

**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)  
Dr Anaru Erueti  
Ali'imuumua Sandra Alofivae  
Paul Gibson

**Counsel:** Mr Simon Mount KC, Ms Kerryn Beaton KC, Ms Katherine Anderson, Ms Tania Sharkey, Mr Michael Thomas, Ms Kathy Basire and Ms Alisha Castle for the Royal Commission  
Ms Rachael Schmidt-McCleave and Ms Julia White for the Crown  
Ms Sally McKechnie and Ms Brooke Clifford for Te Rōpū Tautoko, the Catholic Bishops and Congregational Leaders  
Mrs Fiona Guy-Kidd, Mr Jeremy Johnston 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  
Ms Helen Smith and Ms Sarah Kuper for Presbyterian Support Central  
Mr Sam Hider for Presbyterian Support Otago  
Mr Andrew Barker and Ms Honor Lanham for Dilworth School and Dilworth Trust Board  
Mr Karl van der Plas, Mr Jaiden Gosha, Ms Rachael Reed and Ms Ali van Ammers for the Dilworth Class Action Group

**Venue:** Level 2  
Abuse in Care Royal Commission of Inquiry  
414 Khyber Pass Road  
AUCKLAND

**Date:** 20 October 2022

---

**TRANSCRIPT OF PROCEEDINGS**

---

**INDEX**

<b>DEREK FIRTH</b>	
Questioning by Ms Anderson	480
Questioning by Commissioners	505
<b>AARON SNODGRASS and DAN REDDIE</b>	
Questioning by Mr Barker	515
Questioning by Ms Anderson	518
Questioning by Commissioners	533
<b>DILWORTH SURVIVORS PETITION</b>	542
<b>OPENING STATEMENT BY THE ANGLICAN CHURCH</b>	544
<b>RIGHT REVEREND ROSS BAY, MOST REVEREND DONALD TAMIHERE and MOST REVEREND PHILIP RICHARDSON</b>	
Questioning by Mrs Guy Kidd	545
Questioning by Ms Anderson	556
Questioning by Commissioners	568
<b>CLOSING STATEMENT BY THE CROWN</b>	570
<b>CLOSING STATEMENT BY DILWORTH SCHOOL and DILWORTH BOARD OF TRUSTEES</b>	577
<b>CLOSING STATEMENT BY THE ANGLICAN CHURCH</b>	581
<b>CLOSING STATEMENT BY THE CATHOLIC CHURCH</b>	583

**Adjournment from 11.06 am to 11.26 am**

**CHAIR:** Welcome back, everybody, and welcome back, Mr Barker.

**MR BARKER:** Mr Barker appearing as counsel for Dilworth School, Dilworth Trust Board with Ms Lanham and we have been joined by our instructing solicitor, Mr Shanahan, just on the bench for Mr Snodgrass.

**CHAIR:** Just bring your microphone --

**MR BARKER:** Is that actually on? Yeah, is that better?

**CHAIR:** It's on but you need to speak into it.

**MR BARKER:** I haven't often been accused of having a quiet voice.

So we have, Commissioners, Mr Snodgrass who's the current Chairman of the Dilworth Trust Board giving evidence to you this morning. He's joined by Mr Reddiex as a support person who is the current headmaster of the school. I did think he's not there as a witness, Mr Reddiex, but I did hear some of the questioning towards the end of yesterday and I don't know where the Commissioners want to go to, but he is the current headmaster so if there are any current operational matters he may be able to assist you on those matters.

**CHAIR:** Why don't we, in the spirit of making it up as we go along, within the rules, we might give the affirmation to both and should you find it necessary.

**AARON SNODGRASS and DAN REDDIEX (Affirmed)**

**QUESTIONING BY MR BARKER:** Mr Snodgrass, you've prepared a statement for the purpose of this hearing. That has been received and read by the Commissioners, and will be available at the conclusion of your evidence. You're not going to be asked to go through that in detail but I understand you have a brief summary statement of that evidence which you wish to present.

**MR SNODGRASS:** I do.

**MR BARKER:** Could I ask you to read that to the Commissioners.

**MR SNODGRASS:** Tēnā koutou, talofa lava and Pacific greetings to everyone here. My name is Aaron Peter Snodgrass, I am the Chairman of the Dilworth Trust Broad. I am also an Old Boy of Dilworth School, attending the school for nine years from 1981 to 1989.

I'm grateful to the Commission for the opportunity to speak today. I acknowledge the support of headmaster Mr Dan Reddiex beside me who, along with me, has fronted this issue of abuse at Dilworth School since 2019. I also acknowledge the support of fellow trustees.

I also acknowledge the support of the staff at Dilworth of 200, Old Boys in the

1 audience today, and former students.

2 I also acknowledge the attendance today of representatives of the Anglican Church,  
3 Archbishop Philip Richardson, Archbishop Don Tamihere and, I believe, Bishop Ross Bay.

4 I'm deeply passionate about Dilworth. The wishes of James and Isabella Dilworth  
5 were to educate and to support as many boys as possible in helping them to reach their full  
6 potential and become good and useful members of society. They directed trustees to  
7 establish the school for that purpose.

8 But the primary purpose of Dilworth, as a school, was to ensure the safety of boys  
9 whose families were entrusted to us with their care and to protect them from harm. It is  
10 now clear that the school did not meet this fundamental responsibility. The harm that has  
11 been suffered by Old Boy survivors of abuse is immeasurable. I have been heartbroken to  
12 learn of their experience and suffering.

13 Since September 2019 in my capacity as Chairman of the Dilworth Trust Board, I  
14 have publicly apologised and continue to apologise unreservedly to all Old Boy survivors,  
15 their whānau, and the wider Dilworth community for this failure and the harm that was  
16 done.

17 As part of the redress programme which is now underway, Dilworth will be making  
18 personal apologies to many survivors in a way that responds to their particular experience  
19 in a manner in which they wish that apology to be delivered. However I take this  
20 opportunity now in this public forum to make that apology to all survivors of abuse at  
21 Dilworth School.

22 On behalf of the Dilworth Trust Board, the Dilworth School, the Dilworth  
23 community, I apologise to all Old Boys who suffered abuse while a student at our school,  
24 however that abuse occurred. It was not your fault. It was your school that failed to protect  
25 you. I cannot fully explain to the Commission or to our Old Boy survivors how this abuse  
26 was able to occur. It is essential that they are given as full an understanding as we can of  
27 what happened to them and how it was able to happen.

28 We must also understand what happened to ensure that this does not happen again.  
29 For that reason, the Board has commissioned a full and independent inquiry into the abuse  
30 that happened at Dilworth School. It is being led by Dame Silvia Cartwright and Frances  
31 Joychild. I understand the work of the Inquiry, sorry, -I- describe the work of the Inquiry in  
32 my statement. The Board hopes that their report, when it is received, will give Old Boy  
33 survivors and the Dilworth community the answers that we all need.

34 It is also important that we acknowledge and address in a meaningful way the abuse

1 that was suffered by Old Boy survivors. For that reason, the Board has also established an  
2 independent redress programme that will provide survivors with a process through which  
3 they can receive an offer of redress, including financial redress from the Board. Again,  
4 I discuss this programme in my statement.

5 Finally, I want to ensure those within the Dilworth community that we have taken  
6 all reasonable steps that we can to ensure that this abuse that occurred in our past will not  
7 be repeated. I will -- I discuss in my statement the work that is being done to re-orientate  
8 the focus of our school on to child safety. This work has been recognised with the school's  
9 recent accreditation as a child safe school by international agency Child Wise.

10 Nothing in life can prepare you for the crisis that Dilworth has faced over the last  
11 few years. There is no manual for this and in this respect, Dilworth supports the work of  
12 this Commission.

13 For us, we've had to try and find our own way. We've also endeavoured to do so  
14 with integrity and respect. I apologise to survivors for any mistakes that we have made  
15 during this process. I can assure everyone, the trustees, headmaster, director of student  
16 services and the team of 200 staff at Dilworth that we have been focused on taking  
17 responsibility for the past, ensuring that it is not repeated again, and supporting our Old  
18 Boy survivors, and we will continue to do so.

