

**Royal Commission into Historical Abuse in State Care and in
the Care of Faith-Based Institutions**

Quarterly Report (1 October 2020 – 31 December 2020)

As at 31 December 2020

Overall comments

Purpose

This report updates the high-level activity and performance expectations of the Royal Commission into Historical Abuse in State Care and in the Care of Faith-based Institutions (the Inquiry) for the 2020/2021 year for the quarter ended 31 December 2020.

In completing this report, we have had regard to the requirements set out in the Ministerial Letter of Expectations for 2020/21, dated 26 June 2020.

Progressing core delivery

Public Hearings

Two hearings took place during this quarter being; the second phase of the State Redress hearing commencing on 19 October 2020 when the Inquiry heard evidence from nine witnesses for the Crown; and phase one of the Faith-based Redress hearing commencing on 30 November 2020. The focus of the latter was on the redress processes of the Catholic and Anglican Churches and the Salvation Army, with 32 individual witnesses giving evidence over the course of the two-week hearing.

Phase two of the Faith-based Redress hearing is scheduled to be held from 15-30 March 2021 and will focus on evidence on redress processes from witnesses called on behalf of the Catholic and Anglican Churches and the Salvation Army.

Investigations

Work continues on the nine investigations that were launched last year. These are Residences, Psychiatric, Māori, Catholic, Anglican, Redress, Pacific and Disability settings and thematic and all now have published scope statements.

Witness and documentary evidence continues to be gathered for each investigation, with approximately 411,000 documents having been ingested into Relativity, the Inquiry's evidence management system. Of these 93,000 documents have been reviewed and 13,000 are in the process of being reviewed. Using machine learning and artificial intelligence the most relevant material can be prioritised, and once identified is then subject to further review and redaction processes for disclosure and publication purposes.

To provide additional resources to support the gathering and analyse of evidence to be heard at hearings, a request for proposal for external evidence analysts was issued during this quarter and a panel appointed. Training of the panel, which will be utilised during peak periods of the investigations, also commenced.

Survivor Accounts

Overall, survivor contact (phone calls and emails) continued to increase during this quarter. As in the previous quarter, this was particularly evident during the public hearing in December when survivors provided evidence during the faith-based redress hearing but also following the publication of the Interim Report Tāwharautia: Pūrongo o te Wā.

Contact Centre volumes increased four-fold during the faith-based redress hearing with a corresponding increase in registrations. A total of 100 registrations were received over the course of this two-week hearing (see table below) and the week immediately following the hearing.

Table: Contacts to and from the Contact and Support Centre during and immediately following the December 2020 Faith-based Redress Hearing

	1st Week Public Hearing (Week 30 Nov)	2nd Week Public Hearing (Week 7 Dec)	Week 14 December
Registrations Full	32	32	36
Registrations Lite ^(A)	0	0	0
Phone Calls Out	73	76	88
Phone Calls In	157	121	133
Emails Out	378	313	338
Emails In	583	558	478
Private Session Bookings	0	1	5
Letters In	6	0	5
Letters Out	8	1	8
Text Sent	7	4	5

^(A) Registrations Lite is a process for people who feel triggered by what they have seen, heard or read particularly near or during a public hearing, and they contact the Contact and Support Centre, but are not in scope. If the individual chooses to, their contact detail is captured as well as what the Commission can provide in terms of assistance.

A total of 85 face-to-face Private Sessions with survivors were conducted over this quarter. This was lower than the 111 planned sessions, with 12 cancelled due to Covid-19 restrictions and 14 cancelled by survivors.

Over the coming months we will be exploring options as to how we might increase the Commission's capacity to host Private Sessions, within the context of Commissioners other commitments.

Wellbeing support is integral to all engagements for survivors within the Inquiry, this includes private sessions (face to face and /or technology enabled), written submissions, public hearings, witness statements or other activities that may cause the potential harm.

It is important that a range of wellbeing services are available. In addition, to having a small team of wellbeing staff as part of the secretariat, this is supplemented by external, specialist wellbeing providers such as Pain Management and HomeCare Medical. The latter was engaged in June 2020, to undertake a six-month co-design with the Royal Commission to provide a national wellbeing service for our survivors. A review of the co-design process was completed in this quarter, with the outcome being to extend the co-design period to 30 June 2021, to allow additional time to embed process and maximise the services offering to survivors.

