from the boy concerned
32 or from him, or from his family, got the impression that it was anything other than a
33 platonic relationships.

1 **MS ANDERSON:** So with these incidents from the previous chaplain through to McIntosh and
2 through to Wynyard, do you accept that it would be fair to characterise it as each report
3 being considered as a sort of one-off matter and not really drawing the threads together as
4 to whether there might be a systemic issue within the school that needed to be examined?

5 **DR WILTON:** No, because these episodes were several years apart and it didn't occur to me at
6 that time, I wish it had, that we were dealing with something that might have been a thread
7 running through the system.

8 **MS ANDERSON:** And then in relation to Mr Cave, who's currently serving an eight -year prison
9 sentence in relation to abuse of Dilworth boys and boys at St Paul's College, you've
10 characterised the report of abuse as "supply of alcohol and one incident of inappropriate
11 touching". So that's what you've --

12 **DR WILTON:** Correct.

13 **MS ANDERSON:** That's what you say was reported to you. Do you accept that other people
14 might characterise that as getting a young boy drunk and sexually assaulting them?

15 **DR WILTON:** No, because it was a fairly sizable group of people who were there, it wasn't just
16 one boy, it's just that that particular boy and his mother had the courage to come forward
17 and report it.

18 **MS ANDERSON:** But I'm talking about the actual conduct. So if there was a boy that was
19 inebriated and then one of the staff was inappropriately touching them, that's sexual abuse,
20 isn't it?

21 **DR WILTON:** Certainly it is.

22 **MS ANDERSON:** And again there's a Trust Board decision to ask him to resign and not to report
23 that to Police.

24 **DR WILTON:** The Trust Board certainly made the final decision in these matters, it was not my
25 prerogative to do that.

26 **MS ANDERSON:** And you've reached out to [GRO-C] at [GRO-C] and you've got the advice
27 from him, "get rid of the problem quickly".

28 **DR WILTON:** Yes.

29 **MS ANDERSON:** So you have had that message twice now, haven't you?

30 **DR WILTON:** I expect so, I don't recall exactly.

31 **MS ANDERSON:** Would you say that was a -- did that surprise you, were you surprised at that
32 response?

33 **DR WILTON:** Sorry, which response?

1 **MS ANDERSON:** "Get rid of him quickly".

2 **DR WILTON:** No, not in the climate of the times. I'm sorry, but 40 to 50 years ago things were
3 very different from what they are now. Today, yes, it would be considered much more
4 differently and dealt with much more differently. I accept that and agree.

5 **MS ANDERSON:** Just the reference that we looked at previously, and we're just going to come
6 on to look at the reference you gave for Leonard Cave, when you say that the Board is
7 making all the decisions, are they authorising the content of references that are being given
8 to staff who have been allowed to resign following a report of abuse?

9 **DR WILTON:** No, no, certainly not.

10 **MS ANDERSON:** So they're not involved, it's your discretion.

11 **DR WILTON:** It's my responsibility.

12 **MS ANDERSON:** We'll call that up, DWS0000099, it's quite a densely packed document so we
13 might just call up the last paragraph on that first page. It will just get enlarged on the
14 screen, Murray, so you'll be able to see that.

15 **DR WILTON:** Thank you.

16 **MS ANDERSON:** Just that last sentence, last paragraph:

17 "He's left behind a heritage of fine music and also left his stamp on the new music
18 facility. He will be sorely missed at the school but I fully recognise that having spent
19 almost his entire career at Dilworth he is due for a change and a new challenge. I wish him
20 well in his search for a new position and commend him enthusiastically to prospective
21 employers."

