

Royal Commission Report:

1 October 2022 to 31 December 2022

Key Work Items Progress on Royal Commission priorities:

Ngā Pūrongo – reports

- **Lake Alice Child and Adolescent Unit Case Study** – Final natural justice comments and all survivor permissions processes were completed late during this quarter. The Commission moved quickly to accommodate the Minister’s decision to temporarily redact a small amount of text from the Lake Alice case study to protect fair trial rights and allow for this in its timetable for production. Resources remained focused on this Case Study until December 2022, which was longer than anticipated and were not made available to the Final Report teams as planned in October 2022.
- Presented the Case Study to the Governor-General on 6th December 2022.
- **Order of St John of God Case Study** – Key staff and Counsel Assist involved in drafting this Case Study were re-prioritised to preparing for the Faith Institutional Response hearing during this and the previous quarter. Key staff and Counsel Assist also attended that hearing. Some were also affected by COVID during this quarter, impacting on the finalisation of the content of the Case Study. Natural Justice planned for October has been postponed until later in 2023. Delivery timeframes were being re-jigged at the end of the quarter to accommodate this and the need for key staff and Counsel Assist to be available for synthesising faith-related material for the Final Report.
- **Final Report** – Work has continued analysing and synthesising all evidence and information gathered. Sense making and meaning making of all evidence and information collated are underway but not yet complete due to the substantial volume of material from multiple sources (e.g., section 20 notices, hearings, engagements, private sessions, witness statements, survivor accounts etc). Drafting of content is underway but is proving to be more complex when sense making has not been completed. Natural Justice processes scheduled to start from November 2022 did not go ahead as planned and are being rescheduled. Vacancies, Covid and other absences continue to impact capacity, capability and productivity causing significant slippage. During the quarter the proposed structure and scope of the Final Report was reviewed and will continue to be reviewed on an ongoing basis, to ensure a clear focus on providing a minimum credible product that answers the Terms of Reference.
- **Reference Groups for Reports** - We continue to actively engage with our reference groups, including holding several wānanga, hui, fono and talanoa, to test thinking behind key messages and storyboarding of the Interim Reports and Final Report. Their feedback has aided the streamlining of the structures of the Interim Reports and Final Report and our synthesis of evidence and information.
- **Advisory Groups** - Regular Advisory Group meetings with SAGE, Te Taumata, the Royal Commission Forum and Te Ara Takatū continued as scheduled to discuss issues of concern and capture feedback relating to the interim reports, final report and broader Inquiry work programme. Future engagement opportunities are being set for all advisory and reference groups for the next quarter.

Tūhonohono me ngā hāpori – Engagement with survivors and communities

- **Te Tiriti and Communities engagement:** This quarter we have continued to target engagement with NGOs, community groups and hapū and iwi representatives to discuss issues of concern and to help us fill gaps in our knowledge-base and support discussions on possible solutions to the issues identified. We also held hui with the National Iwi Chairs Forum Pou Tangata roopu co-chairs Kahurangi Dame Naida Glavish and Rahui Papa.
- Several successful online hui were held this quarter with organisations that support and advocate for the neuro-diverse community.
- Other hui were held this quarter (online and in-person) with Māori communities where Commissioners considered a range of innovative care models that have tikanga and whakapapa as their foundation.
- Commissioners visited the Tokanui Psychiatric Hospital site to capture evidence and to acknowledge and pay respect to the people who were institutionalised there and to those who did not leave and were buried in unmarked graves. In the forensic space, visits were also made to Henry Rongomau Bennett and the Mason Clinic in Auckland.
- The Commission hosted an online hui focused on the needs and experiences of people from Rainbow and takatāpui communities. Community members and support organisations participated in the hui, sharing their insights with Commissioners.
- **Completing Survivor Accounts** - Bespoke outreach plans have been developed for those cohorts under-represented in the Inquiry’s collective “survivor voice” (including survivors in prison). Good progress was made in ensuring that all survivors who want a private session will have one during the remaining life of the Commission. As we move towards the end of the Inquiry we are planning how to communicate the transition plans post 30 June 2023 and how to communicate with survivors the ceasing of some activities before the June 30 date.