In this quarter, the procurement process to engage the services of seven Non-Government Organisations to provide Kaupapa Māori wellbeing was completed.

Research and Policy

The first tranche of literature reviews for the Psychiatric, Catholic, Māori and Residences investigations settings is being managed in house by the Research team. The reviews which consider the factors or circumstances of going into care and the nature, extent, causes and impacts of abuse were scheduled for completion by the end of December 2020. Due to workload constraints the timeline for has been extended to the end of January 2021.

The timeline for the completion of the second tranche of literature reviews, which includes the settings of foster care, transitional and law enforcement, non-residential psychiatric hospitals and disability facilities, boarding schools and other educational settings has been extended to 31 July 2021 from 30 June 2021. This is to allow sufficient time to undertake the necessary All of Government Panel Procurement procedures to engage an external provider for this work.

Work will continue in the next quarter on finalising research and policy plans for each investigation, as well as developing a detailed inquiry-wide work plan for the research and policy work programmes.

Community and Treaty Engagement

During the quarter the Community Engagement team has continued to connect with survivors, community organisations, support groups and networks to raise awareness of the Royal Commission and encourage registrations, particularly in hard to reach communities.

Key activities include:

- presenting at the New Zealand Disability Support Network's Safeguarding Symposium in December to an audience of approximately 80 people;
- presenting to 60 staff including social workers and youth workers at the Strive Community Trust, which supports families/whanau in South Auckland through a number of services to gain the skills they need to take charge of their lives; and former staff of two, now closed, Psychiatric institutions;
- connecting with the Porirua Community Law Centre, which has offered to display our Pacific collateral on their website that generates approximately 600 views per week and information on the Inquiry where appropriate;

A key focus for community engagement in the next quarter will be holding the first of a number of engagement sessions for the learning disability community; launching the “raising awareness of the Inquiry” programme with a number of large national organisations such as Grey Power, Aged Concern, Family Planning, Youth Horizons and Reconnect Services and providing a presence at community events such as the Big Gay Out festival in February and the Newtown festival in March.

The Treaty Engagement team, in addition to supporting the Survivor Advisory Group (SAGE) and Te Taumata, the Commission’s Māori Leadership Group, and providing expertise internally to support work across the Commission, has continued to engage externally with iwi and Māori entities as well as survivors during the quarter including:

- attending the pōwhiri for the opening of the offices of Te Rau Ora Ōtepoti in Dunedin provided an opportunity to hear from the workforce, including the issues that Māori continue to experience in accessing support and for Commission staff to speak about the role of the Inquiry and our efforts to access services for survivors who engage with the Commission. Te Rau Ora aims to improve the Māori Health through leadership education, research and evaluations, health workforce development and innovation and systemic transformation.
- meeting with the Chair and Chief Executive of Te Pūtahitanga o Te Waipounamu Whānau Ora to discuss opportunities to utilise their communications to ensure greater coverage of the Commission’s collateral across the South Island;
- meeting with the Chair and Chief Executive Te Rūnanga o Ngāi Tahu who have indicated a willingness to host Commission activities in their rohe (territory);
- attending Minister Henare’s Forum on the proposal for a Māori Health Authority at Parliament.

Activities planned for the next quarter include attending the Kingitanga Poukai hui in March to promote the work of the work of the Commission and visiting the Muaūpoko Tribal Authority in Levin to follow up their interest and involvement in investigations.

Communications

The Commission was mentioned 522 times in the media between 1 October and 31 December 2020, an increase of 165% on the previous quarter. This coverage which was secured across mainstreams media and targeted Māori and Pacific media outlets reached a cumulative potential audience of 16.3 million (and if paid for in advertising would have cost \$4.4 million).

The majority of coverage was in relation to the Faith-based Redress hearing (170 mentions in the media) and the launch of the Interim Report and associated research reports (276 mentions).

In addition to supporting the various communication aspects associated with the public hearing during the quarter such as producing and publishing content for the website, media and social media engagement, the Communications Team was also involved in supporting the design and publication of the Interim and Administrative Reports.