22 Do you think that it was a responsible step to take to provide that comment in the
23 reference for Mr Cave?

24 **DR WILTON:** In retrospect with the knowledge of hindsight, no, I wish I could have withdrawn
25 it. But I think I also explained, in my submission, that I was often called upon by teachers
26 to provide references and I often got them together and had them ready to go if somebody
27 had asked me, as in Mr Cave's case, at a time earlier than these allegations were made, that
28 he was thinking of moving on to a new position. So I suspect, as far as I can remember,
29 that I used the template of the reference that I was putting together for him at an earlier
30 date, and simply put it in the one that he finally went off with.

31 **MS ANDERSON:** But you've issued it with full knowledge of the circumstances in which he's
32 left.

33 **DR WILTON:** Yes.

1 **MS ANDERSON:** Just moving on to the 1994 report of abuse that we've referred to with the
2 anonymised name, that was a report to the deputy headmaster who then informed you, you
3 say that you considered the sexual activity to be consensual and there was an element of a
4 lover's tiff; do you recall that statement in your written evidence?

5 **DR WILTON:** Yes, I do.

6 **MS ANDERSON:** There'll be a lot of survivors who will be wondering how a behaviour by a
7 staff member with all of the authority and mana and control that they will have, the power
8 imbalance between them and a student, that a sexual relationship between a staff member
9 and a student could ever truly be characterised as consensual.

10 **DR WILTON:** Well, I entirely agree with your comment, but at the time that's the way it was
11 reported, that's the way I understood it, and the facts of the case seem to indicate that it was
12 such a situation.

13 It is possible for these things to go on with consent even though it's an evil and
14 shouldn't happen.

15 **MS ANDERSON:** I'm not going to ask you any further questions about that, you've made your
16 view clear. In terms of the examples that I've taken you through, do you accept or reject the
17 proposition that there seems to be an element of minimising the interpretation of the
18 conduct that's occurred, that it's trivialised or minimised in some way? What do you have
19 to say about that?

20 **DR WILTON:** I don't think it was consciously minimised, I think that simply the facts of the
21 earlier cases were such that the impression was given that these were one off events that
22 were not at the high end of sexual abuse offending.

23 **MS ANDERSON:** We know now, don't we, that even, that the measure of the impact and the
24 harm on the victim doesn't necessarily correlate to what you might put on a spectrum of
25 criminal offending from something that would get a lower sentence level than a high
26 sentence level, that the impact is not necessarily correlated to the nature of the abuse, it's
27 the fact of the abuse.

28 **DR WILTON:** Yes, I agree.

29 **MS ANDERSON:** I'm going to bring up document DWS0000214. This is a document that relates
30 to the 1994 matter that we've just mentioned. If we just call up the paragraph "Action."

31 **CHAIR:** Can I just check, is this the one that is subject to the restriction, the suppression order?

32 **MS ANDERSON:** Yes, we won't say the name.

33 **CHAIR:** The name won't be mentioned, thank you.

1 **MS ANDERSON:** No. So we see this person's been confronted by the headmaster, which would
2 be you, has admitted the event and was dismissed. But he wasn't dismissed, was he? This
3 is a note, a record that's been prepared by the school, it's not your note, but it's recorded
4 dismissal as opposed to resignation, a reference to insisting that the counselling be provided
5 to the complainant, and the notation there "there could have been other victims." Do you
6 recall the consideration in 1994 about whether there might have been other victims of this
7 person?

8 **DR WILTON:** Not with any clarity. I know that subsequent events have shown that there were
9 other victims, but at that time I was not aware of it.

10 **MS ANDERSON:** Well, again, and I think you do make it clear in your written statement that you
11 do appreciate that in each of these incidents and collectively, if there had been
12 investigations at the time, as you've said in your summarised opening statement, it could
13 have made a difference to preventing harm to others, and also what I'm suggesting to you, it
14 could have made a difference to finding out those who might have been harmed and
15 actually needed some support from the school for the effect of the harm on them.

16 So my question is, you've accepted in your evidence that further investigations
17 would have been a sensible, helpful thing to do, but do you see that in not undertaking
18 those investigations you've missed the opportunity to find out whether there were boys out
19 there harmed who actually needed help?

