

**ORDER PROHIBITING PUBLICATION OF NAMES, ADDRESSES,
OCCUPATIONS OR IDENTIFYING PARTICULARS OF VICTIMS
PURSUANT TO S 202 CRIMINAL PROCEDURE ACT 2011. SEE
<http://www.legislation.govt.nz/act/public/2011/0081/latest/DLM3360349.html>**

**IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

**CRI-2021-404-340
[2021] NZHC 3286**

THE QUEEN

v

ROSS DOUGLAS BROWNE

Hearing: 2 December 2021
Counsel: J V Barry for Crown
K L Hamblin for defendant
Sentence: 2 December 2021

SENTENCING NOTES OF TOOGOOD J

Solicitors:
Crown Solicitor, Auckland
Katrina Hamblin, Auckland

[1] Ross Douglas Browne, you appear for sentence having pleaded guilty to 15 charges of alleged historic sexual offending while you were employed as chaplain and a teacher at Dilworth School between 1987 and 2002.¹ Your pleas on 6 October 2021 were entered following your acceptance of a sentence indication I gave on 3 September 2021, based on the agreed Crown charge notice and summary of facts.²

[2] In the sentence indication, I said that, if you pleaded guilty, I would take a total end sentence of 10 years' imprisonment as a starting point, and then allow a 25 per cent discount for pleading guilty. I said I would then consider such other mitigating factors as may appropriately be taken into account, once I had received a pre-sentence report and heard further submissions from counsel. I will explain that more fully as I go through my reasons for the sentences I impose.

He mihi/Acknowledgements

[3] I acknowledge the presence in Court of eight of the complainants who are victims of your offending, Mr Browne. I acknowledge also the other complainants who are viewing the hearing remotely. As well, the mothers of two of the victims are here in court or relations of them, and two others have also joined remotely. They and other family members are, of course, equally victims in this case. It is right, and important, that the victims have played a significant role in this hearing, not only through their presence but through the victim impact statements they have read, or which others have read for them:

Ngā mihi nui ki a koutou.

¹ Ten charges of indecency with boy between 12 and 16, Crimes Act 1961, s 140A(1)(a), maximum period of imprisonment: seven years; three charges of indecency with boy under 12, Crimes Act 1961, s 140(1)(a) and (c), maximum period of imprisonment: 10 years; one charge of sexual violation by unlawful sexual connection, Crimes Act 1961, ss 128(3) and 128B, maximum period of imprisonment: 14 years; one charge of indecent assault on man or boy, Crimes Act 1961, s 141(a), maximum period of imprisonment: seven years; one charge of possession of objectionable publications, Films, Videos & Publications Classification Act 1993, s 131A(1), maximum period of imprisonment: 10 years.

² Criminal Procedure Act 2011, s 61.

Background

[4] The charges you have admitted arise out of a Police investigation into allegations of historic sexual abuse committed by staff and other individuals associated with Dilworth School in Auckland. Most of the boys attending the school came from families with broken marriages or solo parents, or they were orphans or severely disadvantaged in some other way. Many were emotionally vulnerable.

[5] While you were chaplain and a teacher at the school, highly regarded and in a position of great authority and power, you sexually offended against 14 children and adolescents spanning an approximately 15-year period from 1987 to around 2002.

[6] The summary of facts describes your offending against each of your victims. I do not mean to diminish in any way the seriousness of it, or the profound effects your criminal behaviour has had on them and their families, by not describing the details of every charge. It is sufficient for sentencing purposes to refer to the offending in general terms but to mention a few specific allegations. That should be sufficient also to inform the members of the public of what you did. What I have to say will enable a comparison to be made between the scale of the offending in this case and that involved in other cases that provide some guidance about the appropriate sentence to be imposed. Consistency of approach is a mandatory sentencing principle.³ Having said that, in cases like this it is important that the Court should not seek to place the offending into categories at the expense of recognising how each of the victims was treated and the effect the offending had, and continues to have, on them and those who are close to them. The seriousness of this type of offending is assessed not only by the acts constituting the offending but also by the subjective effect on the victims.

[7] From a position of considerable influence over the boys and youths who attended Dilworth School between 1987 and 2002, you targeted your victims and groomed them to create an environment of apparent normality in which to gratify your deviant sexual interest in boys. While most of the 15 charges of indecency are based on specific allegations of offending, three of them are representative charges. Moreover, it is clear from the nature of your offending and the circumstances in which

³ Sentencing Act 2002, s 8(e).

it arose that the charges you have admitted, if taken in isolation, do not reflect the full scale of your offending. It is an inevitable inference from the agreed facts that many more Dilworth pupils than the 14 brave souls who have come forward in this case were affected by your behaviour.