Specific initiatives proposed in the January to March 2021 quarter include:

- advancing te reo and easy read versions of the Interim Report;

- planning for the launch of a refreshed website;
- developing and finalising strategies for each investigation;
- productions and publication of a series of videos covering key aspects of the Inquiry's work;
- providing media and communication support for Phase two of the Faith-based hearing.

Organisational Development

The next quarter will see the progression of several key initiatives in this area. The first being to create process or journey maps that show how the Commission has embedded tikanga and Te Ao Māori into our mahi, using an external provider. The mapping will, for example, help the Inquiry consider how a Māori survivor might engage with us publicly, be driven to our website and then reach out to the Contact Service to register. Three areas are being mapped - staff (recruitment pathway through to onboarding, induction, training, engagement, off-boarding etc.), survivor engagement that ends with a private session and survivor engagement that ends with witness statement/public hearing. After mapping these process, the Treaty Engagement Team will then be engaged to review if appropriate, tikanga is met or offer recommendations for improvement.

The second initiative is a review of Commission's practices and process through a disability lens to ensure we are appropriately engaging with and meeting the requirements of the disability sector.

Finally, responsibility for internal staff and contractor wellbeing has recently been transferred from the Survivor Accounts group to Support Services (Human Resources). The separation of this component of wellbeing from that of survivors was considered appropriate in view of the size of the Secretariat. Over the coming quarter an internal Wellbeing Programme and framework will be designed and implemented.

Risks

Security

The safety of our survivors and staff continues to be of paramount importance. A review and update of our security protocols was completed during the quarter.

Privacy

Protecting personal information, especially that provided by survivors, is critical to maintaining trust and confidence in the Commission's activities. Following the privacy breach in October 2020, whereby the personal details of one survivor were sent, in error, to another survivor, an independent evaluation of the systems, practices and processes in the Survivors Accounts Group was undertaken

The resulting report was completed in January 2021 and makes recommendations on the actions the Commission should consider undertaking to mitigate the risk of a privacy breach in the future. As a number of the recommendations impact the wider Commission a project team will be established to undertake a programme of improvement based on the recommendations. This work will be a priority in the next quarter.

Key performance indicators

Organisational Delivery

Interim Report

The Inquiry is to provide an interim report on its work, in writing, by 28 December 2020. The report will be in two parts – a substantive interim report and an administrative interim report.

How we will monitor our performance	Status
Substantive Interim Report	Completed
Comments: The substantive interim report, Tāwharautia: Pūrongo o te Wā, was presented to the Governor-General on 4 December 2020, meeting the requirements of clause 35 (1) of the terms of reference. The report was publicly released on 16 December 2020.	

How we will monitor our performance	Status
Administrative Report	Completed
Comments: The Administrative Report was provided to the Minister of Internal Affairs on 3 December 2020.	

Investigations and Public Hearings

Nine investigations were launched in 2020/21. All of these investigations will extend beyond the 2020/21 financial year. Public hearings on Redress (State and faith-based) and abuse in Psychiatric care (Lake Alice Child and Adolescent Unit), and State children's residential care are scheduled for 2020/21. Reporting against each investigation will occur progressively as they are established.

How we will monitor our performance
Investigations and Public Hearings overall
<p>Comment: The investigations workstreams are continuing to make progress. The teams are now resourced to start the delivery of the investigation plans which will enable them to maintain and increase momentum during 2021.</p> <p>The nine launched investigations are in the process of obtaining their documentary or witness evidence which will be a continuing piece of work as the Inquiry develops. The investigations are currently expanding their witness lists which can be time consuming given the volume of people they need to interview, and how hard those people are to locate for some investigations.</p> <p>The Investigations team are working in partnership with the Community Engagement team in developing different methods of finding hard to engage (reach) witnesses to ensure relevant witnesses are identified and approached. We anticipate a surge in Māori and Pacific witnesses, and witnesses with disabilities coming forward as the year progresses.</p> <p>The State Care redress hearings have concluded, and the forward-looking phase has begun with significant planning meetings being undertaken. The Faith-based redress survivor hearings concluded before the Christmas break. The teams are deep into preparation for the institutional phase 2 hearings in March 2021. Witnesses have been identified and thematic analysis is underway of the evidence received.</p>