20 **DR WILTON:** Yes, I entirely agree with that, and I've said on numerous occasions I wish we had
21 done it better and that we'd made more effort to investigate these things.

22 This document, incidentally, was not written by me.

23 **MS ANDERSON:** No, no, it's not your document, I wasn't suggesting it was.

24 **DR WILTON:** Many years later. So the comment there, "There could have been other victims"
25 has obviously been inserted in there by the person who created that document.

26 **MS ANDERSON:** At the time, and the document's not dated itself.

27 **DR WILTON:** Well, it refers to subsequent events at the bottom, you'll see, which says person
28 called the Board office in 2003 and 2005.

29 **MS ANDERSON:** I'm going to call up a further document, DWS0002169. This is a file note
30 dated in June 2000, so it's been made, it's a document that's been made after you've finished
31 your term as headmaster. I'll just give you a moment just to look at that document. You've
32 looked at this document in the bundle, Murray, do you recall it?

33 **DR WILTON:** I have, but I just need to look at it again.

34 **MS ANDERSON:** Just look at again before I just call out one of the sections.

1 This is a file note in relation to the person who's got the name suppression.

2 **DR WILTON:** Yes.

3 **MS ANDERSON:** And can we call out just the, about the middle of the page where it's referenced
4 to somebody speaking to the headmaster Dr Wilton. You see here,-- so a family member is
5 said to have come forward to you and basically, and the quotation is:

6 "She was basically told there could be no truth in the allegation and that he had
7 every confidence in this person as a **GRO-B**."

8 Do you recall having somebody come to speak to you?

9 **DR WILTON:** No, because it didn't happen. If it had I would have reacted much more firmly
10 than is suggested there.

11 **MS ANDERSON:** So you say this is not an accurate.

12 **DR WILTON:** It is totally inaccurate. I did not work that way.

13 **MS ANDERSON:** Then coming on to 1996, this is where you get a phone call from an Old Boy
14 about having been abused by Ian Wilson in the 70s and you say that they're asked to report
15 that to the Police. Do you recall that part of your evidence?

16 **DR WILTON:** I do, yes.

17 **MS ANDERSON:** The document to call up DWS0000097. Just while that's coming up, Murray,
18 I'll orientate you. It's a file note dated October 1996 relating to the phone call that's been
19 received in July of that year. Again, do you recognise this document that you've seen?

20 **DR WILTON:** I do, yes.

21 **MS ANDERSON:** This is a note that you've made, haven't you?

22 **DR WILTON:** Yes.

23 **MS ANDERSON:** And the file note records that this Old Boy is surprised to learn that Ian Wilson
24 is still on staff, and tells you that this person should not be in a school environment. Do
25 you agree that that is what is on the file note as?

26 **DR WILTON:** I agree, that is correct.

27 **MS ANDERSON:** And you ask the Old Boy if he knows anything about other staff members,
28 that's recorded in this file note, isn't it?

29 **DR WILTON:** Must be so, yes.

30 **MS ANDERSON:** And there's a reference in here to,-- I'll just see if I can call it up, I'll just get
31 my copy of the document. Just turning to the last sentence on the second page, this records
32 that "two students have gone to the Police because they were inpatient with what they

1 perceived to be a lack of action on our part", and that "our part" is a reference to the school,
2 isn't it?

3 **DR WILTON:** Yes.

4 **MS ANDERSON:** And that's because they've come forward in July of that year, and this file note
5 is in October of that year. And in fact, Ian Wilson has remained on staff, he hasn't been
6 stood down or anything at this time, has he?

7 **DR WILTON:** No, he hasn't. Because it was an anonymous call and we didn't have any
8 information that would suggest that we needed to look further at that point.

9 **MS ANDERSON:** And this file note records that it's at this point, just on the top of -- the
10 paragraph at the top of page 2, so it's just noting that it's at this point in October that you
11 make the decision to inform the Board. So my question to you is, the reason for that period
12 between July '96, when you've had the phone call, and this file note in October, as to that
13 time period for informing the Board.