19 **MR BARKER:** Thank you, Mr Snodgrass, if you could just answer any questions from my  
20 friend.

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

22 **QUESTIONING BY MS ANDERSON:** Kia ora, Mr Snodgrass. I think my microphone's  
23 working there.

24 **MR SNODGRASS:** Good morning.

25 **MS ANDERSON:** One of the topics that I'm going to start with, I'm just going to move through a  
26 limited number of topics with you this morning.

27 The first relates to and dovetails into the conversation that we've had with Mr Derek  
28 Firth relating to the second chaplain Ross Browne who was at the school and left in 2006.  
29 And do you recall correspondence that you've had later in the period of time, so beginning  
30 in 2019, I think, there's a document I'm going to take you to in a moment where you're  
31 expressing concern to the Bishop about the fact that Ross Browne is still in ministry and  
32 you think may still be having contact with children?

33 Can you just walk us through what you became aware of, when, and what you did  
34 about it.

1 **MR SNODGRASS:** Yes, as we understood some of the complaints that had been made about  
2 Ross Browne in 2006 and as we learned about him continuing in ministry at Manurewa  
3 Church, and as we also learned that he was involved in Scouts, we were deeply concerned.

4 **MS ANDERSON:** And you'd had quite a few members of staff who'd been involved also with  
5 Scouts that had given -- that had been reported as abusers to the school; is that right?

6 **MR SNODGRASS:** Yes. So at that point I had discussions with Bishop Ross Bay and --

7 **MS ANDERSON:** Is this after Operation Beverley has become public or is it --

8 **MR SNODGRASS:** No, this was way before then.

9 **MS ANDERSON:** Before that? Yeah.

10 **MR SNODGRASS:** Yes, it was way before then. As Chair, I met with Bishop Ross and  
11 expressed to him concerns that Browne was still in ministry and we talked quite openly  
12 about that and then there just reached a point where we also learned that Browne was still  
13 involved in Scouts. At that point I wrote to Scouts, I wrote to the Police and I wrote to  
14 Bishop Ross formally expressing concerns.

15 **MS ANDERSON:** I'm going to call up a document that's dated 17 June 2019, DWS0000069. Just  
16 while that's coming up, to orientate you to it, that's a letter that you've written to Bishop  
17 Ross Bay in the middle of 2019, so just while it's coming up.

18 You see that on the screen, that may be a document you reviewed that was in the  
19 bundle; do you recall that document?

20 **MR SNODGRASS:** I do, yes.

21 **MS ANDERSON:** And you can see there that it refers to having met in February of that year and  
22 then again in March to discuss the position of the vicar at the Manurewa parish. And then  
23 you go on to refer to historical complaints received in relation to that person. And then  
24 down at the bottom of the page you refer to a further discussion on 12 May, so quite a  
25 series of conversations that you've been having.

26 So is it fair to say you're knocking on the door raising your concerns?

27 **MR SNODGRASS:** Yes, we're very concerned.

28 **MS ANDERSON:** And you've written this letter, setting out by way of summary beginning on the  
29 bottom of that page, about the concerns about his role as director of a gang show and the  
30 Bishop's knowledge of this, and the "concerns discussed recently" with a particular Bishop  
31 who's advised Bishop Bay that until a further complaint had been received involving  
32 criminal behaviour that the Church should not remove Ross Browne from his position.

33 So that's what you understood at that time, that the Church was waiting for a report  
34 of abuse that involved criminal behaviour.

1 **MR SNODGRASS:** Yes, the position of the Church was that Ross Browne had been appointed as  
2 vicar of Manurewa with full knowledge of the abuse that occurred at Dilworth and, as a  
3 result, this being an employment matter for them, the Bishop felt, I believe he'd taken  
4 advice from Chancellor that they could not remove him from the position, given that that  
5 knowledge was fully known when he was employed.

6 **MS ANDERSON:** Right, okay. Just on to the next page, I think what you've referred to is just  
7 expressed there in the last sentence of the first paragraph, that Bishop Bay has expressed  
8 that he understood Dilworth's concern but that legal advice was that you could not remove  
9 Ross Browne without further information or complaints.

10 **MR SNODGRASS:** Correct.

11 **MS ANDERSON:** Do you recall discussing whether Bishop Bay thought he might be able to  
12 commence what's called a Title D investigation, which is the Church process for  
13 investigating reports of abuse for disciplinary -- it's a disciplinary process, was there any  
14 discussion about that?

15 **MR SNODGRASS:** There wasn't, and I just started to understand the Title D process probably  
16 about 18 months ago. So no, there was not discussion about that.

17 **MS ANDERSON:** But you go on to record in that second-to-last paragraph that you're just not  
18 comfortable with leaving matters as they are until a complaint of some kind is made, and  
19 that you signal that you're going to be alerting the Police and Oranga Tamariki, and you  
20 took those steps.

21 **MR SNODGRASS:** We did, yes.

22 **MS ANDERSON:** And do you recall what happened as a result of the concerns you were raising  
23 at this time?

24 **MR SNODGRASS:** We did get a response from Bishop Ross and he again reiterated his -- the  
25 point, I think you probably have that letter in evidence, I don't know if you want to bring  
26 that up, but there was a response from Bishop Ross.

27 **MS ANDERSON:** But it really emphasised the same point that he didn't feel at that time he could  
28 do anything.

29 **MR SNODGRASS:** That's correct, yes, yeah.

30 **MS ANDERSON:** And it's not until sometime later that Bishop Ross is taken -- Ross Browne is  
31 taken through a Title D process and effectively defrocked or laicised?

32 **MR SNODGRASS:** Yeah, that happened this year.

33 **MS ANDERSON:** This year.

34 **MR SNODGRASS:** We also sent to the Police some information shortly after that letter on

1 everything that we knew about Ross Browne in our school.

2 **MS ANDERSON:** How was that information coming to you, what was it you were able to pull  
3 together?

4 **MR SNODGRASS:** We had quite a number of school files, we had the allegations that were  
5 made that resulted in him being -- resigning from his position in 2006, and we had  
6 information about the investigation that took place around that time.

7 **MS ANDERSON:** And so at this time were you thinking for the school itself that there might be  
8 something you needed to do for Old Boys who might have in fact been harmed by this  
9 chaplain? Was that part of your thinking at the time?

10 **MR SNODGRASS:** I was thinking about Old Boys, I was thinking about young people that might  
11 be in contact with Ross Browne, particularly in Scouts, and I was concerned that the matter  
12 had been left to lie in 2006 and no further action been taken.

13 **MS ANDERSON:** One of the issues that the Inquiry's heard from some witnesses on and will be  
14 considering is the question of mandatory reporting, and whether that should be an element  
15 of the future system design that might in fact help keep people safe, prevent abuse, so that  
16 when it's found that people are -- it's reported to the right channel and the right actions are  
17 taken at the time.

18 Do you have a perspective yourself from your current role as Chair of whether a  
19 mandatory reporting regime would be a useful tool in the future to keep boys safe?

20 **MR SNODGRASS:** I think it's essential, I think it's essential that people are not given the  
21 opportunity to make judgment calls, that there is a codified and legal responsibility to  
22 report abuse, particularly sexual abuse, and I note in Australia this week that there has been  
23 initiatives to try and eliminate abuse against women and children and I think New Zealand  
24 needs to look at regimes to seriously confront the issue of abuse of children particularly.

25 **MS ANDERSON:** I think we can agree from the evidence that we've seen in the Inquiry and  
26 probably what you're aware of now from the Trust Board perspective, that there's very clear  
27 patterns of grooming behaviour by the staff members over a period of time with a number  
28 of boys. Do you agree that that's conduct that's clearly occurred in the school?

29 **MR SNODGRASS:** Absolutely.

30 **MS ANDERSON:** And you can't answer partly because you weren't there back in time, but one of  
31 the questions that the Commissioners will have in their minds and which survivors have is,  
32 you know, how could there have been such a high degree of grooming behaviour and a high  
33 degree of abuse occurring, by two very prolific offenders, or three very prolific offenders,  
34 and nobody really noticing that that was going on at the school? Have you got any



1 reflections you want to share about how could there be abuse of the nature and extent that's  
2 come out through Operation Beverley and the prosecution, and people at school say they  
3 never suspected anything at the time.