How we will monitor our performance
Redress investigation (State and faith-based)
<p>Comment: State Redress hearings have concluded, and the team has changed focus onto its forward-looking work and report writing. Phase 1 of Faith-based redress hearings have concluded, and Phase 2 will commence 15 March. At the conclusion of these hearings, the team will then start to focus on roundtables and reporting.</p>

How we will monitor our performance
Māori experience of care
<p>Comment: The Maori investigation now has its overall investigation scope published. The in-house team has been recruited and is now in place, however further resourcing will be required in due course. A public hearing has been tentatively booked to start 6 September and will run for two weeks.</p>

How we will monitor our performance

Pacific People’s experience of care

Comment: The Pacific People’s investigation scope has now been published; the team is currently working with the Community Engagement team to establish relationships with the survivor networks. A public hearing will be held from 19 July, and the team is currently exploring having the hearing held at Fale o Samoa.

How we will monitor our performance

Disability investigations (disability care settings and experiences of disabled people in care)

Comment: The two Disability investigations scope documents have been published. The investigations are still in their planning stage, and are about to issue several s20 notices, and have drawn up various witness lists to interview.

How we will monitor our performance

Psychiatric care investigation

Comment: The Psychiatric investigation has published its investigation scope, and a case study scope on Lake Alice Child and Adolescent Unit. Preparation and evidence gathering is well advanced and the Lake Alice public hearing will proceed on 14 June.

How we will monitor our performance

State children’s residential care investigation

Comment: The Children’s Residential Care investigation has published its investigation scope. The investigation has received a large tranche of evidence from the Crown. Significant numbers of witness statements have been obtained and preliminary witness selections have been made for the public hearing due to start on 3 May.

How we will monitor our performance

Catholic Church investigation

Comment: The Catholic Church investigation team is focused on preparing for Phase 2 of the faith-based redress hearings which is being heard from 15 March. The team is also gathering evidence on the Marylands case study which is being heard in October.

How we will monitor our performance

Anglican Church investigation

Comment: The Anglican Investigation is focused on preparing for Phase 2 of the faith-based redress hearings which is being heard from 15 March. The team is in the process of proposing options for a further case study to Commissioners and are due to have this case study heard in Jan 2022.

Research and Policy

This work is focussed on delivering research products to support the investigations and hearings workstreams. Other discrete research and policy work will sit outside the Investigations and Hearings streams. This work will include research and briefings, round tables, Commissioner information sessions, written reports – both internal and commissioned - and other information needs to support Commissioners. Separate reporting against each stream of the policy work programme – core and investigative - will occur progressively as they are established.

How we will monitor our performance

Comment: Progress on delivering the Research and Policy (R&P) high-level work plan is being monitored weekly by the Research and Policy leadership team (Head, Managers, and Principals), and monthly by the Research and Policy Steering Committee (R&PSC). Overall the R&P high level work plan is progressing, however FTE shortages in both the Research and Policy Teams will see slowing of immediate future work as a re-prioritisation of deliverables occurs with all stakeholders, including the Investigation workstreams. Longer run impacts on deliverables will need to be assessed in due course.

Survivor Accounts

We anticipate that 2000 survivors will be registered with the Inquiry in the 2020/21 financial year. We anticipate increased interest and awareness will develop resulting from Public Hearings, community, treaty engagements and hui, promotional communication strategies and word of mouth.

Private sessions with survivors to hear their experiences include written, face-to-face, technology (zoom) and group/marae-based sessions. It excludes witness statements collected for investigations.

How we will monitor our performance	Target 20/21	Oct -Dec 20	July-Sept 20
Total Survivor registrations	2000	263	200
Private sessions conducted, including Written Accounts and Zoom sessions	320	94	127
Wellbeing sessions provided (2592 Wellbeing and 240 Kaupapa Māori NGO)	2732	454 (Wellbeing)	462 (Wellbeing)
Results of a Survivor Evaluation Survey (from April 2021)	June 2021	N/A	N/A

Comments:

Survivor Registrations:

Survivor registrations continue to increase quarter on quarter as greater awareness is achieved through the public hearings, Maori engagement, promotional material in the targeted communities and the issuance of the interim report. Ongoing awareness campaigns will be considered and deployed during the 2021 calendar year.