The offending

[8] The agreed facts establish that you created different opportunities at Dilworth in which you could isolate and offend against your victims. These were:

- (a) First, “Group Life Labs” you set up in 1981 which would occur over several days at a residential facility in Huia. The boys selected for these courses were the most vulnerable, because of their adverse life experiences. It is said that the boys were encouraged to participate in group “spooning” sessions in which other staff members and you would also participate. Wholly unlawful, body to body contact with vulnerable children and young men.
- (b) Then so-called “Christian Living classes” were run from 1994 to 1998. In those, you would depart from the curriculum to instruct the Form Two boys on sexual matters. The boys were encouraged to masturbate in class if they became aroused by the discussion. Up to 12 or 15 boys would masturbate in the classroom, some to the point of ejaculation.
- (c) Third, the “Crypt” space or the “Coffee Club”, was a space with sofas and computers, near to your office, where you would permit boys whom you identified as possibly gay to spend time. You befriended and socialised with them, grooming and encouraging them to engage in sexual interaction with each other while you watched. Students who wanted to do more than kiss and touch each other would be allowed to use the toilets next door for private intimacy.

[9] The indecency charges demonstrate a pattern of grossly abusive behaviour. Under the guise of providing massages for your victims, you used the occasions to

fondle their genitalia on the outside of their clothing and, more commonly, to insert your hand inside the shorts or underpants of your victims to make direct contact, skin to skin, with their genitals, buttocks and anal region. On other occasions, you encouraged the boys to hug you after meetings, so you could touch them intimately.

[10] I refer specifically to two instances just to illustrate the nature and extent of the offending, and the lasting harm it has caused.

[11] The first is a representative charge of sexual violation by unlawful sexual connection with a boy, "M", who first attended Dilworth School, aged 11, at the beginning of 1988. He says he arrived at Dilworth, fatherless and awkward, and did not fit socially into the school. When M lost his grandfather, you helped him through that time of grief, but he realises now that you were grooming him and gaining his trust, which you could then misuse to abuse him. You habitually massaged M while he was naked, lying face down on a massage table. During 1989, while you were giving M one of his regular massages, you inserted a finger into his anus to about the depth of your first knuckle. That violation was repeated during a subsequent massage. Unsure how to react, M informed his house master, Mr Ian Wilson, who, it transpired, was also sexually offending against boys at the school. It seems Mr Wilson did nothing other than to tell you about the complaint. That led to your ostracising M from the Coffee Club and he left the school at the end of the year.

[12] M describes himself as a "young boy full of grief, hurting in so many ways, alone in pain". He no longer trusts authority, other males, any person who claims to want to help him. He says he is withdrawn with extremely low self-esteem. M is one of four victims out of this relatively small group – nearly a third of the group – whose traumatic experiences at your hands led them to prison. He has spent over half his life in prison, "hiding from the past". He says he is an angry person and that he cannot parent his sons. He has no one to trust. Although he does not want to kill himself, he feels he would sooner not wake up in the morning. He hopes that, having held you accountable, the cycle will be broken and he can have a life.

[13] The second example is that of "A", who started at Dilworth Junior School at the beginning of 1994, when he was 10 years old. By this time, you were a qualified

teacher and as well as being chaplain, taking sermons and teaching religious studies. You used those responsibilities to weave sex education lessons into the classroom. A says that during those lessons, you would speak openly about male masturbation and describe to the young boys how it should be done, encouraging them to masturbate in the classroom. Because of the reverence in which you were held by A and other boys, he felt it was permissible to masturbate with others while you watched.

[14] In his victim impact statement, A describes himself as having arrived at the school vulnerable and bewildered after his parents had separated. He regarded you, as the staff member in charge of pastoral care, as “quite literally the ‘father’ of the school”. A says that, during his first year at Dilworth, your personal attention to him had escalated to the point where he was stuck between trying to avoid spending time with you and wanting to protect his mother from the guilt and shame of what was happening. Although A begged not to return to school each week, he could not find the words to tell his mother what he was experiencing. Sundays, the days on which he was required to return to school, were days of deep dread. He said his tears at home made things uncomfortable for his mother and brother and at school they made him a target for bullies. At that tender age, he says, “I stopped crying. I stopped feeling. I lost myself.”