4 **MR SNODGRASS:** I clearly can't speak as a trustee because I wasn't a trustee at the time.

5 **MS ANDERSON:** But you were at the school.

6 **MR SNODGRASS:** I was a student at Dilworth and this is just my own personal observations. I  
7 think that there were -- the staff at the time went above and beyond to try and support,  
8 encourage and grow and mentor us as young boys, and many of those staff did wonderful  
9 things for us as boys to become good men. However, there were - it enabled one-on-one  
10 contact with boys and staff, and that I think opened the door to these perpetrators abusing  
11 boys at Dilworth.

12 **MS ANDERSON:** And knowing what you know now, albeit the inquiry that's been initiated by  
13 the school isn't concluded, there's the obvious question of whether there was a culture of  
14 abuse at the school, certainly in the 70s and the 80s, potentially earlier. What do you say  
15 about that proposition?

16 **MR SNODGRASS:** I don't believe there was a culture of abuse at Dilworth, but what I do believe  
17 is that the safeguards that we had in the school were not adequate to encourage boys, to  
18 encourage families to talk openly about their experience at Dilworth, to report abuse. I  
19 don't think that there were adequate safeguards in place, mainly for the reasons I just  
20 articulated, to ensure that boys weren't having one-on-one contact with staff in an  
21 uncontrolled way.

22 **MS ANDERSON:** You've heard the evidence of Murray Wilton and Derek Firth. You've heard  
23 that I put to them that with the information back in time, you know, first of all, initially at  
24 the period of knowledge of the first chaplain and then McIntosh in '79, so two events that  
25 are in a quite proximate time period, other disclosures coming forward and then up to the  
26 period of 1996 with Ian Wilson, and I put the proposition that perhaps there was enough  
27 information at that point in time for the School Board to have thought that there was a  
28 problem that might have warranted the kind of inquiry that's now been initiated. Do you  
29 have a comment on that?

30 **MR SNODGRASS:** I really can't speak to the past and what was going through the leaders' minds  
31 at the time.

32 **MS ANDERSON:** I'm not asking you to get into their minds, just on the information base  
33 available by 1996, is that something that you think, if you'd been sitting on the Board at the  
34 time with that history of information, that you might have made a decision that a wider look

- 1 was required?
- 2 **MR SNODGRASS:** Certainly based on the information that we had in 2018, 2019 we were  
3 preparing to look at our own inquiry.
- 4 **MS ANDERSON:** And that information in 2018 and '19, that was coming to you because you'd  
5 had some direct approaches, hadn't you, about Old Boys who might have been -- who had  
6 been -- who were saying that they had experienced abuse at the school?
- 7 **MR SNODGRASS:** That's correct, yes.
- 8 **MS ANDERSON:** At what point in 2018 did you come on to the School Board?
- 9 **MR SNODGRASS:** So I joined the Dilworth Board as a trustee in 2013 and I became Chairman  
10 in 2018.
- 11 **MS ANDERSON:** What point in 2018? Is it January or...
- 12 **MR SNODGRASS:** March.
- 13 **MS ANDERSON:** And so in 2018 were you starting to think about has the school's response to  
14 people who have been harmed adequate, was that something that the Board was starting to  
15 think about?
- 16 **MR SNODGRASS:** Yes, there was a confluence of factors. The first one was that I became  
17 Chair of the Board and I had received more information about what the school knew of  
18 perpetrators at Dilworth.
- 19 **MS ANDERSON:** Was that a briefing to you as a new incoming chair or was that happenstance  
20 that information was being reported to the school at that time?
- 21 **MR SNODGRASS:** No, it was a number of documents that I received from the former Chair  
22 passing that information on to me. So I had received that information and I shared it with  
23 the Board, and we also knew at the time that this Royal Commission of Inquiry into Abuse  
24 in Care was being set up and we also knew that, through my relationships with the Old Boy  
25 community, that there was further information that was going to be forthcoming. And we  
26 went over it and we needed to do something, we needed to understand this further.
- 27 **CHAIR:** Mr Snodgrass, just a point, you said you received documents from the previous chair;  
28 was that Mr Firth?
- 29 **MR SNODGRASS:** No, that was Mr John Wain.
- 30 **CHAIR:** That's right, there was somebody in between. When you became the Chair, were  
31 those -- were they related to abuse?
- 32 **MR SNODGRASS:** They were related to a whole number of different matters, it wasn't just  
33 abuse, it was a whole number of aspects around appointment of trustees, it was previous  
34 negotiations or transactions that the board had done.

- 1 **CHAIR:** But it included information about the abuse.
- 2 **MR SNODGRASS:** Correct.
- 3 **CHAIR:** My question is, had that information been known to you as a board member before you  
4 became Chair?
- 5 **MR SNODGRASS:** No. I knew certain aspects of perpetrators at Dilworth. You're not a live and  
6 a member of this community without knowing who perpetrators were previously.
- 7 **CHAIR:** But there was additional material that you didn't know --
- 8 **MR SNODGRASS:** Additional material.
- 9 **CHAIR:** -- and the Board as a whole didn't know, it was held by the Chair; is that right?
- 10 **MR SNODGRASS:** Correct.
- 11 **CHAIR:** Thank you.
- 12 **MS ANDERSON:** So you've reviewed this information received. Did it surprise you that that  
13 information hadn't been shared with the broader members of the board? I'm talking about  
14 the abuse-related information in that hand-over material.
- 15 **MR SNODGRASS:** It did, and I regret that I didn't ask for it previously, but the approach -- the  
16 understanding that I had was that that had been dealt with in the past and that it was no  
17 longer an issue. That was incorrect and I apologise for not asking for that information.
- 18 **MS ANDERSON:** Because it's an ongoing issue for the boys who were harmed, isn't it?
- 19 **MR SNODGRASS:** Absolutely.
- 20 **MS ANDERSON:** A lifetime of effects.
- 21 **MR SNODGRASS:** Yes, and there were many Old Boys that have seen -- taken the opportunity  
22 since 2019 to make disclosures and I think what we've tried to create is an environment for  
23 them to make those disclosures and be supported in the process.
- 24 **MS ANDERSON:** When you've come into your role as -- you've been on the Board, you've come  
25 into the role as Chair in early 2018, how would you characterise the approach taken to  
26 responding to people coming forward reporting abuse? How would you characterise the  
27 way the school was responding to people coming forward?
- 28 **MR SNODGRASS:** We're very pleased that Old Boys are coming forward and making  
29 disclosures. It means that we can help them and support them, it means that we can, as a  
30 community, try and make redress and it means that we can support them in going to the  
31 Police and to this Commission, and to hold these perpetrators to account.
- 32 **MS ANDERSON:** I'm going to call up a document, DWS0000093. This is a document that you  
33 will have seen in the bundle -- are you happy for me to call you Aaron?
- 34 **MR SNODGRASS:** Please do.

1 **MS ANDERSON:** You will have seen it in the bundle, Aaron, but it's not a communication to or  
2 from you but it's from the person who was the, I understand in the position of General  
3 Manager at the school; is that right?

4 **MR SNODGRASS:** Correct.

5 **MS ANDERSON:** And it's an email dated 23 August 2018, so this is about five months after  
6 you've come into the, four or five months after you've taken on the role of Chair, and it's  
7 talking about responding to a particular person who's come forward, and then you see, I'll  
8 just call out the last sentence beginning "sadly" in that first paragraph, just so  
9 Commissioners can see that clearly:

10 "Sadly at Dilworth for some that initial response has been one of dismissal and  
11 disbelief at first. There were instances in my earlier days when that was the reaction. Even  
12 later when I had one boy come to me with a revelation, it was not believed at first. It was  
13 seen as a vendetta against the staff member. The Trust Board too has not handled things  
14 well at times in the past. The feeling was to be defensive and very guarded in case they  
15 demanded compensation."

16 So in terms of what you knew as the Chair of the Trust Board at the time, do you  
17 agree that that's an accurate characterisation of what the response had been at least up to the  
18 date of this email?