Private Sessions

Survivor private sessions held with a Commissioner are on track to achieve the minimum number of 320 sessions by 30 June 2021.

Wellbeing Sessions

Contracts with seven Kaupapa Māori NGO's to provide well-being support were finalised in December 2020. This is alongside the current survivor wellbeing supports provided for survivors engaging with the Inquiry through registration, written accounts, witness statements, private sessions, prison sessions and public hearings. The number of wellbeing sessions are increasing as survivor/witness participation increases with the Inquiry.

Survivor Evaluation Survey

An evaluation survey for survivors to provide feedback on their experience and engagement has been developed in conjunction with a third-party provider, who will independently manage the survey methodology, delivery and reporting. The survey commenced with survivors on 11 January 2021 and will evaluate the survivor journey from registrations through to a private session and wellbeing support. Based on the survey findings, improvements will be made to survivor engagements pathways with the Inquiry.

Community and Treaty Engagement

Engagement with Iwi, NGOs and support/community organisations. 'Engagement' constitutes a stakeholder activity (e.g., large or small group meetings, significant conversations, face-to-face or virtual meetings that advisors have with an external community stakeholder (new or established)).

We will engage with external stakeholders (with a focus on Māori, Iwi, Pacific people, Disabled and LGBTIQ+) to increase awareness of our work and to promote engagement and the registration of survivors.

How we will monitor our performance	Target 20/21	Oct-Dec 20	July-Sept 20
Community engagements	120 per month	466	292
Treaty engagements	5 iwi and 10 survivors per month	86	53
<p>Comments: The number of Community engagements for December was 108, which is lower than the monthly target, due to the public hearing and the shorter month. The breakdown of Treaty engagements for the quarter is as follows: 5 with iwi/Māori and 16 survivors in December; 8 with iwi/Māori entities and 36 with survivors in November; and 6 with iwi and 15 with survivors in October.</p>			

Organisational Health and Capability

While the Department is the substantive employer of Royal Commission staff, the Royal Commission is independent. These measures are designed to provide reassurance to the Minister that the Royal Commission is functioning well as an entity.

Human resources

We will monitor FTEs recruited against our annual resource plan. The Royal Commission's resource plan is based on each business unit having completed a comprehensive people planning and financial modelling process. The resource plan for 2020/21 shows the overall FTE numbers and the resource mix that the Royal Commission is aiming to have in place by 30 June 2021.

How we will monitor our performance	Target 20/21	FTE's (actual) as at 31 Dec 20	FTE's (actual) as at 30 Sept 20
2020/21 Resource Plan	244*	177.3	141.3
Comments: We are on track to achieve the overall resource plan target by June 2021, 36 people started in this quarter, with a further 13 commencing (thus far) in the next quarter. -			

* Expected number of FTE's in place by 30 June 2021

Records

As a public office under the Public Records Act 2005, the Royal Commission must take reasonable steps to ensure its records are kept and transferred in an efficient and timely manner from the Royal Commission to the Department at the conclusion of the Inquiry.

This includes providing suitable documentation to accompany these records at transfer to ensure that the Department can comply with its obligations under the Official Information Act 1982 and the Public Records Act 2005 once the Royal Commission is closed.

How we will monitor our performance	Target 20/21	Actual
Royal Commission will comply with any records audit processes requested by the Department for all records held by the Royal Commission	100%	N/A
Comments: The Commission provided all records to Audit New Zealand as part of the procurement review of the Khyber Pass building project.		

Royal Commission policies and procedures

Under its Terms of Reference, the Royal Commission is required to implement clear policies and methods of work. While public service and departmental standards and policies apply by default, the Royal Commission has the ability to develop bespoke policies and procedures to fit their unique circumstances. There may be instances where the Royal Commission departs from public service and departmental policies after due consideration and advice from the Department. These instances and the associated risk will be recorded.