[15] A left Dilworth after two years to attend secondary school. He felt he had “survived” his time as a boarder. The abuse he suffered at your hands, however, proved inescapable and he found it difficult to explain the normalisation of incomprehensible actions in which a different set of rules applied. It was not until last year, when he was 38 years old, that A registered that your acts were abusive. Through the process of therapy and through studying sexology, psychotherapy and counselling, it is only now that A has begun to realise he was a victim and that he is able to make any sense of the largely unconscious scars of the abuse. A’s victim impact statement lists the many emotional and psychological consequences of your behaviour; and his account is replicated over and over by other victims whose lives you have damaged.

Victim impact statements

[16] This morning, we have heard the statements of all fourteen victims, describing the impact of your offending upon them, and their families. I acknowledge their bravery in coming forward to hold you accountable, Mr Browne. It is difficult to summarise adequately the harm they say they suffered.

[17] One of your victims wrote a short poem to express how he feels:

When I was a child I thought as a child,
And you took advantage of that.
For me, for others here, you stole a future,
You stole dozens of futures.
A sentence now so short for you
But compared to ours a glimpse.
We take from here at last the truth,
And I hope the truth will set us free.

[18] One victim describes his time at Dilworth as “horrendous”, with life-long effects and harm that will undoubtedly stay with him forever. He told his grandmother that he would rather die than continue at Dilworth and, fearful for him, she removed him from the school. Less than a year later, he was committed to a mental health facility in Starship Hospital having self-harmed and being diagnosed with major depressive episodes with psychotic features. He has suffered from post-traumatic stress, insomnia and alcoholism, although he has recovered from that. He has struggled to maintain relationships with friends, family and partners, losing his trust in those close to him. He has had difficulty in finding sexual fulfilment.

[19] The first time he disclosed your abuse he was not believed, so he tried to avoid it for the next 18 years. He spent nearly four years in prison but remarkably describes his time there as being what he feels Dilworth should have been like for him. He notes the irony of the punishment for crime being more humane than a school for vulnerable boys. After six painful years at Dilworth, he is frightened of having to return there, even in his mind. At 35, he says his future prospects seem bleak.

[20] That victim’s aunt talks powerfully about the other members of the family who are also your victims in a very real sense, and of the dire consequences, particularly for her nephew’s grandparents who endured the stress of dealing with his mental health issues, seeing him strapped in a straight-jacket in hospital.

[21] Another victim, who had been sexually, physically and emotionally abused in foster homes before he arrived at Dilworth, opened up to you about his past seeking help. You simply took advantage of him. He left school with no formal qualifications and then at 18 his life went downhill. He became involved in crime and prostitution and was addicted to gambling which incurred huge debt for him. In spite of that, as someone who appears to me to truly reflect Christian values, he has forgiven you but says he will never forget.

[22] The mother of another victim has talked poignantly about her son, who experienced your so-called “lessons” on masturbation and oral and anal sex in the Coffee Club and who was indecently assaulted by you. She describes the serious, detrimental changes to his personality while at school and says her son blames her for the abuse and “for sending him back into that hell”. She says her son is an intelligent man who completed an engineering degree, obtained good employment and started his own business. But he became a methamphetamine addict and a criminal, stealing from his mother and assaulting her. After his business collapsed, she lost the house they had bought together. Instead of enjoying having a son who is a family man, successful in his work, she is desolate and destroyed, crying herself to sleep.

[23] Her son says he went to Dilworth looking for a replacement father figure and he chose you, little knowing that in fact you had chosen him, as he says, to mould, to manipulate, to mislead, to abuse, to mistrust, to lie to, to coerce, to use, to destroy, to influence, to confuse, to sexually confuse, to rip apart his pride, to rip apart his promising future, to shame him, to separate him, to teach him ill things, to make him believe that bad things are in fact good things, for forever making him believe that it is always his fault, to rip apart his self-esteem, to make him turn to self-abuse, to make him become a drug addict and continue this path of destruction.

[24] They are by no means the only ones whose family has suffered deeply from your offending; many of the other victims talk about the deep guilt felt by those who placed them in your hands. And there are recurring themes of substance abuse, criminal behaviour, emotional deprivation, sexual confusion, and withdrawal from all forms of physical contact with others. Your victims feel robbed of their childhoods and the ability to grow into mature, responsive and responsible adults. They are angry

at the school that turned a blind eye to the abuse that was occurring. One victim, who went to the school counsellor after you had left the school to complain about your conduct, was treated as a sex offender and sent for counselling among other sex offenders, rapists and so on. It was only when a more sensitive counsellor realised that he was your victim that he received anything like proper treatment. Your victims are angry at you for what one of them described as your “selfish, entitled and cowardly actions”.