Ngā huihuinga me ngā wānanga – Public hearings and wānanga

- October saw the completion of the Inquiries hearing programme with the delivery of the Faith-based institutional response hearing. That hearing canvassed the responses of faith institutions to abuse and neglect of children, young people and vulnerable adults in their care. Faith-based organisations responded to questions around how care systems were monitored; the handling of complaints; the nature and extent of physical, psychological, sexual abuse and neglect; and the factors that caused or contributed to the abuse and neglect of Māori, Pacific and Disabled people and people with mental health conditions in the care of faith-based institutions.
- A wānanga with Te Roopu Tautoko was held this quarter to enable Catholic leadership to provide further insights to the Inquiry. To manage concerns being raised by Te Roopu Tautoko, the Commissions agreed to host an online wānanga. The effort required to organise, participate and follow up following the wānanga diverted planned resources from other tasks relating to the Final Report development.
- A large cohort of survivors of abuse and neglect who are part of gangs have been disenfranchised, and we have spent time endeavouring to build trust with limited success over the past 4 years. This cohort reached out to the Commission late in the quarter to recommend a week-long public hearing process or similar, supported by private sessions and the development of witness statements. By the end of the quarter we had agreed an initial process for hearing their issues and proposed solutions. Finding time to enable this large group of survivors to be heard and for their points of view to be actively considered by the 30 June 2023 delivery date is of significant concern.

Kaupapa here me te rangahau – Policy and Research

- Analysis of survivor voices heard through witness statements, private sessions or survivor accounts continued during the quarter.

Whakawhiti kōrero - Communications

- The communications focus this quarter has been on the production, design and delivery of the Lake Alice Case study, *Beautiful Children*.
- Follow up communications work continued from the State Institutional hearing and the Faith -based Institutional Hearing held in October.
- The *Tell Me About You* report by the Donald Beasley Institute was released by the Commission to coincide with the International Day of Disabled People on 1 December. The report highlights the failures by the State to protect disabled and neuro-diverse children, young people and adults in care and mirrors what we have heard throughout the Inquiry.

Insights:

- The hearing programme has been a critical part of collating evidence and information to be synthesised for the final report. The programme also provided a platform for survivors to provide their accounts to the public of New Zealand, experts to set out their knowledge and for state and faith-based institutions to be held to account in a public forum.
- Synthesising large volumes of evidence and information collated from multiple sources (e.g., over 450,000 documents received over the last 18 months, alongside attending over 200 engagements, undertaking more than 1,000 private sessions and completing more than 900 witness statements) is a huge exercise in a short period. Sense-making and meaning-making of the material is complex, takes time and requires careful and nuanced analysis.
- The impacts on those who experienced and witnessed abuse and neglect at the Lake Alice Child and Adolescent Unit are intergenerational, affecting their children and society as a whole.
- Gang whānau are a core part of a missing survivor voice that the Royal Commission is yet to hear from. We’ve been advised that there are approximately 60,000 members of gang whānau and over 80% have been in or through the care system.

Risks and Issues

During the quarter the risk that we will not meet the deadline for completing the Inquiry by 30 June became extremely high:

- The reprioritisation of resources to complete the hearing programme and the Lake Alice Case Study caused delays in work being progressed on the Final Report and the Order of St John of God case study;
- Natural justice processes due to start in the quarter for the Final Report have now been postponed to later in the year;
- It has become clear there are information gaps in our work in relation to credibly meeting the terms of reference, which is taking extra time to gather, analyse and work through.

In addition:

- Retention remains a challenge which impacts key areas including the capacity and capability to support analysis, drafting of content for Interim Reports and the Final Report and developing convincing recommendations;
- COVID-19, Influenza A and other leave commitments continue to impact the availability of staff.