14 **DR WILTON:** Because my recollection is that since this was an Old Boy making a complaint
15 from many years previously, before my time, that he should talk to the president of the Old
16 Boys of that time and the president at that time was Ben Barker and my understanding was
17 that he would encourage him and talk to him about making sure that the report was made to
18 the Police. There was a long chapter of failed efforts to get this seen to by the Police at that
19 time.

20 **MS ANDERSON:** But as the school and as the employer, even if Police are taking their time
21 you've still got an obligation to make sure the boys are safe, don't you?

22 **DR WILTON:** Yes.

23 **MS ANDERSON:** I understand that that's the justification for the delay, but it's a period of some
24 months before he leaves the school later in 1996.

25 **DR WILTON:** Correct.

26 **MS ANDERSON:** And we're just going to go to a document, a media article that refers to a
27 reference that you've given in relation to this person, the document number, MSC008682.

28 Turning over to page 2 of that document, there's some references to you saying that
29 "Wilson was a stimulating and inspirational teacher" in this reference and that you've
30 concluded the reference by saying that "Wilson was ready to take on further challenges and
31 new directions" and that he had your unreserved support and encouragement.

32 Now, you say that this was a reference written before July '96, do you? Is that what
33 you say?

- 1 **DR WILTON:** I can't remember the exact date, I don't have a copy of it, I haven't seen it, I'm not
2 sure how Stuff got these extracts from it, but somebody must have it.
- 3 **MS ANDERSON:** Somebody must have it but the school doesn't have it, and the Inquiry doesn't
4 have it, so I'm asking you, these quotations in this media report, does it seem words that
5 you would have used?
- 6 **DR WILTON:** I suspect so, because Mr Wilson was in fact a very outstanding teacher. That's the
7 tragedy of these things, a lot of these perpetrators were in fact outstanding teachers.
- 8 **MS ANDERSON:** That depends on what you're incorporating in that concept of "outstanding
9 teaching", isn't it, whether it's simply about the educational element or whether you're
10 considering that in the round with all of the behaviours and characteristics.
- 11 **DR WILTON:** Well, if I write a reference at a time when I don't know anything about his
12 offending, naturally I'm going to say good things about him.
- 13 **MS ANDERSON:** It seems a curious practice to be keeping references on hand for staff that, like
14 Mr Wilson, have been very long-serving at the school, hadn't he, and you've got draft
15 references on hand for everyone. Is that what you're saying your practice was?
- 16 **DR WILTON:** Certainly not for everyone but there were some people who came to me and said
17 they were thinking of making a move and they would like me to think about writing a
18 reference and I sometimes drafted a reference and just kept it for later use.
- 19 **MS ANDERSON:** But Mr Wilson hadn't given you that indication, had he, that he was thinking
20 about making a move?
- 21 **DR WILTON:** Yes, he had.
- 22 **MS ANDERSON:** When do you say he'd given you that indication?
- 23 **DR WILTON:** At a much earlier date when his wife, who was the school nurse, was coming to a
24 decision that she didn't want to remain in the position, she was much older than him, near
25 retirement age in fact, and they were thinking of making a new start somewhere.
- 26 **MS ANDERSON:** And there's some arrangement for effectively a paid period of leave for him to
27 finish up and some payments to Mr Wilson in respect of his resignation, is that right? Do
28 you recall that?
- 29 **DR WILTON:** I'm not clear on my memory of this, but I believe that he was, instead of his three
30 month notice, he was asked to go immediately and the Board agreed to pay him the time up
31 to that three month notice.
- 32 **MS ANDERSON:** And then,-- we're not going to go to the document, but you also say that, as
33 you said in your opening, you've provided a reference for Chaplain Browne after you'd
34 ceased your period as being the headmaster and he'd approached you directly, and you

1 didn't know anything about the circumstances in which he'd left the school. So my question
2 to you is, do you think that's a policy or protocol gap where somebody like yourself can be
3 put in that position of being asked for a reference and providing it, having no knowledge of
4 the abuse circumstances that had actually led to his departure from the school?