[25] While some have turned to the Christian faith for comfort, others have been completely disaffected by the environment that you exploited; they no longer have faith in a God who could allow you to represent his values so hypocritically.

[26] I note more positively that some of your victims speak optimistically of their futures, having overcome the pain and distress sufficiently to stop hating you, to focus on being good human beings and, in many instances, on being able to enjoy loving and caring relationships with friends, family and partners.

Possession of objectionable material

[27] I need to refer to the charge of possession of objectionable material. On 10 September 2020, a search warrant was executed at your home under the Search and Surveillance Act 2012 covering offences against the Crimes Act 1961 and the Films, Videos and Publications Classification Act 1993. Fifteen objectionable images were located on your devices. Ten of those depicted erotic posing with no sexual activity. Three showed sexual activity between children, or a child masturbating. Two showed non-penetrative sexual activity between adults and children.

[28] You told the Probation Officer you could not recall accessing the images, that others used the computers on which they were located and that you could not explain how they came to be there.

The sentencing approach

[29] The process by which I reach the appropriate sentence involves, first, setting a starting point that reflects the seriousness of your offending, taking into account any

aggravating or mitigating features of your offence. From the starting point, I am then required to make adjustments, either up or down, that take account of your personal circumstances.⁴

[30] I must have regard to the statutory purposes and principles of sentencing.⁵ They include holding you accountable for your offending and encouraging you to be responsible for and acknowledge the harm that you have caused. The sentence must be sufficient to denounce your conduct, protect the community and to deter you and others from such offending. I am required also to consider the impact of the offending on your victims, but I am required also to impose the “least restrictive” sentence that is appropriate in the circumstances.

The starting point

[31] The key principles that guide the Court’s approach in a case such as this are to take into account the gravity of the offending and the general desirability of consistency with appropriate sentencing levels and other means of dealing with offenders in respect of similar offences committed in similar circumstances. But sentences for historical offending are to be fixed in the context of the maximum penalty prescribed at the time of the offending and in accordance with sentencing patterns at the relevant time.⁶ The Court of Appeal has noted that baseline tariff sentences, before aggravating features are taken into account, did not exist until comparatively recently.⁷ Fixing a starting point that reflects the gravity of the offending requires the consideration of other cases, bearing in mind that each case must be determined on its own facts.

[32] It is acknowledged by counsel that the sentences imposed by the Court for historic offending must reflect the sentences that would have been appropriate at the time of the offending. There will be some who say that the sentence I am about to impose will not adequately reflect the denunciation of your conduct, the need to hold you accountable and the deterrence that should be a major factor. And I understand

⁴ *Moses v R* [2020] NZCA 296 at [46]-[48].

⁵ Sentencing Act 2002, ss 7 and 8.

⁶ *R v Accused* (1998) 15 CRNZ 602 (CA) at 609; *Hinton v R* [2016] NZCA 269 at [91]; *R v Fahey* CA184/00, 2 November 2000 at [5].

⁷ *R v R* CA244/04, 2 November 2004 at [22].

that sentiment. But I emphasise – because it is an important point – that the appropriate sentences if these offences had been committed in 2021 would be significantly higher than the sentences imposed by the courts during the period of your offending. These days, the law and the courts are much more cognisant of, and responsive to, the terrible harm sexual offending inflicts on its victims.

[33] Because you are to be sentenced on multiple charges, the approach I take to setting a starting point is to identify first a lead charge and an appropriate sentence for that offence. I then apply an uplift on account of the other offending, and make any adjustment necessary to reflect the seriousness of the offending viewed in totality.

The Crown's submissions

[34] For the Crown, Mr Barry adopted the charge of sexual violation as the lead offence and submitted that a starting point of five years' imprisonment would be appropriate for that offence. He then submitted that an uplift in the range of six to seven years' imprisonment would be appropriate for the balance of the offending. Applying a totality adjustment, he submits a global starting point ought to be 10 years' imprisonment as the effective end sentence. The Crown accepts that you are entitled to a full guilty plea discount of 25 per cent in accordance with the legal principles that are applied, but submits you should not be allowed any discount for previous good character.

Defence submissions

[35] On your behalf, Ms Hamblin submitted that an appropriate global starting point would be one of seven to eight years' imprisonment, rather than 10, from which a 25 per cent discount should be allowed for your guilty pleas. Your counsel seeks an additional discount of 12 to 14 per cent for the additional hardship that a prison sentence would occasion, bearing in mind your age and disabilities, and she argues for an appropriate discount for previous good character.

