

Frequently Asked Questions

What is the Dilworth Independent Inquiry?

The Inquiry has been established to examine and make findings on abuse which occurred at Dilworth School and why it happened. For further information please read the Inquiry's Terms of Reference on our website www.dilworthinquiry.org.nz

We are independent of Dilworth School, the Dilworth Trust Board and the Government. We are guided by Terms of Reference that were finalised by the Inquiry Chair and Co-Inquirer following a feedback process involving Dilworth Old Boy survivors, family members and the wider Dilworth community.

An impartial trustee will provide all of the management and administrative services needed for the Inquiry to implement its mandate effectively, efficiently and independently from the Dilworth Trust Board. The impartial trustee will be named in due course.

What is the Inquiry's purpose?

The purpose of the Inquiry will be to examine and make findings on:

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

Please note we cannot decide whether a person or entity is legally responsible for any abuse, act or failure to act.

If you would like to make complaint to Police relating to abuse of a student or students at Dilworth School, please contact Police at Operation.Beverly@police.govt.nz or [\(09\) 302 6624](tel:093026624).

Who are the Inquirers?

The Hon. Dame Silvia Cartwright is leading the Dilworth Inquiry as Inquiry Chair. Dame Silvia is joined by Frances Joychild, a senior barrister and Queens Counsel as Co-Inquirer.

Dame Silvia Cartwright

Dame Silvia Cartwright has been a jurist and advocate over the past 50 years. In 1967, she graduated from Otago University with a Bachelor of Laws and spent several years in private practice, before embarking on a judicial career. In 1989, she became New Zealand's first female Chief District Court Judge and went on to become the first female High Court Judge.

From 2001 to 2006, she served as the 18th Governor-General of New Zealand; only the second woman to hold the office.

Dame Silvia has considerable experience leading inquiries of national significance. Most notably, she led the 1988 Cartwright Inquiry into issues relating to cervical cancer treatment at Auckland's National Women's Hospital and more recently as Chair of the Public Inquiry into the Earthquake Commission's handling of the Canterbury earthquake claims. She is an equality advocate, having served on the United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), and played a major role in the drafting of the Optional Protocol to the CEDAW Convention.

Frances Joychild QC

Frances Joychild QC is an experienced advocate with more than 25 years of practice in courts and tribunals. She is also experienced in conducting reviews and investigations in the private and public sector, including leading the 2015 Inquiry into the Royal New Zealand Air Force. During the inquiry, she examined matters regarding the sexual misconduct of a sergeant in the RNZAF during the 1980s, and reviewed current systems to properly protect and prevent a similar instance occurring again. She also led the review into Department of Work and Income's implementation of the 1997 Court of Appeal *Ruka* decision, as instructed by the Minister for Social Services.

She has considerable expertise in issues affecting persons and institutions impacted by abuse, harassment, bullying and assault.

Ms Joychild has acted as lead counsel in complex litigation, including representing the interests of more than 300 Lake Alice survivors before the Royal Commission into Abuse in Care in 2021. She has acted in all levels of the court system in cases involving Public Law and Human Rights.

What type of abuse is the inquiry examining?

We will examine and make findings on sexual and serious physical abuse of any student or students at Dilworth School. This will include conduct such as harassment, grooming, bullying and the like leading up to the abuse.

The abuse may have been carried out by any of the following persons:

- a. A member of the staff of the Board and/or Dilworth School.
- b. Associates.
- c. Volunteers.
- d. Service providers.
- e. Students of Dilworth School.
- f. A visitor at Dilworth School;
- g. Any other person who was in a position to interact with students at any time when they were in the care or control of Dilworth School.

What timeframe will the Inquiry examine?

We will focus on abuse that occurred between 1 January 1950 through to the end date of the Inquiry (currently set for 16 December 2022, unless the Inquirers require an extension of time).

How long will the Inquiry run for?

We will begin our work on 1 July 2022 and will provide our final report on 16 December 2022, unless we require an extension of time. Participants in the Inquiry will be notified in advance of any extension of time required.

I am a past or present student of Dilworth School. How do I participate in the Inquiry?

There are two ways you can provide a confidential statement of your experience at Dilworth School to the Inquiry.

Meeting with the Inquirers

You can request to meet our Inquirers, Dame Silvia Cartwright and Frances Joychild QC. It can be a place of your choosing, such as your home (in or outside of Auckland), or the Inquirers can meet you at the Inquiry's Auckland office. For those living outside of Auckland who wish to travel to Auckland to meet the Inquiry, reasonable travel and accommodation costs can be met (see below).

We welcome survivors attending any meeting with a support person or people, which can include whānau or whānau members or your own lawyer. (You don't have to meet with the Inquiry to provide information, you can instead give us a confidential written statement. We may contact you to discuss your statement further.)

We will work with you to arrange a meeting that suits your needs. For example, meetings can be held in person or via a video conferencing platform such as Zoom or Microsoft Teams.

The meeting will be an opportunity for you to speak about your experiences, including any abuse at Dilworth School, the impact this has had on you and recommendations you have on how any abuse at Dilworth School can be prevented in the future.