19 **MR SNODGRASS:** Yes, I think that's correct in a general sense, although I can't say that it would  
20 be in every sense. One of the things that we did in 2018 was to start increasing our  
21 knowledge and understanding of abuse, and particularly sexual abuse, and understanding  
22 the reasons why there would be delayed reporting, and I have to say that as a professional  
23 man that's nothing that we learn about at university, but I do think that's now something that  
24 every board member of a school needs to understand why there would be delayed reporting  
25 and how to respond.

26 So yes, I do agree with that statement and I can understand the reasons why.

27 **MS ANDERSON:** And moving into 2019, that's when you establish the listening service, isn't it,  
28 so that Old Boys can contact and get counselling without having to worry about paying for  
29 that, the school begins meeting the cost of that counselling service, is that right, that's the  
30 right timeframe?

31 **MR SNODGRASS:** Yes, we wanted to put that in place before we wrote to all Old Boys, or at  
32 least the Old Boys that we had contact details for, and putting on social media a letter that  
33 acknowledged the formation of this Commission and acknowledging that abuse, being  
34 physical abuse and sexual abuse, had occurred at our school, we felt that we needed to put

1           that listening service in place first so that Old Boys could reach out to it once they received  
2           that letter and started to learn about the initiatives that we were taking at Dilworth.

3 **MS ANDERSON:** I think we've heard in the opening address of counsel for the school that about  
4           100 people have taken advantage of that service.

5 **MR SNODGRASS:** Correct.

6 **MS ANDERSON:** So we're still in -- so in 2018 we've got the concern expressed that the  
7           defensive response was driven by a concern about compensation, and then you've moved  
8           into 2019 and you've set up a counselling service but there's no financial element at that  
9           point of responding to survivors' needs arising from the harm they experienced at the  
10          school.

11 **MR SNODGRASS:** Yes, you've made the point about the response to Old Boys reflecting  
12          because of compensation, I haven't made that statement.

13 **MS ANDERSON:** Well, I think what I'm asking you is, from your time on the Board and then as  
14          Chair, do you accept or reject that there's been a concern to protect the school from  
15          compensation claims? Leaving aside what's happened in 2022 with the redress scheme, so  
16          we're talking about this period 2018 through to mid-2021.

17 **MR SNODGRASS:** No, I wouldn't agree with that, but what I would agree is that there was a  
18          lack of understanding about dealing with historical abuse, there was a lack of understanding  
19          in terms of -- sorry, not a lack of understanding, there was a concern about the school's  
20          name and reputation. You've heard from the previous Chair, Derek Firth, there was a  
21          scepticism that delayed reporting might have been as a result of compensation or the ACC  
22          scheme at the time. But I wouldn't say that it was a primary concern.

23 **MS ANDERSON:** But it's in 2022, isn't it, that there's an announcement that there might be a  
24          financial element of redress available to boys who have been harmed at the school?

25 **MR SNODGRASS:** No, that's not correct, it was 2021, and we'd been starting to think about that  
26          earlier than 2021, we were thinking about how we can provide a meaningful response to  
27          Old Boys.

28 **MS ANDERSON:** And so when you're in that process of thinking about that, so internal workings  
29          about it in 2021, but the public visibility of it is in 2022; is that right?

30 **MR SNODGRASS:** I think it was 2021 or '22, I'm not quite sure, but certainly I think at the end  
31          of 2021 we had made an announcement that we were going to be putting in place a redress  
32          programme.

33 **MS ANDERSON:** And then the actual redress programme, the terms of reference for that have  
34          been released earlier this year.

1 **MR SNODGRASS:** Correct.

2 **MS ANDERSON:** But the intention to establish it announced in 2021.

3 **MR SNODGRASS:** Correct, yes.

4 **MS ANDERSON:** Do you understand that there have been survivors who have expressed some  
5 concern that the redress programme is running in tandem, in parallel with your inquiry  
6 process?

7 **MR SNODGRASS:** Correct.

8 **MS ANDERSON:** And what do you understand are the reasons they have concerns about the  
9 parallel processes?

10 **MR SNODGRASS:** The concern is from some Old Boy survivors that the redress programme is  
11 underway before the findings of the Dilworth inquiry are known.

12 **MS ANDERSON:** What are the reasons for those concerns?

13 **MR SNODGRASS:** That if there is wider knowledge of the school's understanding of abuse, that  
14 that may not be taken into account in formulating a customised redress offer.

15 **MS ANDERSON:** And perhaps another way of characterising that, because the terms of reference  
16 for the redress programme include appropriate apologies; is that right?

17 **MR SNODGRASS:** Correct.

18 **MS ANDERSON:** And so the question I put to you is, how will the school know what to  
19 apologise for exactly if you're giving an apology to a survivor before the inquiry's actually  
20 concluded and reported to you and you actually understand what the school knew at the  
21 relevant time?

22 **MR SNODGRASS:** Yes, I understand that point of view and we acknowledge that, but when we  
23 went out and extensively sought feedback from Old Boys, there were some that wanted to  
24 wait for the inquiry to be completed before they engaged with the redress programme. But  
25 there are also a number of Old Boys where this had been on their mind quite intensively for  
26 a period of time, and they wanted to start putting this behind them. And so we were dealing  
27 with two groups of Old Boys here.

28 So the approach that we've taken is to get the redress programme up and going so  
29 that Old Boys can engage with the programme. The redress panel can make an offer of  
30 redress prior to the report of the Dilworth inquiry coming out, or the Old Boy can say "we  
31 wish to have the offer of redress held over until the Dilworth inquiry report comes out". Of  
32 course Old Boys have the ability to lodge an engagement with the redress programme after  
33 the inquiry report comes out.

34 So we've tried to give as many options to these Old Boys as we can.

1           But what we know through the engagement we had with Old Boys, that there are  
2           some that are really in need right now and we wanted to provide assistance. The panel has  
3           the ability to re-look at any offers of redress that have been given to Old Boy survivors  
4           before the inquiry report comes out.

5 **MS ANDERSON:** That's how you've attempted to accommodate the concerns that have been  
6           expressed, the ability to reopen after the inquiry reports.

7 **MR SNODGRASS:** Correct, and, you know, the Commissioners in their report on redress have  
8           provided a recommendation to Government, being Pūretumu Torowhānui programme, but  
9           in that report they say they encourage institutions like Dilworth to get on with redress and  
10          that's what we've attempted to do.

11 **MS ANDERSON:** That's what you've done, yes. And certainly in terms of the maximum  
12          financial cap, 200,000 or up to 300,000 in exceptional circumstances, that's a number that's  
13          in quite significant contrast to what we've heard are the levels of payment to survivors of  
14          abuse in other faith-based settings and the State.

15                 How did you arrive at that number?

16 **MR SNODGRASS:** That's been a really difficult issue for us to get our heads around as trustees.  
17          You have to remember that the Dilworth Trust is a testamentary trust that's been formed  
18          through the will of James Dilworth. So we don't have the legal ability to fully delegate  
19          trustee responsibilities. So we've set up a programme that we've attempted to be as  
20          independent as possible from the Dilworth Trust. So apart from a cap, we don't really have  
21          any specifications to the panel.

22 **MS ANDERSON:** So it's for the panel to determine what factors they take into account in making  
23          a level of financial offer; is that right?

24 **MR SNODGRASS:** Correct, yes. But we did have to come up with a cap, and we noted and we  
25          looked at programmes around the world that most had a cap. We looked at the  
26          Commission's report and we noted in it various payment levels that had been made by other  
27          organisations. And we acknowledge that abuse at Dilworth. It was an historic concern and  
28          a concern for us.

29                 So in coming up with the cap, we took advice, we looked at other programmes  
30          around the world, and we came up with a number. We went out for feedback and the  
31          feedback was that we needed to take another look at the level and we increased it, and that's  
32          how we got to the level that we have.