Setting the starting point

[36] In giving the sentence indication, I acknowledged and agreed with Mr Barry's reference on behalf of the Crown to the aggravating features of your offending:

- (a) The level of planning and pre-meditation which involved extensive grooming, developing trusting relationships with students against whom you would offend and encouraging them to see your aberrant behaviour as normal.
- (b) The degree of touching, principally skin on skin, including digital penetration on two occasions.
- (c) The scale and duration of your offending, spanning 15 years and involving 14 complainants. The description of much of the offending, which involved complainants whom you encouraged to engage in overtly sexual behaviour with others, indicates that the scale of the actual offending goes much wider than the complainants whose experiences have led to these charges.
- (d) The gross breaches of trust, not only of that which was placed in you by the boys but also the trust of the parents who put their young sons in your care. You also breached the trust of the governors and administrators of the school who placed you in a position which should have enabled them to provide pastoral care to vulnerable children and youths.
- (e) I also refer to the fact that the complainants were all inherently vulnerable by virtue of their age and circumstances, being children from disadvantaged backgrounds. To the extent that Dilworth was intended to provide some kind of sanctuary for boys experiencing difficulties at home, your behaviour operated to achieve precisely the opposite effect.

(f) Finally, I refer to the profound impact of the offending on the complainants.

[37] I do not need to repeat here the discussion of the several previous cases referred to me by counsel at the time of the sentence indication. It is sufficient for present purposes to record that, after reviewing the sentences imposed in comparable cases during the period of your offending, I adopted a starting point of four years' imprisonment on the lead charge of sexual violation.

Uplift for additional charges

[38] The additional charges are extensive and show a clear pattern of grooming designed to isolate young boys in preparation for offending against them sexually. The seriousness and the scale of the offending in this case, and the evidence of victim impact, exceeds that in the cases relied upon by Ms Hamblin and I did not accept her proposition that the breach of trust here was less than that in a parent-child case.

[39] The features that elevate the balance of the indecency offending to a higher level of seriousness are the number of complainants; the organised and pre-meditated grooming efforts; the position of authority and trust; and the vulnerability of the complainants. Your use of massages as an opportunity to offend against the boys in your care shows an unsettling level of calculation and pre-meditation.

[40] I have had regard also to Judge Collins' decision in *R v Wilson*.⁸ I concluded that your offending is more serious than Mr Wilson's regarding the number of complainants and the duration. I considered that an uplift of six years from the starting point of four years was appropriate, taking account of totality principles. That made a global starting point before personal mitigation of 10 years' imprisonment, which would have been at the higher end of sentences imposed for this type of offending at the time when you committed these offences.

⁸ *R v Wilson* [2021] NZDC 5366.

Uplift for objectionable material charge

[41] I note that a sentence of up to six months' imprisonment would be appropriate on the objectionable material charge if you were to be sentenced on that alone, but I agree with counsel that no further uplift to the 10 years for the indecency offences is called for.

Personal mitigating features

[42] I have said already that I accept that a 25 per cent discount for the guilty pleas would be appropriate, even though you did not plead guilty at the earliest opportunity. Your guilty pleas have relieved the burden on the administration of justice of what would otherwise be a lengthy trial. They mark some degree of recognition at last of your offending by you and, more importantly, it has spared the complainants from being retraumatised by having to relive their experiences through giving evidence.

Personal factors

[43] Mr Browne, you are 73 years old and of New Zealand European ancestry. You grew up in South Auckland with your parents and two brothers. You completed your primary, secondary and tertiary education in Auckland. Following graduation from university with a BA, you undertook Theology training for the priesthood at St John's College. You were posted to two institutions before you were "shoulder tapped" for the role of Chaplain at Dilworth College where you remained for, I think, over 30 years. You have also been employed in psychiatric hospitals, namely Kingseat, St Johns in Papatoetoe and Mangere Hospital. Prior to your arrest you had been working as the vicar in a South Auckland parish.

[44] For around 18 years you were engaged in part-time radio work. You have a long association with the Scout Association of New Zealand which, in 2012, awarded you a distinguished service award to recognise your 40 years of service.

[45] You married your wife at the age of 24 and raised her children as your own. They have written fondly and supportively of you, but you did not wish them to be here with you today. I acknowledge that your offending, having come to light only

recently, has apparently destroyed your marriage. I appreciate that that consequence will pose added hardship for you.

