



Abuse in Care

Royal Commission of Inquiry

MINUTE 12

DIRECTIONS ON PHASE 2 OF FAITH-BASED REDRESS PUBLIC HEARING

26 FEBRUARY 2021

- 1 This Minute sets out directions on Phase 2 of the Royal Commission of Inquiry's upcoming public hearing into faith-based redress (**the Hearing**). It relates only to this hearing. [Practice Note 6 - Public Hearings](#) sets out further directions on public hearings.

Timetabling

- 2 The Hearing will commence on Monday 15 March 2021. The Hearing will be located at the Commission's hearing room at Level 2, 414 Khyber Pass Road, Newmarket, Auckland.
- 3 The Hearing is scheduled to go for 11 days and will run from 10:00am to 5:00pm with a lunch break between 1:00pm and 2:00pm. On Tuesday 23 March the hearing is scheduled to begin at 9:00am. Further directions may alter the timetabling as required.
- 4 A hearing schedule is attached to this Minute at Appendix A. This hearing schedule may be subject to change.

Opening and closing statements

- 5 Subject to any changes directed by the Inquiry:
 - a. Counsel for each faith-based institution is permitted a maximum of 10 minutes at the commencement of their section of the hearing to make an opening statement.
 - b. All other core participants are permitted a maximum of 10 minutes to make an

opening statement. This will occur directly after the opening statement for the most relevant faith-based institution.

- c. Counsel for each faith-based institution is permitted a maximum time of 1.5 hours for oral closing submissions on Monday 29 March 2021.
- d. All other Core Participants are permitted a maximum time of 20 minutes each for oral closing submissions on Monday 29 March 2021.
- e. Should Counsel for faith-based institutions, Counsel for Core Participants, Core Participants and those granted Leave to Appear wish to file written submissions, they should be filed no later than Friday 26 March 2021.

Directions relating to questioning of witnesses

- 6 [Practice Note 6 - Public Hearings](#) sets out the process for applications for leave to question witnesses. These applications must be made no later than 10 working days before the beginning of the public hearing. The Inquiry has received no applications for leave to question witnesses at this stage.
- 7 The following directions are made, subject to further directions at the hearing as required:
 - f. Where a witness is scheduled to give evidence for a half-day, evidence in chief should take no more than 1 hour.
 - g. Where a witness is scheduled to give evidence for a full day, evidence in chief should take no more than 2 hours.
 - h. Following the evidence in chief, Counsel Assisting the Commission will question the witnesses.
 - i. The Commissioners will have the opportunity to question the witnesses.
 - j. Re-examination will be determined by the Chair.

Protocol for document management in hearing

- 8 The Inquiry will be using hearing presentation technology to enhance access to documents referred to at the public hearing, making this more accessible to all participants, including the public via livestreaming.
- 9 If a party wishes any words, paragraphs, sections or other parts of any document to be highlighted when displayed on the screen, they must clearly be identified to the Inquiry when

providing the document. Communications relating to this should be addressed to Evidence Management: evidence.management@abuseincare.org.nz.

- 10 Should a matter arise during the course of the hearing resulting in a party wishing to have any further document/s displayed electronically on the screen, the Inquiry will make all reasonable endeavours to facilitate that, but parties are requested to provide as much notice as possible, and a minimum of 24 hours' notice is requested.
- 11 Any document that is produced for presentation via technology will be taken to be provided on the basis the full document (i.e. not just the part displayed on the screen) can be made publicly available on the Inquiry's website at the conclusion of that witness's evidence, subject to a minimum 72-hour delay (but at the sole discretion of the Inquiry) to ensure compliance with any s 15 orders or agreed redactions.

Section 15 Inquiries Act Orders

- 12 The Inquiry has issued a [General Restriction Order](#) and [Practice Note - Section 15 Orders - Anonymity and Redactions](#) reissued on 2 September 2020. The provisions in those documents apply. They are publicly available on the Inquiry website.
- 13 Parties may apply for s 15 orders if they consider that necessary. These applications should be received no later than 1 March 2021 to enable time for consideration by the Inquiry and any additional orders to be issued prior to the commencement of the hearing.

Religious attire

- 14 The Inquiry directs that religious attire or uniforms are not worn by anyone attending the public hearing, including witnesses. Such attire may be triggering for survivors, and survivor well-being is integral to the work of the Inquiry.

For the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions



Coral Shaw

Chair

26 February 2021

Appendix A – Proposed Draft Hearing Schedule

WITNESS	START TIME
Day 1 – Monday 15 March 2021 (Salvation Army)	
Opening statements – The Salvation Army and any relevant Core Participants	10:00am
Colonel Gerry Walker	After opening statements
Day 2 – Tuesday 16 March (Salvation Army)	
Murray Houston	10:00am
Day 3 – Wednesday 17 March (Salvation Army & Anglican)	
Murray Houston (continued)	10:00am
Opening statements – Anglican Church and any relevant Core Participants	Afternoon session
Bishop Bay	Afternoon session
Day 4 – Thursday 18 March (Anglican)	
Bishop Bay (continued)	10:00am
Bishop Carrell	Morning session
Day 5 – Friday 19 March (Anglican)	
Archbishop Richardson	10:00am
Day 6 – Monday 22 March (Anglican & Catholic)	
Archbishops Tamihere & Richardson	10:00am
Opening statement – Catholic Church and any relevant Core Participants	Afternoon session
Day 7 – Tuesday 23 March (Catholic)	
Fr Tom Doyle	9:00am
Br Peter Horide	Afternoon session
Day 8 – Wednesday 24 March (Catholic)	
Br Peter Horide (Continued)	10:00am
Virginia Noonan	Morning session
Day 9 – Thursday 25 March (Catholic)	
Fr Timothy Duckworth	10:00am
Day 10 – Friday 26 March (Catholic)	
Cardinal John Dew	10:00am
Day 11 - Monday 29 March 2021	
Closing addresses – all Core Participants	10:00am