5 **DR WILTON:** Well, I expect you could describe it as a protocol gap,-- is that what you said,
6 policy gap?

7 **MS ANDERSON:** A protocol or policy. So when you left the school there was no policy that you
8 were required to adhere to if any former staff members approached you for a reference?

9 **DR WILTON:** No, not at all, but I was quite often asked by former staff to write references for
10 them.

11 **MS ANDERSON:** And you make one comment in your witness statement that I'm just going to
12 repeat to you and give you an opportunity to clarify what it was that you intended to convey
13 by that relating to Ross Browne. Because you say on page 23 of your witness statement,
14 you have the question: Was Ross Browne really guilty of the accusations against him? Do
15 you recall making that statement in your witness statement?

16 **DR WILTON:** I do, yes.

17 **MS ANDERSON:** And when you've given your statement, of course Ross Browne's already been
18 convicted, hasn't he, in December last year?

19 **DR WILTON:** Correct.

20 **MS ANDERSON:** So what were you intending to convey with that question that you posed?

21 **DR WILTON:** I wish I hadn't put it in there now of course, but Ross Browne had sent a message
22 to quite a number of his family and friends, and it came to me as well, indicating that he
23 was not guilty of the charges but that he couldn't afford the cost of a long drawn out court
24 case at the end of which he might still be found guilty. So he decided to plead guilty even
25 though he wasn't. That's the reason I say, "Was he guilty?"

26 **MS ANDERSON:** So do you have a personal view about whether he's,-- the victims who have
27 come forward reporting abuse by him are telling the truth and should be believed.

28 **DR WILTON:** Yes, I believe they should be believed, I think it's absolutely correct.

29 **MS ANDERSON:** And it probably was an unfortunate way that you phrased that.

30 **DR WILTON:** Yes, it is, and I'm sorry, I withdraw it.

31 **MS ANDERSON:** Just drawing the threads together from the evidence that we've covered, the
32 propositions I want to put to you, and this is your opportunity to say what you want to say
33 in relation to each of them: The first proposition is that there's a clear pattern of failing to

1 investigate in respect of all the reports of abuse you were aware of during the two decades
2 you were headmaster.

3 What do you say to that?

4 **DR WILTON:** I say there's a clear pattern of inadequate investigations in the early stages but
5 over time we reached the point where we dealt with things in the manner in which they are
6 today.

7 **MS ANDERSON:** And do you agree that there's a pattern of really no support being provided to
8 boys who might be harmed, have been harmed by some of the teachers, the witness
9 statements that you've seen, Neil Harding abused by the chaplain, nobody came and sought
10 him out, the other witness statement, that it was one of those students whose, before your
11 time, but whose mother got a letter suggesting that her son might be a victim of abuse but
12 never any direct approach to that victim, to talk with him about what had happened, and we
13 see that through these other series of responses to reports of abuse, that there's just nothing
14 in them or evidence of what was actually done to support the boys.

15 **DR WILTON:** Well, because it isn't recorded doesn't mean to say it doesn't happen. I know for a
16 fact that we tried to identify victims and to offer them support. Unfortunately, a lot of that
17 support was in the hands of Ross Browne. And in retrospect, clearly that was totally the
18 wrong person. But that was our only option at that time.

19 **MS ANDERSON:** And do you agree that with all of the events leading up to 1996, we've just
20 finished talking about Ian Wilson, that the type of inquiry that the Trust Board has initiated
21 now in 2021, to find out the nature and extent of the abuse at the school and what needs to
22 be done for the boys, that in fact there was enough information there at that time that could
23 have and should have led to actions by the Board to actually ask the questions that are
24 being asked now back then in 1996?