[46] In addition to the support of your step-children, you have received many supportive and sympathetic letters from friends and colleagues who have appreciated your friendship and pastoral care.

[47] You told the pre-sentence report writer that your first sexual encounter, when you were 13 years old, with a male slightly older than you was “not a negative experience”. You deny having any other intimate relationships or sexual encounters until you married in 1974. You reported that, in the early years of your marriage, you had a healthy sexual relationship, which “tapered off”. You had difficulty in identifying whether this contributed to the emerging of your sexual deviance which then spiralled for a significant period. You suggested that the closed, religious, male-dominated environment at Dilworth College led to the normalisation of an undercurrent of homosexual encounters at the school. It seems clear, however, that you were prominent among those colleagues who fostered that environment for your own selfish purposes.

[48] You were aware that a faculty member had been identified as a paedophile, removed from the school and later convicted for child sexual offences. Mindful of this, you said you “didn’t allow anyone to get close to [you]”, but you admit to growing complacent as time passed.

[49] The report writer notes that it was difficult for you to pinpoint exactly when the spiralling into your offending began. Contributing factors are said to include reduced matrimonial sexual contact; an unbalanced lifestyle; a male-dominated work environment; access to vulnerable victims and distorted views based on your own first sexual experience. Noting your attitudes, the report writer highlights a level of contrition regarding the Dilworth offending and records your desire to stand up and take responsibility for “what [you] did”. Aware that two of the victims are willing to participate in a restorative justice process with you, you said to the report writer:

I have read the impact statements and it’s really sad that some of some of them had unfortunate and miserable lives from what I did, I’m sad.

[50] Ms Hamblin has referred to your good character, prior to your offending, and says that you have dedicated your life to the service of others over a period of 52 years through your work as a priest, counsellor, social worker and mental health worker, and through your participation in action groups and as a teacher of speech and drama, a broadcaster, a registered teacher, and a stage lighting designer and technician.

Discussion

[51] I hope your friends and the family members who have written in support of you will continue to support you while you serve your sentence. I acknowledge the community interests you have served. It is simply not possible to conclude, however, given the length of time over which you offended, the gross breach of trust and the predatory, pre-meditated nature of your offending, that you deserve any credit for good character.

[52] It is appropriate that you have recognised there is no basis on which there can be any discount for remorse beyond that which is inherent in your guilty plea. It is to your credit that you have agreed to engage in a restorative justice programme with the two victims who are prepared to meet you. I consider that to be a mitigating factor in accordance with the law and allow a small discount on your sentence accordingly.

[53] Your personal health is poor; you suffer from a cardiac condition which is managed by medication. Your obesity affects your movement and balance. The Department of Corrections will ensure that your special needs will be appropriately managed in custody, but they mean that you will have added burdens coping with prison life and it will not be easy for you.

[54] In addition to the discount for your guilty pleas, therefore, I allow a further five per cent discount for your age and disabilities and five per cent for your willingness to undergo restorative justice. That produces a total discount of 35 per cent from the starting point on account of personal factors.

[55] Your name will be placed on the Child Sex Offender Register kept under the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.

The Registrar of the Court will provide you with written notice of your reporting obligations under the Act and the penalties for failing to comply with them.

[56] Mr Browne, please stand.

[57] On each of the charges of:

- (a) sexual violation by unlawful sexual connection;
- (b) indecency with a boy aged under 12 years;
- (c) indecency with a boy aged between 12 and 16 years; and
- (d) indecent assault on a boy,

I sentence you to six and a half years' imprisonment.

[58] On the charge of possessing objectionable material, I sentence you to 12 months' imprisonment, but all terms of imprisonment will be served concurrently.

[59] You may stand down.

[60] Before I leave the courtroom, I want to say something to the courageous men and their family members who brought Mr Browne's gross abuses to the attention of the Police. No sentence of imprisonment can adequately reflect the harm each of you has suffered and continues to suffer nor provide solace or compensation for it. But your courage has brought to the attention of the community and those now responsible for the governance of Dilworth School the scale of an horrific secret buried for so long, the consequences of which must be addressed, not only for you but for the others whom you represent and who have been unable to be here.

[61] No one hearing your victim impact statements could fail to understand how deeply affected your lives and those of your families and friends have been. I hope that today's hearing will enable you to move forward more positively and, particularly for those of you who have suffered through the severe dislocation of relationships with

your family members, that you may be able to begin a process of healing. Ngā mihi nui.

Toogood J