Before you meet with the Inquiry, we would prefer to have a confidential written statement from you. This can be prepared using the "Sharing your confidential statement" booklet as a guide. You can write the statement yourself or with the support of an Inquiry staff member. If you have made a written statement already this will be sufficient, but please provide it to us.

Travel and Accommodation

We will provide and fund support services for, and the reasonable expenses of, Survivors, as required to assist them with their participation in the Inquiry process. This may include reasonable expenses for travel, accommodation for a Survivor and one support person. It may also include funding for counselling; and where we consider it necessary, legal costs associated with participation in the Inquiry. If you require funding for Travel and Accommodation please complete the Travel and Accommodation form enclosed with this booklet.

In order to arrange a meeting with the Inquirers, you must first register with us. Our contact details are:

Postal Address: Dilworth Independent Inquiry, PO Box 32-473 Devonport Auckland 0744

Email: contact@dilworthinquiry.org.nz

Telephone: You can call the Inquiry on 0800 888 743 between the hours of 9am to 5pm, Monday to Friday.

We will then contact you to arrange your meeting with the Inquirers.

Provide a Confidential written statement

You can send the Inquiry a confidential written statement of your experience at Dilworth School rather than meeting with the Inquirers. A booklet for writing your statement is available for download from our website at www.dilworthinquiry.org.nz. Alternatively you can call us and have the booklet posted or emailed to you.

Your statement can be typed or handwritten and can be sent to the Inquiry to Dilworth Independent Inquiry, PO Box 32-473 Devonport Auckland 0744, or by email contact@dilworthinquiry.org.nz.

Some survivors may already have their own lawyer(s). However you do not have to have a lawyer to participate in the Inquiry.

If you would like some assistance, an experienced Inquiry staff member is available to help you prepare your confidential written statement. This assistance is available to Survivors and is funded by the Inquiry. We can meet with you to discuss your experiences and prepare a statement for you to approve and sign.

Inquiry staff cannot give legal advice to survivors on any claims they have against Dilworth School.

If you have previously prepared a written account about your time at Dilworth School to the Police, the Royal Commission into Abuse in Care, or for any other purpose, you may provide this to the Inquiry or your consent to the Inquiry to obtain a copy.

You are welcome to send us your statement anonymously, however including your name and contact details will assist us in contacting you to confirm whether you would like access to the Wellness support provided by the Inquiry. It will also help should we require further information.

For further information on submitting your confidential written account please visit our website: www.dilworthinquiry.org.nz

What support is available to enable me to participate in the Inquiry?

We are committed to helping survivors have the appropriate supports in place when engaging with us.

Wellness Support

The Independent Inquiry is committed to maintaining the wellness of all those who choose to participate in the process. Everyone involved in the Inquiry will have access to the Wellness Unit and its team of trained professionals who have experience working with survivors of abuse and trauma.

Wellness Navigators will assist those registering to participate in the Inquiry, provide support, and make referrals to counselling and other support services. The Unit is using a care coordination and facilitation model. This means navigators will connect survivors, whānau and all participants to support whilst managing the flow of information between the Inquiry, survivors, and any necessary supports. Wellness Navigators will strive to uphold the principles of trauma informed care based on the tikanga Māori of aroha (love), manaakitanga (care), whanaungatanga (maintaining relationships) and kaitiakitanga (ensuring necessary protection and care is in place in our processes). Whatever the background of participants, the Wellness Unit will work with you, your whānau or support people to ensure your needs are met.

The Wellness team can be contacted by emailing the Inquiry at contact@dilworthinquiry.org.nz or calling the Inquiry on 0800 888 743 between the hours of 9am to 5pm, Monday Friday.

Assistance with confidential written statements

Some survivors may already have their own lawyer(s). However you do not have to have a lawyer to participate in the Inquiry.

If you would like some assistance, an experienced Inquiry staff member is available to help you prepare your confidential written statement. This assistance is available to Survivors and is funded by the Inquiry. We can meet with you to discuss your experiences and prepare a statement for you to approve and sign.

Inquiry staff cannot give legal advice to survivors on any claims they have against Dilworth School.

How will the Inquiry manage the personal information I provide?

The Inquiry will need to collect often sensitive personal information about abuse at Dilworth School. The Inquiry is committed to managing this information in accordance with principles of sensitivity, confidentiality, and privacy, and will collect and use personal information only in ways that clearly support the objectives of the Inquiry. You can find more information about how the Inquiry will manage and protect personal information in our privacy statement.

If I am not a past or present student of Dilworth School, how do I participate in the Inquiry?

The Inquiry is interested in speaking with anyone who believes they have information or evidence relevant to the Inquiry's Terms of Reference. This might be family, whānau or friends of past or present Dilworth School Students or former staff members.

The Terms of Reference can be viewed on our website. www.dilworthinquiry.org.nz

If you would like to participate in the inquiry please contact the Inquiry on contact@dilworthinquiry.org.nz or you can call the Inquiry on 0800 888 743 between the hours of 9am to 5pm, Monday to Friday.