25 **DR WILTON:** Yes, I agree with that, that's correct.

26 **MS ANDERSON:** Finally, before Commissioners have an opportunity to ask you any questions,
27 in relation to the proposition that there was a deliberate lack of interest in finding out the
28 nature and extent of abuse at the school, do you agree that there was a,- it can be
29 characterised as a deliberate lack of interest in uncovering that?-

30 **DR WILTON:** No, I would not characterise it as a lack of interest. I was concerned for the
31 welfare of the boys. I was an Old Boy myself. I think that we didn't do enough to
32 thoroughly investigate in those times, but I would not say that we ignored it or did not wish
33 to pursue it.

1 **MS ANDERSON:** So what is the reason, do you think, for not initiating those investigations back
2 then? If it's not lack of interest in understanding the extent of the problem, what was the
3 reason, do you think?

4 **DR WILTON:** Again, I'd say it's not lack of interest, certainly it was lack of knowledge, lack of
5 understanding, lack of competence and support programmes that would have enabled us to
6 carry out a proper investigation.

7 **MS ANDERSON:** Thank you, Murray, that's all the questions I have for you.

8 The Commissioners may now have some questions for you.

9 **CHAIR:** Thank you, Ms Anderson, I'll just check with my colleagues.

10 Dr Erueti will ask you some questions.

11 **COMMISSIONER ERUETI:** Tēnā koe, Mr Wilton.

12 **DR WILTON:** Tēnā koe.

13 **COMMISSIONER ERUETI:** I only have a question about the redress programme because we
14 won't be discussing that this afternoon, wait until tomorrow, but I wondered whether you
15 had an opportunity to review the terms of reference and if you had any opinion about the
16 terms of reference for the programme.

17 **DR WILTON:** I have not been consulted, I wasn't asked to give an opinion on any of that. I
18 would happily have assisted if they'd asked.

19 **COMMISSIONER ERUETI:** I've just been looking at it briefly, and in clause 8 I think it is, it
20 talks about,-- I'd be interested just to get your views on this about the scope of the terms of
21 reference, it talks about sexual abuse, this is experienced by any former student in their
22 time if they were subjected to sexual abuse and serious physical abuse by representatives of
23 Dilworth.

24 I wonder if you had any views on that, whether it's broad enough, for example?

25 **DR WILTON:** Well, I wasn't aware, or perhaps I hadn't read it thoroughly to know that they were
26 talking about other forms of abuse. I presumed it was just sexual abuse. I also assumed it
27 was sexual abuse by adults on children, not boys on boys. Is that what you're referring to?

28 **COMMISSIONER ERUETI:** It says "representatives of Dilworth", so I assume they're talking
29 about teachers in that context.

30 **DR WILTON:** Must be employees then, yes.

31 **COMMISSIONER ERUETI:** That's right, the employees, yeah. But you didn't have any opinion
32 on "serious physical abuse", about whether that was too limited or whether it should
33 include all forms of physical abuse?

34 **DR WILTON:** I would agree that it probably should, yes.

1 **COMMISSIONER ERUETI:** The second clause in A talks about sex,-- it's now talking about
2 peer on peer abuse. It does talk about sexual abuse but it's only limited to sexual abuse, it
3 doesn't include physical abuse, and I just wondered if you had a view on that, whether you
4 think it would be fair to include physical abuse as well as sexual abuse by fellow students?

5 **DR WILTON:** I find it difficult to answer that because history shows that abuse in the form of
6 bullying was endemic in all schools and it hasn't gone yet, it's still there and takes different
7 forms, as we know. But I personally think yes, that they should include that form of
8 bullying.

9 **COMMISSIONER ERUETI:** Okay, thank you. Thank you for your time, tēnā koe.

10 **DR WILTON:** Tēnā koe.

11 **CHAIR:** Sandra, do you have any questions?

12 **COMMISSIONER ALOFIVAE:** I do.