33 **MS ANDERSON:** So an alternative where the panel were empowered to make any uncapped  
34          recommendation of what was needed to assist a survivor was not a viable option from the

- 1 Trust Board's perspective?
- 2 **MR SNODGRASS:** The advice that we got was our duties as trustees is that we could not fully  
3 delegate in such a way to the panel.
- 4 **MS ANDERSON:** So, effectively, you've delegated a fiscal cap calculated by likely numbers  
5 coming forward by maximum payments; is that how the board's approached it.
- 6 **MR SNODGRASS:** No, we haven't looked at the numbers that will come forward, because we  
7 don't know the numbers of Old Boys that are going to engage with the programme, so we  
8 didn't know that. But we have looked at the abuse that we know about, we've looked at  
9 what other programmes around the world have done, we've looked at what courts in  
10 New Zealand have awarded and we've looked at the Commission's report and had to make a  
11 call on this. We could not have an uncapped scheme.
- 12 **MS ANDERSON:** And in terms of the model of the process of development of this, am I right to  
13 characterise the model as that there's been some internal thinking, developed up a proposal  
14 and then it's been out for consultation with Old Boys; is that the process?
- 15 **MR SNODGRASS:** No, not entirely. So we did have a number of lawyers that were working  
16 with Old Boys and so we engaged with them in 2021 to get their feedback on the  
17 programme. We were hoping to put that out for wider consultation to Old Boys earlier  
18 this year, but we waited some time to get more fuller feedback from those representatives.  
19 We got that feedback, we put together a programme. We wanted to get it in the best shape  
20 that we possibly could before consulting or getting Old Boy -- feedback from the  
21 community on the programme.
- 22 **MS ANDERSON:** So how did you put it out to the Old Boys for feedback? Was that  
23 communicated through your email process, emails to Old Boys? How did it work?
- 24 **MR SNODGRASS:** No, we did it much wider than that. We created a public website, Dilworth  
25 Response, and --
- 26 **MS ANDERSON:** But people still need to know there's a website there to go and look at, don't  
27 they?
- 28 **MR SNODGRASS:** Let me finish. We created this website that was available to the public, we  
29 put out a press statement, we -- I made a video that was available on the public website, we  
30 reached out to Old Boys through social media, and -- we don't have a complete record of all  
31 Old Boys and where they are now, that's simply not information we have, but we did our  
32 best to reach out to as many people as we could, including using the media to promote the  
33 website.
- 34 **MS ANDERSON:** And then you've received the feedback and then you've made some



1 adjustments to the proposed terms of reference; is that right?

2 **MR SNODGRASS:** Correct.

3 **MS ANDERSON:** I'm just going to take you to a document, MSC0001131. Just while that's  
4 coming up Aaron, you will have seen this document in the bundle, I think. It's an Office of  
5 the Children's Guardian in New South Wales, "Engaging sensitively with survivors of  
6 abuse - a guide for faith organisations". Have you seen this document?

7 **MR SNODGRASS:** Yes, I have.

8 **MS ANDERSON:** Just turning to page 22 of the document, it's referring to these six principles of  
9 trauma-informed practice. The first one is safety; second one, trustworthiness and  
10 transparency; the third one, collaboration and mutuality; four, empowerment, voice and  
11 choice; five, peer support; and six, cultural, historical and gender issues.

12 You can see in that principle relating to collaboration and mutuality that it starts  
13 from a position of "recognising the abuse of power is paramount in the deliberate harm of  
14 children", and so that those -- "should seek to reverse those by identifying and balancing  
15 power differences to recognise the value and contributions of survivors".

16 So in terms of your process of developing your redress terms of reference, to what  
17 extent do you think this collaboration and mutuality with survivors has been a part of your  
18 process?

19 **MR SNODGRASS:** I think we could have done better and one of the things that we had to weigh  
20 up here was getting a programme together that was timely, that was responsive to survivors'  
21 needs at this time, and putting together an offer of redress that's meaningful to survivors.  
22 We understand that best practice would have been to involve survivors in the complete  
23 set-up, and that's what I understand Puretumu Torowhānui is doing. But we wanted to get  
24 this programme set up as soon as we could.

25 So what we've done is we've used the representatives of Old Boys to try and get a  
26 programme that reflects their feedback. We put together a programme first off so that we  
27 didn't have to start from the beginning and we looked at that, we developed that with our  
28 advisors by doing surveys of what other programmes around the world were offering so  
29 that we didn't have to start from the beginning. But I recognise that there will be aspects of  
30 this programme that won't be for everyone, and we put in the terms of reference to the  
31 programme an ability for the panel to suggest amendments to the Dilworth Trust Board  
32 should they believe that those amendments need to be made.

33 **MS ANDERSON:** But there's inevitably going to be a certain number of boys going through  
34 under the current terms of reference before any changes might be suggested by the panel,

1 that's right, isn't it?

2 **MR SNODGRASS:** Yes. But we have had feedback, wide feedback on the programme so far.

3 **MS ANDERSON:** Yes, the point, distinction I'm drawing is it's quite different, a consultation  
4 progress in which you receive feedback is very, very different from a collaborative process  
5 of designing something from the ground-up with survivors.

6 **MR SNODGRASS:** I acknowledge that.

7 **MS ANDERSON:** You accept that. And you understand that that's the concern that's been  
8 outlined around the process, that the Class Action Group outlined in its opening address to  
9 the Inquiry yesterday, that it's a process concern around the, effectively, as I've interpreted  
10 it, this lack of collaboration with survivors in the design of the redress process has  
11 contributed to the situation where the school and the survivors are not in the same waka.

12 **MR SNODGRASS:** I'm disappointed to hear that the survivor group don't believe that there was  
13 no consultation, but what I'm trying to do is to give the Commission an understanding of  
14 why we've moved at pace to put this programme in place. We're trying to bridge the  
15 formation of this programme and the formation of Puretumu Torowhānui so that we can  
16 provide meaningful redress to Old Boy survivors now.

17 **MS ANDERSON:** Turning to a different topic, which relates to the way the Education Review  
18 Office (ERO) comes in and reviews Dilworth as a private school, calling up document  
19 ERO0000135.

20 Commissioners will be familiar with the format of this because some of these types  
21 of reports have been looked at in the State accountability hearing, and so the point here is  
22 that when ERO is coming in to do a review of Dilworth, it's just assessing you in terms of  
23 the criteria for registration as a private school, which is set out on this page. This is a 2021  
24 ERO report. And the last criteria for registration there, which is a relatively new one, is  
25 that the school is a physically and emotionally safe place for students. You see that?

26 **MR SNODGRASS:** Yes, I do.

27 **MS ANDERSON:** And then just turning over to page 2, the lower part of that page, if I could just  
28 call that up under (h), so you can see that they describe what a safe place is, where risks to  
29 student safety are regularly assessed and evaluated, and that ERO's judgment is based on  
30 the quality, intent and regular review of the policies and procedures.

31 So ERO comes in and looks at your documents; is that right?

32 **MR SNODGRASS:** Yes, they do.

33 **MS ANDERSON:** And it says that you've regularly reviewed policies and procedures to provide  
34 for a physically and emotionally safe place. How helpful is ERO's report to you on this

1 criteria of whether the school is physically and emotionally safe? Does it help you at all?

2 **MR SNODGRASS:** Not at all.

3 **MS ANDERSON:** Because they're really just looking at whether you've got the right policies in  
4 place, aren't they?

5 **MR SNODGRASS:** Correct.

6 **MS ANDERSON:** And so that's quite different from the process that you've put in with the Child  
7 Wise accreditation to actually take those steps to make the current school environment a  
8 much safer place.

9 **MR SNODGRASS:** We wouldn't rely on the ERO report to tell trustees or our wider community  
10 if Dilworth is a safe place. We just wouldn't do that.

11 **MS ANDERSON:** And in fact, coming in to review policies and procedures is very different from  
12 actually understanding practice on the ground, isn't it?

13 **MR SNODGRASS:** Yeah, in this current environment we'd get no comfort from it.

14 **MS ANDERSON:** Thank you.

15 The final topic I'm going to raise with you before the Commissioners have an  
16 opportunity to ask you questions relates to correspondence from the lawyers acting for the  
17 Class Action Group to you in June last year outlining the class action concerns. Do you  
18 recall that correspondence?

19 **MR SNODGRASS:** If you could bring it up that would be great.