How will the Independent Inquiry be undertaken?

Our steps will include: hearing from those who want to speak with us; approaching people with relevant information and seeking and reviewing documentation such as school files and Police records.

Our procedures will aim to:

- a. support Survivors, family, whānau or friends of past or present Dilworth School Students, who wish to participate in the work of the Inquiry;
- b. provide flexibility as to how Survivors, family, whānau or friends of past or present Dilworth School Students are able to share their experiences with the Inquiry (for example, through the use of statements provided in other contexts);
- c. do not retraumatise Survivors, family, whānau or friends of past or present Dilworth School Students, as far as is practically possible;
- d. recognise relevant cultural perspectives;
- e. are simple to understand;
- f. do not prejudice current or future criminal or civil proceedings, or other contemporaneous inquiries;
- g. treat the personal information it receives in accordance with the principles of sensitivity, confidentiality, privacy and informed consent, as well as pursuant to any existing suppression orders;
- h. allow individuals who provide written information to the Inquiry to access their information at a later date on request;

- i. inform participants of support, complaints or other processes which may be available to them;
- j. effectively manage any overlap between the Inquiry and Redress Programme to minimise stress and trauma to Survivors, family, whānau or friends of past or present Dilworth School Students, who engage in both processes.

If you have any feedback or recommendations regarding our procedures, please contact us at contact@dilworthinquiry.org.nz or you can call the Inquiry on 0800 888 743 between the hours of 9am to 5pm, Monday to Friday.

The Inquiry Terms of Reference refer to the Inquiry taking into account cultural perspectives, what does that mean?

This means acknowledging and respecting the different cultural backgrounds that those engaging with the Inquiry come from. These backgrounds can provide the unique context of each participant and their whānau, kāinga, 'aiga or family. Practically, it also means working with Inquiry participants in a way which is guided by the cultural needs of the participants.

Does the Inquiry want to hear from Māori who attended or attend Dilworth and have information relevant to the Inquiry?

Yes. We want to hear from Māori who attended or attend Dilworth and have information relevant to the Inquiry. Given the underlying purpose of Dilworth School and the important place of Māori as tangata whenua, Māori perspectives on matters within our terms of reference are important to us.

I am a member of the LGBTQI community, is my perspective important to the Inquiry?

Yes, perspectives from Old Boy Survivors, Dilworth students (past and present) and their families, whānau who are part of LGBTQI community are important to the Inquiry. We want to hear a diverse range of perspectives in order to fully understand the range of experiences and impacts on individuals, their families and whānau.

How does the Dilworth Independent Inquiry differ to the Royal Commission of Inquiry into Abuse in Care?

They are different processes. The Royal Commission of Inquiry into Abuse in Care has a wide-ranging mandate, based on its terms of reference from the Government, and its work is ongoing. It does not have any particular focus on Dilworth School, rather is looking into what happened to children, young people and vulnerable adults in State care and in the care of faith-based institutions in New Zealand between 1950 – 1999. Further information about the Royal Commission can be found on its website www.abuseincare.org.nz

The Dilworth Independent Inquiry is specific to Dilworth School and has been established by the Dilworth Trust Board. It is designed to only examine matters relevant to Dilworth School and is completely independent of the Royal Commission, and Dilworth School. The Inquiry

will review the nature and extent of sexual and serious physical abuse of Dilworth School students, from 1950 to the end of the Inquiry.

Will past and present Headmasters, senior Dilworth Staff and members of the Dilworth Trust Board be required to participate in the Inquiry?

We have no power to require any person to participate with or give evidence to the inquiry.

However, the Dilworth Trust Board has assured us it will fully cooperate with the Inquiry, including assisting it to hear from people who were, or are, currently employed by or associated with the Board and the School

This includes a commitment from all current Trust Board members to make themselves available for interviews with the Inquiry where requested, and assisting the Inquiry in contacting former Board members and employees where requested.

How will the findings of the final Dilworth Independent Inquiry report be made available?

We will deliver a written report with findings and recommendations on the matters within scope of the Terms of Reference to the Dilworth Trust Board. This report will be made publicly available, subject to any redactions to ensure the confidentiality of those who participated in the Inquiry. A copy of the report will also be provided to all those who participate in the Inquiry.

Will Dilworth School take on any recommendations outlined in the Inquiry report?

The Inquiry does not have the powers to enforce the implementation of any of its recommendations. The Report of the Dilworth Independent Inquiry, including recommendations, will be made public. The Dilworth Trust Board has stated that it is committed to learning from the Inquiry's findings and recommendations to further enhance and ensure the care, safety and protection of its current and future students. Any actions taken to implement the recommendations of the Inquiry will be a decision for the Dilworth Trust Board.

Can the Inquiry give me compensation or redress?

We cannot provide anyone with compensation or redress, however Dilworth School has setup an **Independent Redress Programme**.

Further can information on the Redress Programme can be found at <https://dilworthredress.org.nz/> PO Box 32 473, Devonport, Auckland 0744