13 Talofa Murray, just a couple of questions from me, please. I don't want to assume
14 anything and I've heard your answers very clearly this afternoon, so thank you very much
15 for that. I just want to understand what you personally considered abuse to be back in the
16 period when you were headmaster.

17 So in terms of the incidents that we've been discussing this afternoon with Rex
18 McIntosh, so the showering naked, so from one end to the other end, where there's the
19 general restriction order where that particular teacher was referred to the Police and you felt
20 was a lovers' tiff, are you able to just help me understand so I'm not assuming anything
21 about what your personal understanding of what sexual,-- what abuse was, let's just use that
22 phrase?

23 **DR WILTON:** In the case of McIntosh and his naked showering, as I've suggested, it was quite
24 probably an indication that something else was going on, and I admitted and accepted that
25 we should have investigated it more thoroughly. It happened very early on my watch, I was
26 new to the job, I had no experience of this sort of thing before, I'd never heard of anyone
27 doing such a thing, and unfortunately I didn't put two and two together to work out that
28 something else may have happened.

29 **COMMISSIONER ALOFIVAE:** And then coming to the other end where the general restriction
30 order applies, was that because you were aware that it was actually a criminal act, it was
31 actually against the law for an adult to be having sexual relations with a minor, why it was
32 reported to the Police?

33 **DR WILTON:** Yes, absolutely.

1 **COMMISSIONER ALOFIVAE:** So just on that note, we've heard a lot of evidence from
2 survivors, including Dilworth, around the imbalance of power around teachers and students.
3 So it's really hard to say what's consensual, what's not, the law is very clear in terms of the
4 current age. I'm asking you a question really about the future for your views.

5 Do you think the law should be changed specifically for the school population
6 where most children, there's an expectation that they would be in school until about 17, 18,
7 that actually that particular cohort, that it should actually be lifted to, say, 18 years?

8 **DR WILTON:** I would totally agree with that. I think any sort of contact of that kind between a
9 student and a teacher or employee in a school is totally abhorrent and should not happen,
10 I totally agree it should be raised.

11 **COMMISSIONER ALOFIVAE:** So you would support, then, a national conversation around
12 that, how else can we protect our students in our schools, that's but one lever?

13 **DR WILTON:** Yes, absolutely. One problem with it is if it's allowed for a certain group because
14 of their age then it becomes more possible that it will happen with the younger ones.

15 **COMMISSIONER ALOFIVAE:** Thank you very much, no further questions.

16 **CHAIR:** Do you have some questions?

17 **COMMISSIONER GIBSON:** Yes.

18 I understand that when one person was leaving the school you said it was because
19 of, -- he was resigning for reasons of ill health, the implication being mental health.

20 **DR WILTON:** Yes.

21 **COMMISSIONER GIBSON:** We live in a time where we're trying to destigmatise issues of
22 mental health and recognise something different there. Were you conflating mental health
23 with child abuse at the time, or what was happening? Can you explain that a bit more to
24 me?

25 **DR WILTON:** No, I was not associating the actions of that particular person with child abuse at
26 that time. It was an inappropriate connection that didn't make sense to any of us. It clearly
27 did to Mr Wynyard but it didn't to us, so that's why we asked him,-- first of all, we gave
28 him the option to desist, but he took the course of saying, "No, I'm not going to, so I'll
29 resign."

30 Does that answer your,-- is that what you wanted me to say? Sorry, I'm not sure if
31 I answered.

32 **COMMISSIONER GIBSON:** I just wanted to understand your truth as opposed to wanting you
33 to say anything in particular, but thank you.

34 **DR WILTON:** Okay.

1 **CHAIR:** Murray, I am the last one on the list and I've just got one question, and I'll explain why
2 I'm asking it. Obviously this Royal Commission is based very much on the survivor
3 accounts and to that extent we've listened to many individual accounts and we're putting
4 those together in a way that shows us some patterns. The reason for that is that we are
5 required to look at the systemic reasons for the abuse and neglect of children, young
6 people, vulnerable adults. So what I'd like to ask you about is the systemic nature of what,
7 and now, using your word, hindsight, has happened here.