20 **MS ANDERSON:** I will. It's DWS0001034. It's a letter dated 24 June -- sorry, it's a letter to the  
21 Chief Human Rights Commissioner, this is the lodging of the human rights complaint by  
22 the two individuals who are leading the class action. You're familiar with this document?

23 **MR SNODGRASS:** Yes, it's been some while since I've read it, but I'm aware of it.

24 **MS ANDERSON:** You see on page 2 beginning at paragraph 15 -- it will come up on the screen  
25 in a moment in front of you, Aaron.

26 15(a), you see there there's an allegation that the school knew sexual harassment  
27 was being complained of and allowed it to continue, and there's a listing there of following  
28 factors to indicate the basis of that knowledge over time.

29 At paragraph (b) there's a reference to principal calling boys liars and threatening to  
30 expel them and cane them for reporting abuse.

31 You're aware of the information base underpinning that allegation, aren't you?

32 **MR SNODGRASS:** I'm not aware of the specifics, or at least I can't recall it right now, of that  
33 specific allegation. But it's certainly in the letter.

34 **MS ANDERSON:** And we heard Mr Firth talk about the caning incident, so it seems to be some

1 knowledge of a caning event where somebody was caned as a result of disclosing abuse.

2 **MR SNODGRASS:** Yeah, Mr Firth spoke about that this morning. I'm not familiar with that and  
3 there doesn't seem to be a school record of it.

4 **MS ANDERSON:** And over at paragraph 17 on the next page, where the allegation is that despite  
5 its knowledge -- paragraph 17 -- the school allowed a culture of systemic sexual harassment  
6 to be cultivated and perpetuated. The school did not take any steps to investigate or prevent  
7 sexual harassment.

8 Obviously you're in the middle of a process around this, so I'm not going to ask you  
9 to go into the substantive element of that, but just the proposition there that there's been a  
10 culture of systemic sexual harassment in the school. Is that something that you feel able to  
11 comment on at this time?

12 **MR SNODGRASS:** Look, I really -- you've heard from Dr Wilton and Derek Firth over today  
13 and yesterday and certainly I would acknowledge that there has been failures. The nature  
14 and extent of those failures, how we dealt with complaints of abuse and the contributing  
15 factors that enabled this abuse to happen in our school is a matter I really want the Dilworth  
16 inquiry to investigate, and we have some knowledge at Dilworth, but what we've learned  
17 about in the last few years is that Old Boy survivors and their account of what happened is  
18 not known completely to us. So the inquiry is the best place to enable those accounts to  
19 come together and be examined.

20 So I don't want to comment on that.

21 **MS ANDERSON:** What advice would you have for other boards and principals at other schools  
22 in New Zealand where there might be a history of abuse about the value and utility of  
23 establishing the independent inquiry of a kind that you have taken, because it's a significant  
24 development that the school's undertaken that step. So what advice do you give other  
25 boards and principals where they might have the same kind of issues in their school  
26 history?

27 **MR SNODGRASS:** The first thing I'll say it's hard and you have to be courageous in trying to  
28 understand everything that you can about what has happened in your school so that you can  
29 support survivors, you can address or try to address the wrong that's happened, and learn  
30 from it. Because without understanding what's happened in the past, you can't learn from it  
31 in the future, and we have to learn from the past.

32 **MS ANDERSON:** Thank you, Aaron. I think the Commissioners may have some questions for  
33 you.

34 **CHAIR:** I'm sure we do.

1 **COMMISSIONER ERUETI:** Tēnā koe, Mr Snodgrass. Can I ask you about the mandatory  
2 reporting idea and are you able to -- have you had -- we're looking at this, I appreciate your  
3 views on, let's say, the scope of mandatory reporting, about the type of incident that would  
4 require mandatory reporting, have you been able to reflect on that?

5 **MR SNODGRASS:** Not completely, but I certainly believe, Commissioner, that there are certain  
6 levels of abuse that must be reported outside the school, so it can be investigated. At  
7 Dilworth we have a policy that now all instances of sexual abuse must be reported, all  
8 allegations of abuse must be reported internally, but externally we would involve the  
9 Police, sexual abuse allegations.

10 **COMMISSIONER ERUETI:** So far it's focused on sexual abuse and not physical abuse, your  
11 internal policy.

12 **MR SNODGRASS:** That's our internal policy, but if there was a serious assault, my expectation  
13 is that that would also need to be reported to the Police. There has to be a level, but I'm not  
14 quite sure where to draw that line. Maybe that might be something that the Commission  
15 could consider.

16 **COMMISSIONER ERUETI:** Yes, that's right. The other question I have was you talked about  
17 your experience when you were a student at the kura and how it was double edged, on the  
18 one end one of the strengths of the school was the closeness that the teachers had with  
19 students, but at the same time I think you were suggesting that kind of one-on-one  
20 relationship, that intimate relationship, if you like, also allowed abuse to occur. Is that what  
21 you were indicating?

22 **MR SNODGRASS:** Correct, yes.

23 **COMMISSIONER ERUETI:** You don't want to elaborate upon that, but that's the essence of it,  
24 you think that there was a culture of staff engaging -- a closeness of relationships with  
25 individual students was part of the culture of the kura at the time?

26 **MR SNODGRASS:** Look, I think that the nature of Dilworth is you're taking good boys from  
27 good families in straightened circumstances and, through education and through boarding  
28 and the wider environment, to help them become good and useful members of society. And  
29 the staff at Dilworth take that mission really seriously, still do today, especially today.

30 But the -- sorry. The man I am today is because of the teachers at Dilworth that  
31 went above and beyond to help me not just academically, not just to ensure hygienic  
32 matters in the house were adhered to, but to help me as a person to grow and develop, and I  
33 am forever grateful to those teachers and to the staff. And they know who they are.  
34 Unfortunately there were, and we know so far, 12 perpetrators that took advantage of that

1 situation.

2 Now, we still have a caring and nurturing environment at Dilworth. We also have  
3 policies and procedures around boys not going home with staff members at any time, not  
4 going into their homes, etc, so we have policies and procedures around that to protect the  
5 boys. We also have better pastoral care in our school to support boys in other ways by  
6 professionals, including a registered psychologist that is on staff.

7 **COMMISSIONER ERUETI:** I take your point about at that time there weren't the checks and  
8 balances and the processes that you have in place now to create a safe environment. So you  
9 can have both the mentoring and the closeness of relationship but also the environment is  
10 safe, that's how you see the kura now?

11 **MR SNODGRASS:** Well, that's our paramount concern is to make sure the boys are safe.

12 **COMMISSIONER ERUETI:** Yes, of course. Can I please also ask you, I know you're familiar  
13 with our report Puretumu Torowhānui. One of the objects there is to have a single redress  
14 scheme. Can I ask you, is the intention here for this redress programme to run parallel to  
15 any National Redress Scheme that's established by the State?

16 **MR SNODGRASS:** Well, the Commission in its report has recommended that these programmes  
17 may cease to continue at that point in time. So we've given ourselves the flexibility for it to  
18 run parallel, but we're quite aware of the Commission's recommendations that consideration  
19 be given to wind those programmes up. So we're trying to be flexible and do the right  
20 thing.

21 What I can assure you is that these former Dilworth students and Dilworth Old Boys  
22 are cared for in our environment and are important to us, so we won't be just winding things  
23 up and forgetting about them, that's not the intention, but we're aware of the  
24 recommendations you've made.

25 **COMMISSIONER ERUETI:** Yes, you are. I'm not going to give another speech.

26 **MR SNODGRASS:** Sorry.

27 **COMMISSIONER ERUETI:** Just referring to the evidence in the last few days. Okay, thank  
28 you, no more questions, thank you for your time.

29 **MR SNODGRASS:** Sorry, if I was a bit verbose.

30 **CHAIR:** It's all right.

31 Sandra.

32 **COMMISSIONER ALOFIVAE:** Malo le soifua ma le lagi e mamā (Greetings to good health  
33 and wellbeing) to you both.