How we will monitor our performance	Target 20/21	Oct-Dec 20	July-Sept 20
Number of instances of departure from public service and departmental policies	Not applicable	1	1
Comments: This direct source engagement of a consultant was a departure from procurement policies. In addition, the contract for was finalised retrospectively which is also contrary to procurement policies. Consideration was given to approaching the All of Government Panel, but the consultant was identified as having specialised knowledge and relevant experience of the Inquiry that would not be able to be sourced through a secondary selection process through a panel.			

An organisation fostering a culture of respect and inclusion

We aim to be an organisation that fosters a culture of respect and inclusion and reflects and understands our communities and their needs. We aim to be an organisation where everyone feels respected and included regardless of gender, ethnicity, age, sexual orientation, the extent of disability and religious beliefs.

How we will monitor our performance	Target 20/21	Actual
Staff report satisfaction with Royal Commission flexible working processes and guidelines, survey bi-annually	90%	N/A
Comments: The first of two flexible working surveys for 20/21 was conducted during the quarter with all staff to check their understanding of whether the new framework was working for staff and whether or not changes were required. There was a 60% response rate, of which 96% of respondents were satisfied with the range of flexible working options offered.		

Financial statements

Financial reporting requirements

The Royal Commission will submit a financial report to the Department quarterly, until the Royal Commission ends.

The quarterly financial reports will be made publicly available by publication on the Royal Commission's website and will be published no later than two calendar months after the end date of the report. In addition to website publication, the Department will report on the Royal Commission's expenditure in its Annual Report.

Financial Summary for December 2020

Q2 YTD Financials to December 2020 (\$k)

Appropriation	Actual	Budget	Variance
Departmental MYA	18,919	19,384	465
Capital	1,064	1,606	542
Commissioner fees	646	729	84
Legal Assistance	295	1,865	1,570
Counselling Assistance	628	763	135
Total	21,552	24,347	2,795

Commentary

- The Commission underspent to budget across all appropriations by a combined \$2.795m
- An operational underspend of \$0.465m (Departmental MYA) was materially driven by underspends in Travel and Consultants, in part driven by the impacts of COVID
- A Legal Assistance underspend of \$1.570m is expected to be a timing issue, as planned public hearings ramp up during the second half of the financial year
- The Capital underspend is driven by lower Auckland public hearing build costs than the Commissions internal budget
- Totals may not sum due to rounding

Budget 2020/21

The table below summarises the Royal Commission's 2020/21 Budget by appropriation as at 1 July 2020.

Appropriation	Q1	Q2	Q3	Q4	Total
Departmental MYA					
\$M					
Current 20/21 Baseline	7.713	0.000	0.000	0.000	7.713
Planned adjustments at October Baseline Update (OBU) - Carried Forward from 19/20	1.543	4.142			5.686
Planned adjustments at OBU - Transfers from NDOC		5.985	10.479	4.437	20.900
Contingency	-	-	-	7.397	7.397
Total Departmental	9.256	10.127	10.479	11.834	41.696
Capital ^(A)	0.957	0.065	0.065	0.065	1.154
Non-Departmental MYAs					
\$M					
Current combined non-departmental baselines	2.221	2.221	2.221	2.221	8.882
Add OBU 19/20 transfers		8.416			8.416
Add OBU 21/22 and outyear transfers	(0.797)	12.153	(0.426)	(0.249)	10.681
Less OBU transfers to departmental		(20.900)			(20.900)
Remaining combined non-departmental baselines	1.424	1.889	1.795	1.972	7.078
Non-departmental baselines split by Appropriation					
Total Commissioner fees	0.365	0.365	0.365	0.365	1.459
Total Legal Assistance	0.690	1.176	1.037	1.176	4.079
Total Counselling Assistance	0.370	0.393	0.393	0.386	1.541
Combined non-departmental baselines	1.424	1.934	1.795	1.927	7.078

Table Notes:

- ^(A) Required adjustments at OBU to roll over 19/20 Capex underspend
- Total 20/21 funding required \$49.928 (Sum of Departmental/Non-Departmental/Capital)
- 2020/21 Budget reflects approved appropriations as per Cabinet papers [CAB-18-MIN-0572. 01] and [SWC-19-MIN-0136], includes planned OBU adjustments, and an anticipated request to draw down tagged contingency [CAB-20-MIN-0155.19].