Indicators of effectiveness

RAG: Green: On track. Amber: Off track but impacts mitigated. Red: Off track, and further mitigation required

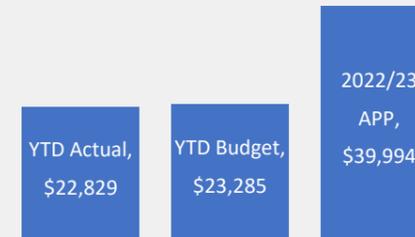
Indicators	Progress	Commentary
<ul style="list-style-type: none"> • Indicator: Number of survivor registrations and wellbeing sessions this quarter 	Progress status: Green	Commentary: 276 survivor registrations - 260 direct survivors and 16 impacted survivors (Impacted meaning family of survivors or witnesses of abuse). 175 private sessions held (15 written accounts provided). 860 wellbeing interactions undertaken.
<ul style="list-style-type: none"> • Indicator: Documentary analysis undertaken 	Progress status: Amber	Commentary: During the reporting period we have engaged with 140 witnesses and have completed 159 witness statements (1,225 overall). 2,138 documents were received during the quarter bringing the total to 1,115,156.
<ul style="list-style-type: none"> • Indicator: Hearings and wānanga successfully completed within the quarter as planned 	Progress status: Green	Commentary: We successfully completed the public hearing phase of our programme. The wānanga schedule has increased this quarter with expectations for the Commission to host more increasing.
<ul style="list-style-type: none"> • Indicator: Reports and other key deliverables completed as planned within the quarter 	Progress status: Red	Commentary: <i>Beautiful Children</i> , the Lake Alice Child and Adolescent Unit case study, was delivered to the Governor-General in December 2022. The Order of St John of God case study has missed its deadlines.
<ul style="list-style-type: none"> • Indicator: Delivery of the Inquiry's final report by 30 June 2023 	Progress status: Red	Commentary: Natural justice processes were not started this period due to analysis of documents still not yet complete, impacting on synthesis of material for drafting content of the Final Report. Managing faith-based institutions took a heavy toll on staff and Counsel Assist time this quarter. Staff absences and staff exiting their fixed term contracts earlier than their end dates this quarter also impacted on delivery.
<ul style="list-style-type: none"> • Indicator: Delivery of the Inquiry's work programme within the budget provided by Government 	Progress status: Amber	Commentary: We were advised Ministers approved a transfer of funds from non-departmental appropriations to cover our forecast operating costs. We continue to actively manage remaining budget pressures in the final six months of the Inquiry.

Financial Performance

Over the last two years we have reduced costs significantly by careful management of the scope of the work programme and of material cost items. Counsel costs have been reduced significantly.

Expenditure year to date (October to December) compared to Year to Date budget and to Appropriation (APP):

Departmental Expenditure: (000's)



- Departmental expenditure is currently running 1.9% (\$0.5m) under budget. Spending has increased during the quarter as the Commission was focused on completing all investigations and hearings. The Commission received a Fiscally Neutral Adjustment (FNA) from the Legal Assistance appropriation of \$5.6m that addressed operational spending pressures.
- A strong management focus is being applied to manage cost items that are over forecast.

Non-Departmental Expenditure:

Commissioner Fees: (000's)



- Commissioner fees are \$0.1m under budget YTD. During the quarter one Commissioner resigned. It is not expected the appropriation will be fully utilised.

Legal Assistance: (000's)



- Legal Assistance is currently \$0.7m underbudget YTD. While costs are expected to increase we do not expect to use the full appropriation. \$5.6m of this appropriation was moved to Departmental Expenditure as part of the fiscal neutral adjustment agreed by the Minister of Finance and former Minister of Internal Affairs in December 2022. It is not expected that the appropriation will be fully utilised.

Counselling Assistance: (000's)



- Counselling Assistance is currently \$1.7m under budget YTD. As previously noted the Commission is exploring other avenues to support survivors. It is not expected the appropriation will be fully utilised.