34 I really would like to put a question to both of you, if I can, it was a question that

1 I actually put to Dr Wilton yesterday and it's forward thinking. So we've got your evidence  
2 for everything that's gone on to date, but one of the incidents that arose in the school was in  
3 December 1994 when an adult was in a consensual relationship with a 15 year old at the  
4 school. That's how it's reported.

5 But what we've heard consistently from our survivors is around power imbalance  
6 and in particular in the school setting. And so it doesn't matter how much you try to frame  
7 it, there's always going to be this power imbalance, and we live in modern times.

8 So given the progressive work that the school is currently doing, we've also heard  
9 around this issue, how can we help, how can we help around this power imbalance, and  
10 whether or not for children, and I'm just talking about a specific cohort, that the age of  
11 consent should actually be lifted to 18 in the school setting and whether or not in your role  
12 as the chairperson and of course as the current principal, that is a discourse, one, that you  
13 might be familiar with or, if not, is it something you might be prepared to look at and  
14 consider given what you now know around sexual abuse and what's particularly happened  
15 in your school?

16 **MR REDDIEX:** I'm happy to respond to this, I can we can be pretty categoric in response to this.  
17 There can be no consensual relationship between a staff member and a student. The  
18 students don't have the emotional capability to actually understand what they're engaging in  
19 and the significance of it.

20 So, you know, 16, it doesn't make any sense, it should be clearly a student at school  
21 cannot have and be engaged in a sexual relationship with a staff member and that be  
22 considered okay on any level. It's a categoric response from my point of view.

23 **COMMISSIONER ALOFIVAE:** But the current legislation actually, you know, would be an  
24 impediment to that, so it would be about contributing or driving a national conversation  
25 around this particular issue.

26 **MR REDDIEX:** Yes.

27 **MR SNODGRASS:** I'd entirely agree with that. I think there's a legal response and I don't think  
28 that -- I think that that's something from -- for school age children or young people that  
29 there should be a legal response to that, but there's also a moral and ethical one and I know  
30 that universities, for example, are examining their codes of conduct to make sure that the  
31 power imbalance between a student and a teacher is addressed and taken care of so that  
32 power imbalance is not allowed.

33 **COMMISSIONER ALOFIVAE:** So it might be an issue on a future agenda at your Board.

34 **MR SNODGRASS:** It's not allowed at Dilworth, it's prohibited in our school policies, and --

1 **COMMISSIONER ALOFIVAE:** But about driving a national conversation as part of the work  
2 that's -- about changing the law.

3 **MR SNODGRASS:** Yes, well, I think there's so much that Dilworth can do and I, again,  
4 encourage the work of this Commission to drive that further.

5 **COMMISSIONER ALOFIVAE:** Thank you, both.

6 **CHAIR:** Paul Gibson.

7 **COMMISSIONER GIBSON:** Thanks. I think you made the comment that ERO wasn't  
8 particularly helpful, especially if you look at it from the perspective of keeping boys safe  
9 over time. What would an external monitoring system which was helpful to the school and,  
10 more particularly, keeping kids safe and also addressing some of the particular  
11 characteristics in an independent school or boarding school, what would a good external  
12 monitoring oversight process look like?

13 **MR REDDIEX:** If it's the okay I might respond, having worked as a headmaster of a State school  
14 and now working in an independent school. The mirroring of the ERO review in the State  
15 school into the private sector would make incredible sense. So the rigour is entirely  
16 different and the depth of response and the depth of questioning that takes place with a  
17 State sector review is significantly different from a private sector one, which really is just a  
18 compliance audit.

19 So something of that nature, an independent body, whether that can be ERO doing  
20 the same function in the private sector, I don't know about the complexities of that legally,  
21 but something with that rigour and depth required of the private sector just feels like a bit of  
22 a no-brainer.

23 **MR SNODGRASS:** I'd agree.

24 **COMMISSIONER GIBSON:** Is there anything particularly required for something which is a  
25 boarding school as well?

26 **MR REDDIEX:** It's one of the questions again that features in the ERO review, but it's a one line,  
27 yes or no, and it's a bit of a cursory glance at what's actually happening. In the ERO  
28 review, as defence, they're not necessarily people who are specialist in boarding and so  
29 they're being asked to make judgments on things that they haven't lived and necessarily  
30 understood. So some expertise in that area with people who have lived it, understood it,  
31 breathed it, know how it works would be incredibly useful.

32 **COMMISSIONER GIBSON:** Thank you.

33 **CHAIR:** Thank you both for what you've said so far. I've got a few questions.

34 Mr Snodgrass, I'm in a way sorry I have to take you back to your school days, and



1 I appreciate what you've said already and your feelings about the school, so this is not  
2 intended to undermine you personally at all. But I just need to put to you something that a  
3 survivor told me and that was that everybody there knew what was going -- "everybody"  
4 being the pupils -- "everybody knew what was going on more or less and the lucky ones  
5 amongst us knew how to keep out of the way".

6 So I don't know if you're able to comment on that or not. And it was somebody  
7 from roughly your sort of era, maybe even a bit later. They knew who to avoid to keep  
8 themselves safe.

9 **MR SNODGRASS:** Chair, I can say as a student I didn't have that knowledge, but I'm really sad  
10 that that was knowledge in the school. I think that what we've tried to do at Dilworth now  
11 is to open every avenue to boys, to families, to staff so that if there is that concern or there  
12 is a concern at Dilworth, that those complaints can be made.

13 Those avenues include us enabling an app for boys to raise concerns anonymously  
14 or with their name attached. There is email, there is physical mailboxes in each of the  
15 houses. We make it clear to boys that if they were to raise a complaint their scholarship  
16 won't be in jeopardy. We want to hear about them so we can make their environment safe,  
17 and we make it clear to boys that our primary purpose in serving them is to ensure that they  
18 are safe in our school and by speaking up and telling us about their concerns, whether it's  
19 the food that they're given at night time, if it's the -- spoken harshly by a staff member or by  
20 a fellow student, or they're concerned about bullying we want to hear about it so we can do  
21 something about it.

22 **CHAIR:** All those matters that build the culture of the school, isn't it?

23 **MR SNODGRASS:** Correct. And by doing that we have a safe and caring environment.

24 **CHAIR:** I truly hear that. Just going back to those former students who felt the way this  
25 particular person felt, and I think from my understanding, just again from the wider world  
26 what people have said to me out there in the world, "Oh, we don't want to make a  
27 complaint, you know, it's gone and done." Is there an avenue in the inquiry for people who  
28 don't want to bring a personal matter but who wish to, maybe even anonymously, address  
29 the cultural issues that they went through at that time? Maybe you don't know because it's  
30 so independent you don't know what's happening but are you aware of that?

31 **MR SNODGRASS:** No, I do know and we've designed it such that there is a separate inquiry to  
32 the redress programme.

33 **CHAIR:** Yes.

34 **MR SNODGRASS:** So those Old Boys, former staff, members of the community involved with

1 Dilworth can contact the independent inquiry and to talk of their experience. We  
2 encourage them to do that, that's why we've got it in place.

3 **CHAIR:** I think you made a very valid point before and it's one that I think, it's the premise upon  
4 which this Royal Commission is based, and that is learning about the past to inform the  
5 future. So it's not just dropping information into a hole -- a bucket with a big hole in it, it's  
6 being gathered to inform best practice for the future, isn't it?

7 **MR SNODGRASS:** Yes, we have to learn from the past.

8 **CHAIR:** We have to learn from the past. So inquiries like this are not just about, oh, that's what  
9 happened, but about what should happen.

10 **MR SNODGRASS:** Yes, we encourage as many people to be involved with this inquiry as  
11 possible, we've set it up so that we can learn. We don't want to have to redo it.

12 **CHAIR:** Absolutely not.

13 **MR SNODGRASS:** But we want to learn from it.

14 **CHAIR:** Yes, thank you for that. Just another couple of points. In relation to the questions you  
15 were asked about setting up the redress process and the collaborative process, and you've  
16 given us your answers, it struck me listening to that that the idea of a collaborative process  
17 for setting up has another advantage and that is that it helps maybe to break down that  
18 power imbalance between the school hierarchy, the power of the school up against the  
19 power of the individual, when individuals are brought into the process at an early stage.  
20 Would you agree with that.