8 You referred to "bad apples" at some stage and it seems to me,-- what did you mean
9 by that when you were talking about "bad apples"?

10 **DR WILTON:** Well, just the figurative term relating to,-- we had some obviously totally
11 misguided and evil men on our staff, a small number comparatively, I mean, any number is
12 wrong, but comparatively they were a small number, and the bad apples could infect others.

13 **CHAIR:** Yes, I think that's maybe put the finger on it, because I know some people would think if
14 you say it's a few bad apples and it's just a few isolated incidents that are unrelated and it
15 relates to the character of those individuals. The other way of looking at it and the way I
16 think many survivors look at it and indeed experts who we have heard from, indicate that
17 these bad apples are only there because they're tolerated more or less, that there's something
18 in the systems in the institution that either allows them to come in, allows them to
19 perpetuate the abuse and allows them to get away with it.

20 So I'm just asking whether in the course of this intensive preparation you've done
21 for us, whether that's occurred to you that there was something in the air, something in the
22 culture of that school at the time that, unwittingly to you, allowed this to carry on, and it
23 wasn't just a few perverted individuals, but a systemic thing going on?

24 **DR WILTON:** Yes, I think I would agree with you that there was a pattern emerging, it's clearer
25 to us in retrospect, obviously, than it was at the time. When you're in the place and you're
26 dealing with thousands of other things every day, those sorts of issues don't always become
27 clear to you when you're dealing with the isolated reports, which is what they were at that
28 time.

29 **CHAIR:** But looking back now, as we can, do you think there were things, systems in the school
30 that allowed this to happen?

31 **DR WILTON:** Yes, I've pointed to the fact that some of the physical amenities of the school were
32 very unsatisfactory in the 1970s and I ensured over the time that I was there that those
33 things were eliminated, that we improved the facilities so that there was a more open space
34 for visibility. The old house in which some of those victims lived was a rabbit warren of

1 little cubby holes and hiding places that probably made it more possible for people to
2 offend.

3 **CHAIR:** So that's the physical aspect of the whole thing. What about oversight and people
4 keeping a close watch? Do you think there was a lack of that, I think you've already
5 referred to that.

6 **DR WILTON:** Yes, it was inadequate in those early days and that was another thing that
7 I accomplished in my time was to persuade the Board that we needed much better
8 supervision to be able to ensure the safety of the boys.

9 **CHAIR:** Yes. Finally, is there anything final that you'd like to say before we close and before
10 I thank you. Anything you'd like to say? You've been very generous with your time but
11 just I want to give you a final opportunity.

12 **DR WILTON:** No, I just want to thank you for the opportunity to appear before you and to give
13 my version of events such as I can remember it at my advanced age and such a long time
14 ago, but I thank you for the opportunity.

15 **CHAIR:** Well, then, it remains for me to thank you, because it is a long time and I think you've
16 presented, if I can show the world, a large document of detailed remembering way, way
17 back and for that we are very grateful, and I think it's important that the number of men in
18 the room who have sat and listened today have heard your version and it's important that
19 happened.

20 So the Commissioners thank you very much I indeed.

21 **DR WILTON:** I wish you well in your deliberations.

22 **CHAIR:** Thank you very much. And thank you to your two supporters who have stood loyally
23 beside you, I'm sure it's been very important to Murray you've been there.

24 On that note, it is our custom to close with karakia, if you'd like to stay there and be
25 part of it you can, if you'd like to leave, it's up to you, but kua mutu aku mahi i tēnei wā,
26 can I, ka kaumatua, kei a koe to karakia.

27 **Hearing adjourned at 5.16 pm to Thursday, 20 October 2022 at 9 am**