21 **MR SNODGRASS:** Yes, I really do acknowledge that, and it's really not our intention here,  
22 Judge Shaw.

23 **CHAIR:** I understand that. Just on the redress, I only know what I've read in the papers, and  
24 you've spoken about the listening service and you've talked about the redress process. Just  
25 as a matter of interest, you have three prominent experts sitting on your redress panel. Are  
26 those the people who will actually hear, take the accounts, or do they have foot soldiers out  
27 there, other people who will be listening to the boys or is it linked into the listening service?  
28 How do the accounts of these survivors go to the panel?

29 **MR SNODGRASS:** Good question. We have established a team of people that, called redress  
30 facilitators, and the redress facilitators are experienced in working with redress and they  
31 take the account of the survivor and they document that in full. In that process, the Old  
32 Boy, they can determine what support the Old Boy might need and can arrange for that  
33 support to take place.

34 The account is documented, it's given back to the Old Boy to make sure that they're

1 comfortable with it. At that point in time it goes to the redress panel. And the redress that  
2 can be provided is not just financial redress, it will be an apology if that's what an Old Boy  
3 wants, a customised apology, it can be other customised forms of redress that the Old Boy  
4 may need and that's determined by the independent panel.

5 **CHAIR:** Thank you for that, that's very helpful. I have one last area, and again, Mr Reddiex, it  
6 might include you. I asked Mr Firth about the relationship between the Dilworth Board of  
7 Trustees and the Church, the Anglican Church, and the degree to which, and I'm not talking  
8 about the formal structure again, we understand that, the daylight between the two and the  
9 relationship and its limitations in terms of a formal structure. But it's sort of the day-to-day  
10 work, what goes on in terms of the relationship between the Board of Trustees and the  
11 Church; and then secondly, and this comes out of Bishop Bay's evidence where he talks  
12 about his contact with the headmaster, it seemed he had quite a lot to do with the  
13 headmaster.

14 So maybe, first of all, start with the Board of Trustees. What's your experience of  
15 the contact between the Anglican Church and its involvement in the affairs of the school?  
16 Mr Snodgrass, that's first.

17 **MR SNODGRASS:** If you don't mind me giving a bit of a prolonged answer to this but I think it's  
18 important to understand.

19 James and Isabella Dilworth were proud parishioners of St Mark's Church in  
20 Remuera and were involved in the establishment of that Church, they gifted land to that  
21 Church and Dilworth today still has a very strong relationship with St Mark's, including the  
22 boys on their final day doing a pilgrimage to St Mark's. The relationship with the Anglican  
23 Church is something that's really important to Dilworth because of that connection with our  
24 founders.

25 There is in the will a direction to trustees to educate boys in the tenets of the  
26 Anglican Church. That doesn't mean that boys that come to Dilworth have to be Anglican,  
27 but there will be an Anglican element to the education and experience at Dilworth.

28 The will also specifies that the Bishop will make a visit to the school and report to  
29 the trustees on their visit and that's not, purposefully not contained to any particular topic.  
30 So the Bishop over the years, and we've given you all the visitor reports from 1906, the  
31 Bishops over the years have talked about wide and varied topics, and in recent years we've  
32 asked Bishop Ross to talk about various aspects around safeguarding and wellness.

33 But the point is, I think I want to make here, is that the relationship from a Dilworth  
34 perspective with the Anglican Church is special to us. We invite the Bishop along to, I

1 think all of our functions and he attends a good number of them, and we really appreciate  
2 that. And in his visit he talks to the boys.

3 I remember back in the day having Bishop Gilberd, and the other Bishop at the  
4 time, talking with us and I think that the relationship from a student perspective, from a  
5 school perspective and from a board perspective is more than just a visit, it is involvement  
6 with the community.

7 **CHAIR:** It's a relationship.

8 **MR SNODGRASS:** It's a relationship. We're not an Anglican school but we are a school with an  
9 Anglican chapel in it, but it is part of our being.

10 It's hard to describe in a few words, but it is really important to Dilworth and even  
11 with this Inquiry, we've felt that it was really important to support the Anglican team in  
12 helping other schools present before the Inquiry, know what's going on. So it is important  
13 to us.

14 **CHAIR:** Thank you for that fulsome answer.

15 Mr Reddiex, just from your perspective as the headmaster?

16 **MR REDDIEX:** I'll be a little more concise. So in terms of the pragmatics and the running of the  
17 school, no impact whatsoever from the Bishop. So if you are thinking, for example, about  
18 construction of Christian education classes and curriculum, we do that independently. But,  
19 again, it's his attendance at functions and then the visitation once a year that is the essence  
20 of our relationship with him.

21 **CHAIR:** What about the appointment of chaplains; is that still continuing?

22 **MR REDDIEX:** Yes. So the conversation with the Bishop is an important one because  
23 obviously he has to confirm that the person is an ordained Priest which is a requirement for  
24 our chaplain, but that's the extent of the input. We're happy to receive feedback from the  
25 Bishop about potential appointees, but ultimately that decision also rests with the Trust  
26 Board.

27 **CHAIR:** Thank you very much -- I've got an interloper with one more question.

28 **COMMISSIONER ERUETI:** Thank you, Chair, I just have a very brief question for Mr  
29 Snodgrass, because I asked Mr Wilton about this yesterday, and it's about when you create  
30 your redress programme obviously you have to determine its boundaries, and I asked him  
31 what his views were about whether they were - whether he's happy with the scope of the  
32 redress programme. And so I wanted to ask you too about whether, for example, that  
33 on- peer-on-peer abuse it's limited to sexual abuse and doesn't include physical abuse, and  
34 I'm just wondering where you are with that, because it seems there's still scope for

1 revisiting these fundamental questions of scope.

2 **MR SNODGRASS:** I think the redress programme and the scope of it has been determined. Of  
3 course we're open to any feedback on it and I note that Dr Wilton hadn't had a chance to  
4 fully review the redress terms.

5 **COMMISSIONER ERUETI:** That's true.

6 **MR SNODGRASS:** But let me tell you about how we've got to where we've got to.

7 The redress programme started off as redress for survivors --

8 **COMMISSIONER ERUETI:** I don't mean to stop you, it's just a question of time for today,  
9 we're really compressed. And my question is really, are you satisfied with the scope as it  
10 presently is, or do you still have some questions in your mind about whether it could be  
11 broader; to exclude physical abuse will actually include serious forms of physical abuse in  
12 your programme. So I just want your views on that, please, Mr Snodgrass.

13 **MR SNODGRASS:** Concisely.

14 All forms of abuse from a staff member to a student is covered in the programme.  
15 Boy on boy sexual abuse, if it was known by the school and not acted upon, is covered in  
16 the programme. What's not covered in the programme is boy on boy physical abuse. We  
17 colloquially call that bullying. We believe that's a wider societal issue that is difficult for  
18 us to consider in this programme and so we are looking to a wider discussion, hopefully  
19 through this Commission, about how we might deal with the effects of bullying on people,  
20 but we're not covering that in the programme.

21 **COMMISSIONER ERUETI:** Thank you for your answer.

22 **CHAIR:** Thank you, both, very much and to the Dilworth Board of Trustees for their cooperation  
23 with the Inquiry. It's been very helpful. Thank you for coming, Mr Reddiex, it was an  
24 unexpected but useful addition to our line-up.

25 You've done a lot of work and the Board and its people have done a lot of work and  
26 we're very grateful for that because it truly has assisted us to try and get a better picture on  
27 this.

28 If other issues arise, I ask most witnesses this when I remember, would you be  
29 prepared to answer further questions in writing should other matters come to light that we  
30 need to know as a result of this Inquiry?

31 **MR SNODGRASS:** Absolutely.

32 **CHAIR:** Good, that's gratefully received, thank you very much.

33 So, on that note, we will bring the portion of the evidence about Dilworth to an end.  
34 We're going to have a small ceremony, but we're going to adjourn for five minutes while

1           there's a set-up for that, and once that's done we will then take the lunch adjournment and  
2           continue after that with the Anglican evidence.

3                     We'll just take a very brief adjournment.

4                                     **Adjournment from 12.56 pm to 1.03 pm**